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Dear Chris

**Submission to Planning Scheme Amendment C241wsea
Shenstone Park PSP**

We have been engaged to prepare a submission to Amendment C241wsea on behalf of Giuseppe and Rosa Mammone (**Clients**), the owners of the land at 40 Langley Park Drive, Donnybrook (**Subject Land**) as described in Figure 1 below (Property No. 4).

We thank Planning Panels Victoria (**PPV**) for the opportunity to provide this submission.



Figure 1 - Subject Land in relation to the proposed Future Urban Structure

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We note that the key impacts of the updated amendments proposed under C241wsea to the Subject Land are as follows:

- A land use change from Industrial to Light Industry on the southern portion of the Subject Land. The applied zone under section 2.2 of the exhibited Schedule 7 to Clause 37.07 Urban Growth Zone (**UGZ7**) would change from Clause 33.01 – Industrial 1 Zone (as exhibited) (**INZ1**) to Clause 33.03 - Industrial 3 Zone (as per the proposed 'Future Urban Structure') (**INZ3**).
- The road which runs in an east-west direction through the Subject Land will be upgraded from a Local Access Street Level 1 to a Connector Street (25m).
- The identification of a 3 hectare train station car park on the northern portion of the Subject Land

Proposed Zoning

- As the Subject Land is uniquely positioned close to Donnybrook Train Station, it is submitted that commercial use on the Subject Land ought to be maximised to take advantage of this proximity benefit. Accordingly, it is our Clients' respectful submission that the commercial zoning of the Subject Land under the UGZ7 be broadened to Commercial 1 Zone, mirroring the use within the business region in the English Street PSP area.
- The proposed business use under the Future Urban Structure Plan, which applies a Commercial 2 Zone to the northern part of the Subject Land with a specific prohibition on 'shop' use is a lost opportunity to provide users of public transport with access to a convenient retail provision.
- Further, it is submitted that the uses permitted under the Commercial 1 Zone will not undermine the commercial objectives of the PSP noting in particular that this zoning will still allow for office use on the Subject Land.
- We also note that the proposes zoning in the PSP also prevents the provision of higher density residential above commercial next to a public transport hub. The provision of higher density residential in proximity to transport hubs is consistent with the objectives of the Planning Scheme which seek greater housing choice and affordability and environmentally friendly transport outcomes. It is submitted that failing to allow residential above commercial in this location is a lost opportunity and lacks foresight.

Proposed Designated Land Use

- Given the proximity of the Subject Land to Donnybrook Train Station and the potential impacts of providing car parking on the Subject Land, it is submitted that the proposed ratio of business to light industrial use on the Subject Land is not an appropriate outcome.
- By reference to the Department of Transport's submission dated 6 January 2020, it is noted that this car park intends to support surrounding business use land. It is submitted that to best realise this benefit, the Subject Land should play a key role in

providing for more business use than that currently proposed by the Future Urban Structure Plan.

- Accordingly, it is submitted that the area of the Subject Land proposed to be designated for business use should be extended to the south in the Future Urban Structure Plan to mirror the extent of business use in the English Street PSP area.

Proposed Station Parking

- Other than the blue star marked on the Future Urban Structure Plan, the PSP does not provide any detail regarding the proposed station car park. Additionally, we note that the *Strategic Transport Modelling Assessment Report* does not recognise the proposed station car park as indicated on the Future Urban Structure Plan.
- The notation on the Plan creates an expectation that the Subject Land will be set aside for car parking, however this designation is not based on any rigorous assessment nor does the PSP set out how such an outcome is going to be delivered. There is no detail or mechanism provided which sets out how much land will be required for car parking, how it will be paid for and who is delivering it.
- It is accordingly respectfully requested that the PSP and in particular the Future Urban Structure Plan remove reference to the carpark being 3.0ha as this creates a performance measure, not supported by any rigorous analysis and with no guidance as to how it is to be delivered. Such a notation has the potential to be problematic for any future referral to the Department of Transport.
- As a minimum, we request that the PSP and C241wsea should provide additional guidance as to what will be 'generally in accordance' with the blue star marked on the Future Urban Structure Plan so as to provide certainty to the development potential and subdivisional prospects of the Subject Land.
- The PSP should also detail the mechanism how any car parking area is proposed to be acquired or established by the Department of Transport or at least provide certainty as to the operation of the referral process proposed under C241wsea.

Street Network & Public Acquisition Overlay

- Plan 10 (Street Network) of the PSP does not clearly indicate whether the proposed local access street level 1 on the western boundary of the Subject Land is to be located within the Public Acquisition Overlay. This should be clarified in the PSP.

Conclusions

The Shenstone Park PSP and Amendment C241 does not adequately address or particularise a response to the issues raised by this submission in relation to the Subject Land and requires further modification to achieve an acceptable outcome.

We once again thank PPV for the opportunity to provide this submission.

Yours sincerely



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