

1 AMENDMENT C228 PAKENHAM ACTIVITY CENTRE - REQUEST FOR PLANNING PANEL

FILE REFERENCE INT209489

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RECOMMENDATION

That Council:

1. Receive and consider all submissions received during the exhibition of Planning Scheme Amendment C228.
2. In accordance with Section 23 of the *Planning and Environment Act 1987*, refer all submissions for consideration to an independent planning panel to be appointed by the Minister for Planning.

Attachments

- 1 Summary of Submissions and Officer Response 13 Pages

EXECUTIVE SUMMARY

At the General Council Meeting 20 May 2019, Council adopted draft versions of the *Pakenham Structure Plan 2019*, *Pakenham Major Activity Centre Urban Design Framework 2019* and resolved to seek authorisation from the Minister for Planning to prepare and exhibit Planning Scheme Amendment C228.

Amendment C228 was placed on exhibition for a period of 4 weeks from Thursday 24 October to Friday 6 December 2019 and during this time, 18 submissions were received. 10 were from individuals and eight (8) from Public Authorities. Three (3) submissions objected to the Amendment, five (5) submissions supported the Amendment, Five (5) submissions were neutral and five (5) submissions were supportive but requested changes.

BACKGROUND

The *Pakenham Structure Plan* was first adopted by Council in April 2015 and incorporated into the Cardinia Planning Scheme through Amendment C211 (approved March 2017). The approval of this Amendment was received with the following conditions:

1. *The Structure Plan and its built form requirements be implemented via the appropriate planning tool, the Activity Centre Zone.*
2. *An expiry date of 31 December 2019 be placed on the structure plan to ensure that the objectives of the structure plan are achieved by implementing its requirements regarding built form through the appropriate planning tool.*
3. *Council and VicTrack must determine the future of Bourke Park prior to the finalisation of the Activity Centre Zone and future amendment for the Pakenham Activity Centre.*

This Amendment, C228 responds to requirements 1 and 2.

To ensure that planning control and guidance for the Activity Centre remains whilst this Amendment progresses, Council requested an extension to the expiry date of the *Pakenham Structure Plan (March 2017)* via Planning Scheme Amendment C260 until 30 June 2021. This was approved by the Minister for Planning on 12 December 2019.

In response to requirement three, Council Officers have engaged with VicTrack and the relevant land authority (DJPR) and VicTrack have confirmed that VicTrack are not selling Bourke Park as the land has potential future development opportunity as a transit hub. They have also requested that Council rezone the land to Public Use Zone - Schedule 4 Transport (PUZ4) to appropriately identify the intended land use for this site. That request is considered outside the scope of this Amendment, however assistance will be provided to VicTrack if in future, when a formal amendment request is made.

As per Amendment C211 Panel's recommendations, Council has also resolved that it will not be seeking to purchase the Bourke Park land from VicTrack.

Next Steps

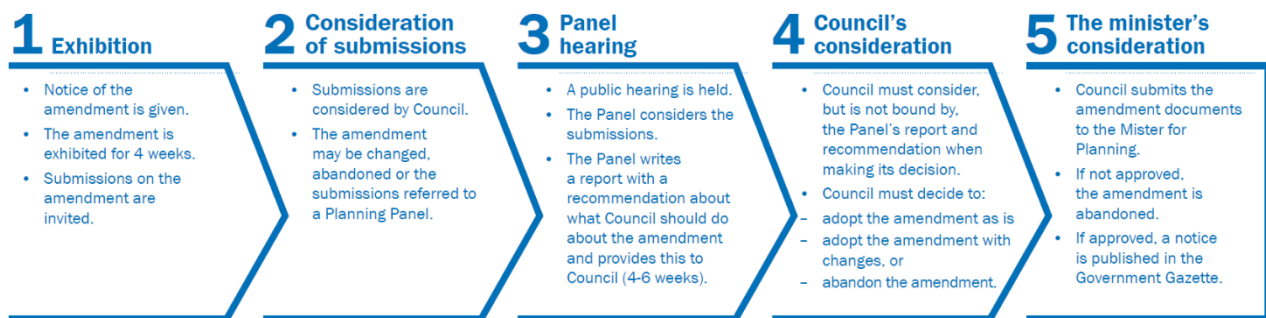


Figure 1. Steps in the Planning Scheme Amendment process

We are at **Stage 3** of the Planning Scheme Amendment process as detailed above in Figure 1. A Panel Hearing is scheduled to occur week commencing 4 May 2020. Following the hearing, the Panel will prepare a report that will be considered by Council at a future Council meeting with a recommendation as to how to proceed with the Amendment.

POLICY IMPLICATIONS

Plan Melbourne Metropolitan Planning Strategy - 2017-2050

Plan Melbourne is the Metropolitan Planning Strategy that guides Melbourne's growth through to the year 2050. Pakenham is identified as a Major Activity Centre in *Plan Melbourne*. The relevant directions and initiatives of Plan Melbourne are as follows:

- **Direction 1.2** - Improve access to jobs across Melbourne and closer to where people live
 - **Policy 1.2.2** - Facilitate investment in Melbourne's outer areas to increase local access to employment.
- **Direction 2.1** - Manage the supply of new housing in the right locations to meet population growth and create a sustainable city.
 - **Policy 2.1.2** - Facilitate an increase percentage of new housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs and public transport.
 - **Policy 2.1.4** - Provide certainty about the scale of growth in the suburbs.
- **Direction 2.2** - Deliver more housing closer to jobs and public transport

- *Policy 2.2.3* - Support new housing in activity centres and other places that offer good access to jobs, services and public transport.
- **Direction 2.4** - Facilitate decision-making processes for housing in the right locations
 - *Policy 2.4.1* - Support streamline approval processes in defined locations.

Planning Policy Framework (PPF)

The Planning Policy Framework (PPF) implements *Plan Melbourne* via Clause 11.03 Activity Centres encouraging urban consolidation in areas with good access to activity centres, public transport and employment areas. It also promotes good urban design to create environments that are safe, diverse and offer opportunities for walking and cycling. Activity centres should meet the needs of local communities and provide retail, entertainment, office and commercial opportunities.

At the local level the Municipal Strategic Statement (MSS) at Clause 21.03 identifies Pakenham Activity Centre as part of Melbourne's key Growth Area, which requires the preparation of a structure plan to guide future development.

RELEVANCE TO COUNCIL PLAN

Section 3 Our Environment

The objective: We will continue to plan and manage the natural and built environment for present and future generations.

- Action 3.2.3. Develop transport networks that incorporate effective public transport.
- Action 3.2.4. Prioritise multi-use pathways, where practicable, to create networks that connect destinations.
- Action 3.4.1. Plan and develop built environments that support improved health and wellbeing of our communities.
- Action 3.5.2. Plan for the development of the urban growth area with a mix of residential, commercial, employment, recreational and community activities to meet the needs of our growing community in a sustainable way.
- Action 3.5.3. Provide for the sustainable development of rural townships while taking into account their existing character and community needs.

Section 4 Our Economy

The objective: We will create and support local employment and business opportunities for our community and the wider region.

- Action 4.1.2. Support the development of existing and new businesses within the Shire.
- Action 4.1.4. Plan the development of Officer and Pakenham town centres.
- Action 4.3.2. Encourage the establishment of tourism and hospitality in appropriate areas of the Shire.
- Action 4.3.3. Advocate for the delivery of small and large-scale projects that enhance and drive economic activity.

CONSULTATION/COMMUNICATION

The *Pakenham Structure Plan (March 2017)* has been informed by extensive community consultation which was completed over a four-year period from 2012 to 2016. The consultation processes included: an *Initial Discussion Paper (May 2012)*, *Key Directions Paper (August 2012)*, a *Draft Pakenham Structure Plan (2014)* and the adopted final *Pakenham Structure Plan (2015, and March 2017)* and implemented via Planning Scheme Amendment C211.

Amendment C228 was placed on public exhibition for a period of 4 weeks from Thursday 28 October 2019 to Friday 6 December 2019. All owner/occupiers within the Activity Centre boundary, community groups and the relevant public authorities were notified of the exhibition of the Amendment. A total of 3,503 letters and 63 emails were sent.

In addition to the above, the Amendment was promoted using the following methods:

- Notice in the Pakenham Gazette - 23 October 2019
- Notice in the Government Gazette - 24 October 2019
- Pakenham Gazette Advert - 23 October 2019 & 20 November 2019
- Pop up/drop in sessions - Main Street Pakenham (6 & 9 November 2019) Pakenham Library (27 & 30 November 2019)
- Relevant Council departments notified
- Cardinia Shire Council website
- Media release
- DELWP website
- C228 Amendment documents were made available at the Cardinia Shire Council Civic Centre customer service desk and the Pakenham Library

FINANCIAL AND RESOURCE IMPLICATIONS

Costs associated with this Amendment are provided for within the current and proposed Planning Strategy and Urban Design budget 2019-2020.

The application of the Activity Centre Zone (ACZ) provides a clear policy framework to assist Council planners when assessing and making decisions on applications within the Pakenham Activity Centre.

CONCLUSION

Amendment C228 was placed on exhibition for a period of four (4) weeks from Thursday 24 October 2019 to Friday 6 December 2019 and a total of 18 submissions were received.

Given that there are unresolved submissions, it is recommended that in accordance with Section 23 of the *Planning and Environment Act 1987*, Council refer all submissions for consideration to an independent Planning Panel to be appointed by the Minister for Planning.

Attachment 1: Submission summary and officer response**Acronym**

ACZ – Activity Centre Zone

Panel – Victorian Planning Panel

DoT – Department of Transport

Individual Submissions

Sub #	Position	Submission Summary	Council officer Response	Recommendation for Panel Hearing
1.	Support	<ol style="list-style-type: none"> Hopefully fix the movement network and removing some dangerous intersections by those travelling by car. Not supportive of the height of buildings in Main Street but the open area (Entertainment Plaza) may make this acceptable. Supports a 3 storey maximum height in Pakenham. Council needs to plan long term to ensure people, parks, businesses and infrastructure (schools, roads, public transport) is provided at the same time or before new housing. Priorities for Pakenham: Environment and Sustainability, Parking and traffic, parks and open space, public transport, support for local businesses, walkability. 	<ol style="list-style-type: none"> Noted. Noted. Noted. Noted. Noted. 	Refer to Panel.
2.	Neutral	<ol style="list-style-type: none"> Preserve heritage within the activity centre and respect history. A heritage overlay was placed on 10 Wadsley Avenue, Pakenham. Where are the Pakenham heritage buildings gone? e.g. the Old Post Office. Maximum infill seems to be the motivation Concerns about the lack of art works, gardens, cycle tracks (shared use paths), Residential complexes recently approved are unattractive and will become slums. Concerns for current Planning and design for Pakenham. Concerns for overdevelopment. Pakenham needs attractive open space with seating, gardens, community gardens. Maximum needs to be mandatory 4 storeys. People friendly heights. 	<ol style="list-style-type: none"> Council recently applied heritage overlays to protect heritage in Pakenham through Amendment C242 which was approved in August 2019. Wadsley Avenue was not considered to be of heritage significance. Much of Pakenham's Heritage has been re-developed over time before Council was able to apply heritage controls. Noted. Infill development is expected to occur over the next 20 years. Community artwork and gardens is not a land use item identified by the Pakenham Structure Plan. Additional shared use paths will be provided as per of Council's <i>Pedestrian and Bicycle Strategy 2017</i>. Additional pathways 	Refer to Panel.

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Attachment 1: Submission summary and officer response

Sub #	Position	Submission Summary	Council officer Response	Recommendation for Panel Hearing
		<ol style="list-style-type: none"> Roads and infrastructure need to accommodate population increases. Priorities for Pakenham: Cycling, Environment and sustainability, development density and scale, parks and open space, walkability, and heritage. 	<p>may be accommodated as part of the Level Crossing Removal Project.</p> <ol style="list-style-type: none"> As part of this project Council has produced an Urban Design Framework for the Pakenham Major Activity Centre which will guide and assist design in Pakenham. Noted The Activity Centre Zone Schedule 1 has integrated a 'preferred' height for each precinct to allow flexibility in the design of future buildings. Noted. Noted. 	
3.	Support	<ol style="list-style-type: none"> Having seen the damage bushfires can do, we should not keep building outwards. European townships do not build on good farming lands. We should be building upwards. Supports 4 storeys or more. Priorities for Pakenham: Affordability, Environment and sustainability, General appearance, parks and open space, public transport, support for local businesses. 	<ol style="list-style-type: none"> Noted. Noted. Noted. Noted. 	Refer to Panel.
4.	Neutral	<ol style="list-style-type: none"> The initial <i>Pakenham Structure Plan 2017</i> identified the property for acquisition. Updated Pakenham Structure Plan no longer requires the property for a road connection. Submitter wants more certainty and wanted additional consultation regarding this matter. 	<ol style="list-style-type: none"> Noted. 	Refer to Panel.
5.	Support Requested changes	<ol style="list-style-type: none"> Current shop vacancies are a concern, i.e. Old Good Guys site, Pakenham Place Challenge statement regarding the amendment will make Pakenham more vibrant, people make a place vibrant, not the implementation of Amendment C228 and high quality new development. 	<ol style="list-style-type: none"> The amendment seeks to provide a clear vision and structure for Pakenham to provide certainty for existing and future development in the area. It is noted that market determines the level of shop vacancies. See point 1. 	Refer to Panel.

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		<ol style="list-style-type: none"> Concerned about the statement 'The Pakenham Activity Centre will be a prosperous and sustainable activity centre'. Pakenham will never be prosperous. No mention of cultural diversity in the population breakdown. Structure Plan should acknowledge aboriginal heritage City vs Country character, Pakenham has a 'rural feel' and should continue to be. Infill development will ruin this. Maintenance of the open drain at the Pakenham Railway Station needs to be maintained. Cardinia Shire and the Railway Corporation should work together Local employment should be a focus of the Shire. 	<ol style="list-style-type: none"> See point 1 and this statement originated from community's vision and is aspirational for Pakenham. Noted. Noted. Noted. Noted. Noted. 	
6.	Neutral Requested changes	<ol style="list-style-type: none"> Precinct 3 Princes Highway should be included in Precinct 7 Residential. Concerned the properties along Princes Highway are not suitable for higher density. Neighbourhood character currently one and two storey and no justification for higher density development proposed. Amenity impacts to properties on the boundary (particularly at the rear) of Precinct 3 and Precinct 7 including overlooking concerns and overdevelopment. No interface treatment with rear properties in Precinct 7 which adjoins Precinct 3. Precinct 3 redevelopment of a mix of commercial (childcare & medical) and residential is inappropriate due to its distance from the station. Precinct 3 (south side of Princes Highway) is not connected to the commercial development on the northern side of the highway. 	<ol style="list-style-type: none"> Noted. Pakenham is a Major Activity Centre in close proximity to a transport hub and railway station. The area is in transition from a town centre to a higher density, employment, services and jobs. The application of the ACZ and its requirements identifies sympathetic treatments to adjoining residential precincts, including rear setbacks as per the requirements in Clause 55 although Council could consider some further guidance on the interface between the two precincts. See point 3. The proximity to Princes Highway is practical for uses which integrate well with residential such as medical centres child-care centres. Precinct 3 is not intended to be a replica of the northern side of Princes Highway. It 	Refer to Panel.

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			allows for uses which can utilise the Highway and road network efficiently.	
7.	Support Requested changes	<ol style="list-style-type: none"> 1. Precincts 6, 5 and part of 1 operate as silos and should be integrated to increase their overall value. Better integration between central precincts would improve Pakenham. 2. Provide a clear line of sight between the separate areas [precincts]. 3. Provide a welcoming pedestrian access between each area. 4. The draft plan does not adequately address these issues and is a missed opportunity to create a cohesive town centre. 5. Supports 6 storeys if Pakenham level crossing removal is skyrail if upper floors should be setback and sensitively designed to ensure a not so visually intrusive impression. Higher buildings would have the effect of reducing the visual impact of skyrail on Pakenham. 6. Priorities for Pakenham: Community services, Development density and scale, general appearance, parking and traffic, public transport and walkability. 7. The railway station is upgraded should be moved to Precinct 5 and integrated into the retail precincts. Giving Pakenham a point of difference to other retail zones. 8. The level crossing removal project provides an opportunity to improve the road network and the draft plan builds on this. 9. Cycling and pedestrian infrastructure needs to be upgraded and updated for an increasing number of mobility scooters and electric wheelchairs. The Pakenham Structure Plan should include more detail on improving this infrastructure. 10. The gateway entry at Main Street/Princes Highway has never been effective and the Plan does not do anything to improve it. 	<ol style="list-style-type: none"> 1. The Precincts have been identified separately as they provide different types of retail to the activity centre. The design and land uses are intended to be integrated. 2. Noted. 3. Noted. 4. Noted. 5. Noted. The exhibited Activity Centre Zone Schedule 1 makes provision via for all upper floors above the preferred height be setback. 6. Noted. 7. This is outside the scope of the Amendment and will be developed in conjunction with the Level Crossing Removal Project. 8. Noted. 9. Additional shared use paths will be provided as per of Council's <i>Pedestrian and Bicycle Strategy 2017</i>. 10. The Pakenham Structure Plan and Urban Design Framework addressed this gateway site and provides strategies for improving the gateway to the activity centre. 11. Noted. 	Refer to Panel.

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		11. The Pakenham Structure Plan does not appear to take advantage of connections to the Pakenham Bypass, McGregor Road and Koo Wee Rup-Pakenham roads as major entry points into Pakenham.		
8.	Objects	<ol style="list-style-type: none"> 1. Objects to the height limit of 14metres imposed on 'Precinct 4: East Commercial and Mixed Use', particularly the area opposite 'Bourke Park'. 2. Request the removal of the general height limit restriction and substitute with individual assessment by the Council's planning department in determining the height limit. 3. Strict compliance with the building height will slow overall development. Owners will not achieve the expected returns from developments. 4. 48 James Street Pakenham was recently approved for a 6 storey building with basement car park and is 18 metres in height. 4 metres over the general planning restriction. 	<ol style="list-style-type: none"> 1. The Activity Centre Zone Schedule 1 for Precinct 4 identifies a 'Preferred Height' of 14 metres. It is not mandatory. 2. If the design and use is appropriate a higher building could be considered as long as it meets the objectives of the zone, application requirements and decision guidelines. 3. The Activity Centre Zone Schedule 1 assists with guiding development and does not implement mandatory building heights providing some certainty for future development both for owners and decision makers. 4. The development of a 6 storey development 48 James Street Pakenham occurred prior to the exhibition of Planning Scheme Amendment C228. However, the Activity Centre Zone was utilised in part of the assessment of the planning application. 	Refer to Panel.
9.	Objects	<ol style="list-style-type: none"> 1. Amendment C228, Pakenham Structure Plan and Urban Design Framework do not take into account changing and uncertain weather patterns, environmental conditions and viability of energy resources. 2. Greater emphasis to be placed on green wedge and open space, availability of fresh water instead of high rise buildings and extensive commercial activity. 3. Car parking for additional residential. 4. Health and wellbeing and social welfare resources need to be considered. 	<ol style="list-style-type: none"> 1. The Pakenham Structure Plan addresses some impacts of climate change via section 5.4.5. Sustainability. The objective is to "Ensure all development within the activity centre provides high quality innovative design in a manner that is consistent with and promote the principles of environmentally sustainable design reducing the impacts of climate change". 	Refer to Panel.

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		5. Not supportive of higher density and infrastructure being the focus of Planning Scheme Amendment C228.	2. Plan Melbourne identifies Pakenham as a Major Activity Centre and directs development close to infrastructure, employment and public transport. This Amendment is consistent with this State Planning Policy. 3. Car parking requirements for residential properties are determined by Clause 52.06 and assessed at the Planning Permit Application stage. 4. Noted. 5. Noted.	
10.	Objects	1. Letter and FAQ not written in plain English. 2. All drones must be banned from the area affected by the Amendment. Scare away native birds, cause dogs to bark and impacts the bees, therefore the ability to grow food. 3. Concerned with high density housing, lack of parking in residential estates, including the former Racecourse Site. 4. Social housing is an issue. The closure of the 4C and no adequate parking for St Vincent de Paul will struggle to service the community and the former Racecourse site. 5. All noise from loud music within the Activity Centre should be banned. Loud music coming from Ronald Reserve, the swimming pool, skate-park and festivals to be kept within the boundary of the property. 6. Requests traffic slowing mitigation such as speed humps to reduce traffic speed along Henry Street. The John Street, Henry Street and Cook Drive roundabouts and intersections are dangerous and need to be fixed. 7. Give way signs on Slattery Place which give priority Station Street need to be changed. Unable to see traffic on Station Street because of buses blocking site lines.	1. Noted. Pop-up Sessions were provided to discuss the project to clarify any issues. 2. The use of drones is a Local Laws issue. Outside the scope of the Amendment. 3. Plan Melbourne identifies Pakenham as a Major Activity Centre and directs development close to infrastructure, employment and public transport. This Amendment is consistent with this State Planning Policy. Car parking requirements for residential properties are determined by Clause 52.06 and assessed at the Planning Permit Application stage. The former Racecourse site is not included in the boundary of the Pakenham Activity Centre and is not included in this Amendment. 4. Council has an adopted <i>Social and Affordable Housing Strategy 2018-2025</i> and works with various housing groups to do its part in alleviating these pressures. 5. Outside the scope of the Amendment as it is a civil matter. Please refer to the EPA guidelines for noise requirements.	Refer to Panel.

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Sub #	Position	Submission Summary	Council officer Response	Recommendation for Panel Hearing
		<p>8. Branches of plants on resident's properties need to be pruned. Grass growing on footpaths need to be managed and obstructions removed for pedestrians and motor scooters.</p> <p>9. Concerned the King Street and Princes Highway will be opened and allow traffic to turn right into King Street from Princes Highway.</p>	<p>6. The request to add speed humps as a traffic calming mechanism to Henry Street is not supported by Council. Henry street forms part of an important bus route leading to the bus interchange at Pakenham Station. Cook Drive and Henry Street and King Street and Henry Street intersection site lines are appropriate. Over the past five years there has been no recorded crashes at these intersections. Therefore, the current intersection controls (Give Way and Stop Signs) are considered satisfactory.</p> <p>Henry Street is currently a 50km/h zone.</p> <p>7. Give way signs are appropriate for the site lines at the intersection and right of way for the buses on Station Street.</p> <p>8. This a local law issue and can be managed through these mechanisms.</p> <p>9. Noted. The Pakenham Structure Plan 2019 does not identify changes to the King Street and Princes Highway intersection.</p>	

Attachment 1: Submission summary and officer response**External Referral Authorities**

	External Referral Authority	Position	Submission Summary	Council Officer Response	Recommendation for Panel Hearing
11.	South East Water	Supportive with requested changes	<p>Request that the Pakenham Structure Plan 2019 make allowance for increased sewage flows. The activity centre will flow into the Peet Street Branch sewer where flows will need to be confirmed for South East Water to review the impact on the sewer and proposed duplication.</p> <p>The increased activity will also have an impact on our water mains and this can be assessed as more information is available on new activity to the area.</p>	Noted. Relevant updates to infrastructure section be updated in alignment with request.	Refer to Panel.
12.	Melbourne Water	Support	Future development applications within the Pakenham Major Activity Centre must positively address and appropriately cater for the protection of existing Melbourne Water assets (including waterway corridors), and mitigate any impacts due to an increase in impervious surfaces across the catchment, associated with flood protection, water quality and waterway health.	Noted. These concerns will be addressed at the Planning Permit Application stage.	Refer to Panel.
13.	VicRoads	Supportive with requested changes	<p>1. Objectives of Precinct 3 includes complementary residential uses such as aged care, medical and health related services, childcare centres, and offices. These activities will generate higher numbers of vehicle movements than the existing residential properties. Although all properties gain access via the service lane, the service lane is still part of the Road Zone Category 1 Zone.</p>	<p>1. Noted. Consideration of additional specific guidelines in terms of impacts traffic movements for Precinct 3 can be assessed.</p>	Refer to Panel

Attachment 1: Submission summary and officer response

	External Referral Authority	Position	Submission Summary	Council Officer Response	Recommendation for Panel Hearing
			<p>Proposals for minor intensification such as dual-occupancy developments on an existing single residential site are unlikely to cause significant impact on the arterial road because of the service lane access.</p> <p>More significant developments such as offices, medical centres, childcare and aged care facilities may have impacts on the through-lanes of Princes Highway even if it does not result in physical alteration of access due to the limited vehicle deceleration opportunities at the existing entry points to the service lane. VicRoads would like to take this opportunity to remind Council to have regard to these considerations as they exercise their discretion in relation to the proposed notice and review requirements under Clause 37.08-7 as well as Clause 52.29.</p>		
14.	Department of Transport	Supportive with requested changes	<ol style="list-style-type: none"> 1. The Railway Station and other key transport elements such as the railway line to be included in the Pakenham Major Activity Centre boundary. 2. The Pakenham Structure Plan 2019 to be updated to provide flexibility for the development of the Pakenham Level Crossing Removal Project including the location of the rail line, Pakenham Station and future gateways. 3. The Pakenham Structure Plan 2019 refers to several transport and movement strategies such as new pedestrian and cycling routes, truncation 	<ol style="list-style-type: none"> 1. The inclusion of key transport elements including the rail line can be provided the Major Activity Centre boundary with the existing zoning to be retained as PUZ4 with any changes to the rail corridor. 2. Changes to the structure plan to provide flexibility in terms of the future major projects is reasonable and supported although given the current level of detail with regard to the projects is minimal changes will be limited. 3. The amendment including the structure plan has been developed with current information regarding transport 	Refer to Panel.

Attachment 1: Submission summary and officer response

	External Referral Authority	Position	Submission Summary	Council Officer Response	Recommendation for Panel Hearing
			<p>of Main Street, Webster Road extension and various elements. It is recommended council undertake comprehensive transport planning and modellings to inform proposed changes to the movement network.</p> <p>4. Supports the structure plan key objective 5.2.4 particularly relating to a fully integrated multi modal public transport interchange although notes that the bus interchange is isolated and in need of redesign to integrate with the core business are.</p> <p>5. Risks of the amendment due to the unknown design, scope and impact of major projects within the boundary of the structure plan including Level Crossing Removals of McGregor Road and Main Street and redesign and possible relocation of the Pakenham Station. Noting issues with road access for bus movements and the overall movement network the structure plan</p> <p>6. Pedestrian and cycling only environment on Main Street via its truncation is not supported with DoT not supportive of buses introduced to this environment due to safety and reliability.</p> <p>7. Section 4.2 Station Gateway of the Urban Design Framework is not supported due to the likely redesign of the Pakenham Station.</p> <p>8. Precinct interfaces with the road and road corridors include potential for higher density development. It is suggested that these precincts include</p>	<p>movements and strategies in the area, when there is more certainty about the major project full modelling will be undertaken to consider implications for the structure plan.</p> <p>4. Noted</p> <p>5. It is acknowledged that DOT is seeking to improve public transport networks and that major projects associated with these improvements are supported. The influence these projects have on the MAC including Pakenham Station being an integral part of the MAC is noted although the unknown design and scope of the major project relating to the Station and the level crossing removal project should not delay changes to the existing planning scheme to address key strategic directions for Pakenham. If all strategic work was to be delayed awaiting more detail regarding major project nothing would move forward as such it is considered a more appropriate response to acknowledge in the structure plan the future major project and when more detail is provided by the Department of Transport and Level Removal Crossings Authority changes to the MAC and Structure Plan can be fully assessed and appropriate amendments made at a stage where details are provided. It is unreasonable to expect no implementation of the strategic direction for the MAC at this stage given its significance within the municipality.</p>	

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			<p>the provision for noise and visual amenity controls</p> <p>Amenity impacts such as noise emanating from the rail corridor (such as freight operations) should be recognised and appropriately responded to by new developments. Of Particular note is Child Care Centres and Dwellings as section 1 uses in Precinct 1, 5 & 7 which directly interface the railway corridor should provide an acoustic assessment report prepared by a qualified acoustic engineer or other suitably skilled person to the satisfaction of the Responsible Authority and the Department of Transport.</p> <p>Visual amenity controls in line with the future Level Crossing Removal Project should be included in the Schedule 1 to the Activity Centre Zone.</p> <p>9. Suggested that the timing of the amendment stages is reviewed and if necessary updated to reflect timing of committed projects.</p> <p>10. Recommended that no planning controls are placed on VicTrack owned land including Bourke Park.</p> <p>11. Recommended that 'Railway' should be made a Section 1 (permit not required) use within the schedule to the Activity Centre Zone and that an additional exemption for building and works associated with a railway is added to subclause 4.3 of the schedule to ACZ</p>	<p>6. As noted above any future direction and changes to the major projects can be integrated into the structure plan and MAC and any changes to the nature of Main Street will be developed in consultation with DoT.</p> <p>7. Changes to the Urban Design Framework can be considered to provide for flexibility in terms of the future development of the station.</p> <p>8. The clearer direction in terms of amenity impacts from existing infrastructure on future development can be integrated into the amendment and can be developed in conjunction with DoT.</p> <p>9. The department cannot provide timings for the future major projects and amendment stages are considered appropriate when more certainty and detail is provided with regard to the major projects this can be appropriately integrated into the strategic directions and implementation through the Cardinia Planning Scheme.</p> <p>10. As detailed in Point 1 the inclusion of the rail line and station within the MAC could acknowledge VicTrack land as shown in the exhibited Schedule 1 Clause 37.08, these will not be rezoned to the ACZ .</p> <p>11. Inclusions of exemptions in the schedule is considered reasonable and will allow for flexibility in terms of any future changes that might be completed as part of the rail corridor.</p>	

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15.	Victorian Planning Authority	Neutral	1. At this time the VPA provides no comments on the proposed Amendment as the VPA are not working on any projects that may be materially affected by the Amendment.	1. Noted.	Refer to Panel.
16.	Department of Education (Victorian School building Authority)	Support	1. Population projections for the Pakenham Major Activity Centre is based on 2016 Census ABS Data and is understood at a larger catchment area known as the Pakenham Precinct. The Structure Plan recognises a demographic shift with the Major Activity Centre of fewer families with children, and a greater proportion of retirees and residents approaching retirement age, and a high number of single persons. The Victorian School Building Authority will continue to work with Cardinia Shire Council and other relevant stakeholders to monitor growth within the Pakenham area.	1. Noted.	Refer to Panel
17.	Environment Protection Authority	Support	1. EPA is supportive of the amendment as ACZ includes specific requirement for development of 56-62 Station Street Pakenham and Council is reminded of their obligation to ensure the suitability of the site for development with a preliminary site investigation can provide an opinion on the requirement for an audit. It cannot provide conclusive opinion on the suitability of a site use only an audit can achieve this.	1. Noted	Refer to Panel

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18.	CFA	Neutral	1. CFA has reviewed the proposed planning scheme amendment and given the amendment the focus of the Amendment on the existing Pakenham Precinct Structure Plan (PSP), it does not appear to have significant implications relating to bushfire and/or service delivery for CFA at this time.	Noted.	Refer to Panel