

## 6.1.3 Pakenham South Employment Precinct Structure Plan

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### Recommendation(s)

That Council:

1. Receive and consider all submissions received during the exhibition of Planning Scheme Amendment C265.
2. In accordance with Section 23 of the Planning and Environment Act 1987, refer all submissions to an independent planning panel for consideration to be appointed by the Minister for Planning.

### Attachments

1. Appendix [6.1.3.1 - 7 pages]

### Executive Summary

Planning Scheme Amendment C265 was exhibited from 15 October 2020 - 26 November 2020 seeking to incorporate the Pakenham South Employment Precinct Structure Plan (PSP) into the Cardinia Planning Scheme. The PSP facilitates 185 hectares of employment land within a State Significant Industrial Precinct to provide approximately 3,500 job opportunities. The PSP sets the vision for the land ensuring a high standard of urban design and amenity with a local convenience centre, access to public transport, local parks and a shared path network.

Thirteen (13) submissions were received raising matters including premature oversupply of employment land, traffic and associated infrastructure, precinct boundaries, requests for changes to the Design Guidelines and various Authority comments. Whilst some of these matters can be resolved, for the most part they cannot and therefore must be referred to an independent planning panel for consideration.

### Background

The Pakenham South Employment PSP forms part of the Pakenham/Officer State Significant Industrial Precincts, Urban Development Program DELWP 2016 and is located directly south of the South East Business Park and south west of the Livestock Exchange.



**Figure 2. Location of PSP precinct**

## Subject Site

### The Vision

The PSP will provide opportunities for industries to operate in a defined employment hub, appropriately located away from sensitive residential areas. Businesses requiring larger lots and buffer distances will be attracted to the precinct with its limited environmental and topographical issues and accessibility to infrastructure, nearby services and freight connections. A diverse mix of industrial, manufacturing, warehousing and commercial jobs within the precinct will enable residents living in Cardinia and its surrounds the opportunity to work closer to home and reduce commute times. The PSP area will include a local convenience centre with adjacent open space, local parks, shared path network and access to public transport and bus capable roads throughout

### Relevance to Council Plan

#### 3.5 Our Environment - Balanced needs of development, the community and the environment

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.

### Policy implications

The PSP aligns with key Commonwealth, State, and local policies as they relate to the planning of an employment PSP.

### Plan Melbourne 2017-2050 - Melbourne Metropolitan Planning Strategy

The relevant directions and policies of Plan Melbourne are as follows:

- Direction 1.1 - Create a city structure that strengthens Melbourne's competitiveness for jobs and investment
- Policy 1.1.6 - Plan for industrial land in the right locations to support employment and investment opportunities
- 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

### **Liveability Plan 2017-2029**

The PSP aligns with the following policies:

- Employment - to increase participation in local employment by facilitating investment in the local economy that creates new job opportunities and pathways that enable employment opportunities.
- Open Spaces and Places - to increase participation in open spaces and places by strategically planning and maintaining open spaces and places to be safe, accessible, appealing and connected.

### **Cardinia Planning Scheme**

- Clause 11.02-2S Structure planning - to facilitate the orderly development of urban areas through the preparation of precinct structure plans
- Clause 11.03-2S Growth areas - provide for significant amounts of local employment opportunities
- Clause 17.03-1S Industrial land supply - to ensure availability of land for industry
- Clause 17.03-3S State significant industrial land - to protect industrial land of state significance
- Clause 21.03-2 Urban growth area - to create a functional, attractive, safe and sustainable urban environment for the existing and future community
- Clause 21.04-1 Employment - to develop diverse local employment opportunities to meet the needs of a growing residential population

The PSP document is also informed by:

- Precinct Structure Planning Guidelines
- South East Growth Corridor Plans (2012)
- Biodiversity Conservation Strategy and Sub Regional Species Strategies for Melbourne's Growth Areas (2013)
- The Pakenham South Employment Background Report 2019

### **Climate emergency consideration**

The future implementation and development of the PSP is guided by the following objective:

- Prepare for the impacts of climate change by encouraging resilient, environmentally sustainable design and development across the precinct.

### **Consultation**

Amendment C265 was exhibited for six weeks from 15 October 2020 - 26 November 2020. A notice was placed in the Pakenham Gazette (14 October 2020) and Government Gazette (15 October 2020). Letters were sent to all landowners and occupiers within the precinct and surrounds (274 letters) on 9 October 2020. Emails were sent to all relevant authorities and agencies, community groups and Government Ministers on 13 October 2020.

Thirteen (13) submissions were received from a mix of Authorities and landowners with matters raised including premature oversupply of employment land, traffic and associated infrastructure, precinct boundaries, requests for changes to the Design Guidelines and various Authority comments. Whilst some matters can be resolved, most cannot and must be referred to an independent planning panel for consideration.

The following authorities did not respond in writing within the exhibition period however they can still participate in the panel process:

- South East Water
- Victorian Planning Authority
- Country Fire Authority
- Heritage Victoria
- Department of Environment Land Water and Planning
- Aboriginal Affairs Victoria
- AusNet Electricity Services and AusNet Transmission Group
- APA Group and APA VTS

### **Financial and resource implications**

The costs associated with the Amendment are funded by Council and the project is accounted for in the Growth Area Planning budget for 2020-2021.

### **Conclusion**

Thirteen submissions have been received following the exhibition of Amendment C265 from 15 October 2020 to 26 November 2020.

It is recommended Council refer all submissions in accordance with Section 23 of the Planning and Environment Act 1987 to an independent Planning Panel to be appointed by the Minister for Planning.

**Summary of Authority Submissions:**

Authority	Summary of Submission	Officer Response
3 - Department Environment Land Water Planning – Melbourne Strategic Assessment team	<p>Generally supports Amendment.</p> <ul style="list-style-type: none"> <li>• Section 3.3.2 of the PSP updated to reflect legislation changes in July 2020</li> <li>• Schedule to Clause 52.17 updated to reflect model content if no native vegetation is to be retained in the precinct</li> </ul>	<ul style="list-style-type: none"> <li>• Support change as requested.</li> <li>• Support change as requested.</li> </ul>
4 - Environmental Protection Agency	<p>Supports the steps taken by Council to recognise this existing industry and manage impacts on existing sensitive uses as well as the planned long term growth in the area.</p> <ul style="list-style-type: none"> <li>• Supports the steps taken by Council to recognise existing industry and manage impacts on existing sensitive uses as well as the planned long term growth in the area</li> <li>• There is no specific response required to be included in the PSP and Amendment itself and the 'odour' buffer can be limited in that it applies to impacts associated with the Pakenham WRP and not the abattoir and food production premises</li> <li>• There is no specific response required to be included in the PSP and Amendment itself in respect of potentially contaminated land. This view considers that the Amendment seeks to facilitate a range of employment and industrial uses, and not sensitive uses such as residential accommodation</li> </ul>	<ul style="list-style-type: none"> <li>• No action required.</li> <li>• No action required.</li> <li>• No action required.</li> </ul>
7 - Invest Victoria	<p>Supports the draft Pakenham South PSP and recognise the importance of the work being undertaken by Cardinia Council for the Pakenham South PSP.</p> <ul style="list-style-type: none"> <li>• The Industrial 1 Zone still allows for the types of potential land uses identified for the precinct to be considered on a planning merit basis</li> <li>• Encourage the inclusion of larger lots where possible. Guideline 14 may require revision or clarification in its intended purpose</li> <li>• The merits of alternative energy, to supplement network transmission, could be considered. In any event careful consideration of the need for reliable electricity, through PSP infrastructure servicing planning, would be appropriate</li> <li>• Resource Recovery is noted in SEEC and PSP Guidelines (draft)</li> <li>• It may be appropriate for the topic of digital infrastructure for Pakenham South to be considered with adjoining e-PSPs</li> </ul>	<ul style="list-style-type: none"> <li>• No action required.</li> <li>• No action required. This guideline supports the consideration of diverse lot sizes.</li> <li>• The precinct will be appropriately serviced.</li> <li>• No action required.</li> <li>• No action required. The objective of the PSP to 'create a high amenity industrial and commercial precinct to attract a</li> </ul>

		<p>diversity of different businesses and employers' should be supported by digital infrastructure. Council will continue to advocate for the early delivery of digital infrastructure to the precinct (and surrounding precincts).</p>
10 - Melbourne Water	<p>Provides in-principle support to the proposed Amendment.</p> <ul style="list-style-type: none"> <li>Table 3 Water Infrastructure identifies the area of Asset WL1 as approximately 7.75 ha, however, the area of the public acquisition overlay (PAO) for this asset is approximately 13.8 ha. Melbourne Water requests that the land-take figure for asset WL1 is updated to reflect the area of the PAO included with this amendment.</li> <li>Plan 11 Note - Could the reference to "truck drainage lines" be updated to "trunk drainage lines" or "main drainage lines"</li> <li>Uncredited Open Space - Transmission Easement Towers - The future urban structure identifies an area of uncredited open space to accommodate the most eastern transmission towers, along the boundary with Koo Wee Rup Road. In many of the plans within the PSP documentation, this area of uncredited open space is also identified for drainage purposes. Melbourne Water would not accept the ownership or management responsibilities for this land and suggests that the legend be updated to not specifically reference this area for drainage purposes</li> <li>R47 - Stormwater conveyance and treatment must be designed in accordance with the relevant Scheme and/or Drainage Strategy, to the satisfaction of Melbourne Water</li> <li>Plan 11 - The wetland identified as WL1 in Plan 11 is located outside of the precinct and an Incorporated Plan Overlay Schedule 2 - Pakenham South Employment Precinct Structure Plan applies to this land to give affect to the PSP. Melbourne Water requests that the reference to "scheme" be updated to "Development Services Scheme"</li> <li>Plan 12 Utilities details a Sewage Pump Station in the south-east corner of the precinct and appears to proposed connections to the wetland (WL1) to the south of the precinct. Melbourne Water requests further guidance regarding the intent of the sewerage network in this section of the precinct and confirm of the proposed siting of any emergency relief structure (ERS) from the proposed Sewage Pumps Station.</li> </ul>	<ul style="list-style-type: none"> <li>Support change as requested.</li> <li>Support change as requested.</li> <li>No changes required to the PSP. The PSP does not reference this area for drainage purposes.</li> <li>Support change as requested.</li> <li>Support change as requested.</li> <li>Support change as requested.</li> <li>The plans to be amended with additional detail. The proposed pump station does not connect to the wetland.</li> </ul>
13 - Department of Transport	<p>DoT supports the intended vision for the precinct and is keen to work with the Shire of Cardinia to ensure the transport network effectively supports its future development.</p>	<ul style="list-style-type: none"> <li>Support all changes as requested.</li> </ul>

	<ul style="list-style-type: none"> <li>• Add the following sentence to R33 (p33): “Access to internal roads must be limited to the proposed intersections along Greenhills Road.”</li> <li>• Swap labels RD-01 and RD-02 on Plan 13 Precinct Infrastructure Plan (p42) to correctly reflect the project descriptions in Table 4 Precinct Infrastructure (p46).</li> <li>• Change the cross-section for Greenhills Road in Appendix C (page 56) to include “(38.5m at bus stop locations)” below “34m ROAD RESERVE”; and include “(12m at bus stop locations)” below “7.5m VERGE”</li> <li>• In Table 3.7 Precinct Infrastructure (p46), change all existing references to “VicRoads” to “Department of Transport”.</li> <li>• In Section 3.4.2 Public transport, requirement R36, change “Transport for Victoria” to “the Department of Transport”.</li> </ul> <p>Schedule 6 to Clause 37.07</p> <ul style="list-style-type: none"> <li>• Under Section 3.0 Application requirements, Subdivision and/or development, final point, change “VicRoads” to “the Head, Transport for Victoria”.</li> <li>• Under Section 4.0 Conditions and requirements for permits, Conditions - Public Transport on Greenhills Road, first point, change “Department of Transport” to “Head, Transport for Victoria”.</li> </ul> <p>Traffic Impact Assessment Report</p> <ul style="list-style-type: none"> <li>• Update the concept plans to include the pedestrian crossing proposed in front of the Local Convenience Centre on Greenhills Road, as indicated in the PSP (p12).</li> <li>• Add indented bus stops on the south side of Greenhills Road to generally mirror the bus stops on the north side of the road.</li> </ul> <p>‘Windarra’, 40 Greenhills Road Pakenham, Incorporated Plan - Permit Exemptions, September 2020</p> <ul style="list-style-type: none"> <li>• Change Figure 1: Detail of curtilage for HO14 to show the northern boundary of the proposed curtilage along the proposed southern boundary of Greenhills Road in lieu of the existing southern boundary.</li> <li>• Change the proposed amendment to Map 16HO to show the reduced curtilage of HO14.</li> </ul> <p>Additions to Clause 66.04 Referral of Permit Applications under Local Provisions</p>	
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## Summary of Landowner Submissions:

Submission #	Summary of Submission	Officer Response
1	<ul style="list-style-type: none"> <li>It is submitted that the PSP should be expanded to encompass additional land to the south of the current precinct boundary, outside the Urban Growth Boundary (UGB) and proposes a new UGB.</li> </ul>	<ul style="list-style-type: none"> <li>The amendment applies to approximately 185ha of land within the UGB and identified within the State Significant Industrial Precinct. It is not within the scope of the Amendment to review the UGB.</li> </ul> <p>No changes proposed.</p>
2	<p>Supports Amendment C265 in principle subject to:</p> <ul style="list-style-type: none"> <li>Preparation of a 'ghost' application</li> <li>Discuss Council's intentions for the ICP</li> <li>Clarify scope of works for Healesville / Koo Wee Rup Road</li> <li>Lodge an application for earthworks</li> </ul>	<ul style="list-style-type: none"> <li>Council officers commit to continuing discussions with the landowner in their preparation of permit applications and as ICP discussions progress.</li> </ul> <p>No changes proposed.</p>
5	<ul style="list-style-type: none"> <li>The consideration of further supply and demand for employment land use is premature considering the location of the PSP. As Cardinia Road Employment PSP (CREP) has not yet reached capacity, investing in further land supply will not allow CREP to reach that capacity.</li> <li>The analysis of the impact on employment land within the Cardinia growth has not been considered.</li> <li>The SGS background Economic study indicates that there is sufficient supply of employment land, without additional supply.</li> <li>CREP should be reviewed in preparation with Officer South Employment PSP (OSEPSP) before leasing more land to the corridor. The timing of Pakenham West Employment PSP should also be considered.</li> <li>The PSP is in conflict with the following statement from CREP, <i>"precinct based approach has been adopted to enable growth and development in the Cardinia Employment Corridor to be effectively managed...the release of additional land in the Corridor should be discouraged, until the commercial area within the precinct has significantly established"</i>.</li> </ul>	<ul style="list-style-type: none"> <li>The amendment will implement land identified for industrial use in accordance with an identified State Significant Industrial Precinct.</li> <li>The precinct will provide for a range of employment opportunities, providing economic benefit for local residents and business owners.</li> <li>Council officers have committed to reviewing CREP in preparation with OSEPSP.</li> </ul> <p>No changes proposed.</p>
6	<ul style="list-style-type: none"> <li>The PSP is in conflict with the following statement from CREP, <i>"precinct based approach has been adopted to enable growth and development in the Cardinia Employment Corridor to be effectively managed...the release of additional land in the Corridor should be discouraged, until the commercial area within the precinct has significantly established"</i>.</li> </ul>	<ul style="list-style-type: none"> <li>The amendment will implement land identified for industrial use in accordance with an identified State Significant Industrial Precinct.</li> <li>The precinct will provide for a range of employment opportunities, providing economic benefit for local</li> </ul>



	<ul style="list-style-type: none"> <li>• There are hundreds of hectares of land awaiting development in CREP of a similar nature to CREP which does not increase diversity of supply.</li> <li>• Allowing C265 to proceed will not stimulate demand as it will not help create a critical mass of activity in CREP or accelerate development in CREP or assist CREP in its activity, development and infrastructure investment.</li> </ul>	<p>residents and business owners.</p> <ul style="list-style-type: none"> <li>• Council officers have committed to reviewing CREP in preparation with OSEPSP.</li> </ul> <p>No changes proposed.</p>
8	<ul style="list-style-type: none"> <li>• The PSP does not take into consideration the recommended separation distances associated with the approved Master Plan for the O'Connor site.</li> <li>• The Traffic Impact Assessment Report prepared to inform the preparation of the PSP does not take into account the traffic volumes that will be generated by the O'Connor site once fully developed in accordance with the approved Master Plan.</li> </ul>	<ul style="list-style-type: none"> <li>• The recommended separation distance from the use is 1.0km. Only a small part of the overall precinct will be located within the 1.0km recommended buffer. As the amendment applies Industrial 1 Zone land, there are very limited sensitive uses. The EPA notes that with the exception of 'home based business' and 'informal outdoor recreation', 'Convenience shop, Crop raising, Service station, or Take away food premises' do not fall within the definition of 'sensitive uses'. These uses are not expected by EPA to be sensitive to the impacts of odour from an amenity or human health perspective.</li> <li>• Development outside the precinct that is subject to the submission of a planning permit application will need to be undertaken as part of the assessment of any application.</li> </ul> <p>No changes proposed.</p>
9	<ul style="list-style-type: none"> <li>• The land is outside and immediately adjacent to the UGB.</li> <li>• The western portion of the land is identified for future By-Pass Road.</li> <li>• When the By-Pass Road is constructed the land will effectively be landlocked.</li> <li>• Under the zone and PSP Future Urban Structure Plan, the balance of the land will continue to be designated for Farming.</li> </ul>	<ul style="list-style-type: none"> <li>• Council officers commit to working with the landowner and Department of Transport to understand the timing and implications of the future By-Pass Road. Currently, Council does not have any details on the project.</li> <li>• It is anticipated that Lot 1 TP084333L will not be land locked and legal access to the site will be available.</li> <li>• The site is located outside the Amendment area.</li> </ul> <p>No changes proposed.</p>

<p>11</p>	<ul style="list-style-type: none"> <li>• Amend Plan 4 and subsequent plans to relocate the north-south local access street from the eastern side of the LCC on Property 2 to the eastern boundary of Property 1.</li> <li>• Remove Requirement 9, Requirement 12, Guideline 13 and Illustration 1 from the PSP, as these relate to the heritage buffer to be removed.</li>   <li>• Remove Guideline 16 and Guideline 17 specifically. Built form requirements and guidelines within Section 3.2.1 of the PSP should be revised, and incorporated into separate Industrial Design Guidelines or as an appendix to the PSP if necessary.</li>   <li>• Remove Requirement 15 and Guideline 28 from the PSP, as these correlate to the north-south local access street. Amend Illustration 2 to show the local access street relocated to the western side of HO14.</li> <li>• Amend Plan 8 to identify that all native vegetation is to be removed.</li> <li>• Remove Guideline 36 from the PSP, as this is not appropriate in an industrial context. Review Requirement 37 and Requirement 40 to implement broader targets for street permeability.</li> <li>• Amend Plan 12 – Utilities of the PSP to remove the proposed permanent sewer pump station and review whether drainage assets within Property 1 are accurately located and required.</li> <li>• Review ICP item RDO2, specifically why the ultimate construction is included in the ICP. Review the project description for ICP item INO1. Review whether ICP culvert projects are required due to the increased scope of works associated with Greenhills Road and its various intersections. Review the intersection treatment for the E-W Connector Street and McGregor Road, and include as an ICP item.</li> <li>• Cross Sections to be amended to include the Local Access Street Cross Sections (with and without drainage).</li> </ul>	<ul style="list-style-type: none"> <li>• No change is recommended to the location of the north-south access street shown in the PSP.</li>   <li>• Support the deletion of R9 – The protection of the heritage place can be considered at permit stage. Support the deletion of G13 – This will be assessed under the Heritage Overlay at permit stage. The removal of R12 is not supported as per Council's heritage advice. Reduction of the buffer may be considered.</li> <li>• Support the deletion of G16 and G17 – The PSP should be responsive to the market and lot sizes can be determined at permit stage. Lot and built form and interface guidelines are provided at G14, G18 and G28. Officers generally support the use of Industrial Design Guidelines as an Appendix to the PSP should this be acceptable by the Panel.</li> <li>• Support the retention of the R15 in principle with re-drafting proposed. No change to G28 supported.</li>   <li>• Suggested change is supported as no vegetation is identified to be retained.</li> <li>• Support the deletion of G36. No change is recommended to R40 and are subject to the satisfaction of the Responsible Authority.</li> <li>• This matter will require further correspondence from the relevant authority.</li>   <li>• Council officers agree that the ICP items should be reviewed and is subject to further resolution.</li>   <li>• Agree that additional Cross Sections are required.</li> </ul>
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	<ul style="list-style-type: none"> <li>The north-south Access Street to the south of the east-west Connector Street on Property 1 should be realigned to run parallel to the PAO.</li> <li>Remove R8, R51 and R52.</li> </ul>	<ul style="list-style-type: none"> <li>Generally, support the reconfiguration of the north-south road should it enable a more appropriate development outcome. A plan should be submitted to be considered.</li> <li>Support the deletion of R8 and R52 as a standard permit requirement. No change is recommended to R51 as it is subject to advice by the relevant service authority.</li> </ul>
12	<p>Request the Amendment be abandoned.</p> <ul style="list-style-type: none"> <li>The current timing of the preparation of the Pakenham South employment precinct structure plan is a matter of concern, having regard for likely oversupply of employment land in the Shire resulting from the implementation of the PSP.</li> <li>The zoning of additional industrial land in the Pakenham South precinct would undermine the viability of the planned Cardinia Road Employment Precinct (CREP) as the planned employment hub of the Officer – Pakenham Industrial/Business Corridor.</li> <li>The proposed application of the IN1Z to the Pakenham South PSP will result in land within CREP being at a competitive disadvantage due to the complexity of the UGZ schedule that applies to this land.</li> <li>This submission is supported by a review undertaken of the SGS Economic Assessment that was prepared to support the Draft Pakenham South PSP.</li> </ul>	<ul style="list-style-type: none"> <li>The amendment will implement land identified for industrial use in accordance with an identified State Significant Industrial Precinct.</li> <li>The precinct will provide for a range of employment opportunities, providing economic benefit for local residents and business owners.</li> <li>Council officers have committed to reviewing CREP in preparation with OSEPSP.</li> </ul> <p>No changes proposed.</p>