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2.1 Vision				
13	Additional paragraph to be inserted into vision	Additional paragraph to insert: The PSP will also plan to increase community access to fresh food by providing appropriate edible food along the existing gas easements	To encourage, facilitate and reinforce urban agriculture in Cardinia.	Pakenham East PSP
2.2 Objectives				
14	New objective under Town Centre and Employment	New objective required: Protect problem gamblers and vulnerable communities, with gaming machines being accessible but not convenient and venues designed and operated to minimise harm and amenity impacts.	The regulation of gaming machines is based on Cardinia Shire Gaming Policy Review September 2015 which: <ul style="list-style-type: none"> Provides a concise overview of gaming issues affecting Cardinia Shire. Sets out an evidence-base and policy framework to guide decision making on new gaming proposals within the Shire. Forms a strategic basis for statutory implementation of gaming policy in the Local Planning Policy Framework of the Cardinia Planning Scheme 	Pakenham East PSP
3.1 Image, Character, Topography, Housing and Heritage				
3.1.1 Image and Character				
	New Requirement	All planted native trees (not part of the Native Vegetation Precinct Plan) and non-native trees shown for retention on Plan 2 must be retained to the satisfaction of the Responsible Authority in the public domain where practical, unless an arboriculture assessment is undertaken as per Cardinia Shire Council Developer Landscape Guidelines January 2017 (or as amended) and approved by the Responsible Authority to substantiate their removal.	Require protection of planted native trees and amenity trees that are also important to the landscape character of the area.	Pakenham East PSP
19	R4	Modified wording requested All public landscape areas must be consistent with Cardinia Shire Council Developer Landscape Guidelines January 2017 (or as amended) and: <ul style="list-style-type: none"> Comprise of a mix of native flowering and non-flowering species, both indigenous, native and exotic as appropriate to the location and design and other appropriate species. Edible planting (e.g. fruits, nuts, herbs and bush foods) are encouraged; and Be planted in modified and improved soil suitable to the location conditions as required, to support tree longevity. 	To decrease conflict/contradiction with R2 At present it implies we want only native plants that flower and indigenous plants that don't flower and other appropriate species.	Pakenham East PSP
19	R5	Modified wording requested The inclusion of public art and complementary infrastructure for public creative and cultural activities in open space areas in key nodes of district, municipal and regional open space and primary paths and trails must be consistent with Cardinia Shire Council Developer Landscape Guidelines January 2017 (or as amended) <u>and Cardinia Shire Council Public Art Policy 2012-17</u>	Reference to relevant Arts Policy required	Pakenham East PSP
19	R6	Modified wording requested Street trees must be provided on both sides of all roads (<u>including common property roads</u>) and streets (excluding laneways) at regular intervals appropriate to tree size at maturity and not exceeding the average intervals below unless otherwise agreed by the Responsible Authority: AVERAGE TREE SIZE INTERVAL	Cardinia Shire Council Developer Landscape Guidelines January 2017 explains trees are to be planted 12 metres apart. If this requirement Indicates small trees can be placed 8-10 metres it will contradict Council's present policy.	Pakenham East PSP

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		<p>8 – 10 metres Small trees (less than 10 metre canopy)</p> <p>10 – 12 metres Medium trees (10 – 15 metre canopy)</p> <p>12 – 15 metres Large trees (canopy larger than 15 metres)</p>		
19	G3	<p>Modified wording required</p> <p>In locations where the responsible authority is satisfied it is not feasible to locate a street adjacent to the open space network (including waterway reserve, open space or utilities easement functioning as open space), <u>then houses should face a path along the frontage of the lot outside</u> inside the open space network and be rear loaded <u>unless otherwise approved by the responsible authority</u></p>	<p>Council requires that the footpath access to a private dwelling does not form part of the open space network. In some instances not all open space will have a path network adjacent to dwellings.</p> <p>G3 and R16 need to be consistent and not contradict each other</p>	Pakenham East PSP
20	G8	<p>Modified wording required</p> <p>Built form on corner lots should provide a positive address to both frontages. This can be achieved through the appropriate use of window frames glazing and other architectural treatments.</p>	Need to limit the amount of glazed windows which detracts from surveillance of the street.	Pakenham East PSP
3.1.2 Topography				
21	R7	<p>Modified wording required</p> <p>Any retaining structures in public places and within lots (with the exception of those which are part of a building) must be:</p> <ul style="list-style-type: none"> No more than 1.0 metre in height between a dwelling and a street or public space, or where visible from a street or public space; Set back at least 1.0 metres from any building envelope; Staggered, with a minimum 1.0 metre distance between each stagger to allow for the inclusion of landscaping, where cutting and filling is deeper than 1.0 metres; Positioned so that associated drainage infrastructure and structural foundations are fully located within the same lot; and No more than 2.0 metres in overall height <u>for a staggered retaining wall</u> to avoid unreasonable overshadowing of secluded private open space and habitable room windows. <p>Unless otherwise approved by the responsible authority as part of an approved slope management plan</p>	To be consistent between the Urban Growth Schedule, Precinct Structure Plan and Guidelines for Slope Management in Subdivisions – Pakenham East Precinct Structure Plan document	Pakenham East PSP
3.1.3 Housing				
21	R8	<p>Modified wording required</p> <p>Residential subdivision of land within the Precinct walkable catchment boundary shown on <i>Plan 3- Future Urban Structure</i>, must create lots suitable for the delivery of <u>standard</u>, medium or higher density housing as outlined in <u>Table 2 – Housing type by lot size</u> and <u>Table 3 - Housing Delivery Guide</u>, and</p> <ul style="list-style-type: none"> Achieve an average density of 22 dwellings per hectare <u>inside the walkable catchment.</u> <u>Achieve an average density of 17 dwellings per hectare outside the walkable catchment (excluding interface housing areas shown on Plan 5)</u> 	<p>To make it clear what subdivision and target densities must be delivered in the Precinct and link to Table 2 and 3</p> <p>The Victorian Planning Authority have previously provided correspondence to Council that the wording 'minimal average' would not be used in the Precinct Structure Plan.</p> <p>A minimum average sets the expectation that development densities will be higher than 22 dwellings per hectare. This places uncertainty on community infrastructure and the assumptions made for the provisions. If 30 dwellings per hectare is actually achieved the impact is that community infrastructure has been undersupplied. The minimum average is essentially setting up ICP to deliver shortfalls in community infrastructure.</p>	Pakenham East PSP

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		Applications for subdivision that can demonstrate how target densities can be achieved over time, to the satisfaction of the responsible authority, shall be considered.		
21	R13	<p>Modified wording required:</p> <p>Subdivision of land within the Interface Housing Area 1 & 2 , as identified in <i>Plan 5 – Image, Character, Housing and Community</i>, must:</p> <ul style="list-style-type: none"> • When fronting Ryan Road or Mt Ararat Road North and South, be a single dwelling on a lot; • <u>That the application will achieve an average lot size of 800 sqm</u> • Have a minimum front setback of 6 metres when fronting Ryan Road or Mt Ararat Road North and South; • Have low or visually permeable front fencing; and • Minimise amenity impacts on existing lots with houses on the western side of Ryan Road and on the eastern side of Mt Ararat Road North and South (as defined on <i>Plan 5 – Image, Character, Housing and Community</i>) by: <ul style="list-style-type: none"> ○ Providing wider lot frontages when fronting Ryan Road or Mt Ararat Road North and South; and ○ Providing sufficient setbacks of dwellings within new lots to allow screen planting along the interface or another appropriate design. ○ <u>Maintain a sense of spaciousness between dwellings by providing a minimum side boundary setback of 1.0 metre</u> 	<p>Council prefers larger lot sizes and lot design guidance is specified to provide an appropriate transition for Ryan Rd and Mount Ararat North and South residents and to the rural land.</p> <p>Housing Area 2 and 3 specifies a lot size and it is considered appropriate that the transition housing area also specifies the preferred housing lot size to assist with the transition of the area.</p> <p>The Victorian Planning Authority have previously provided correspondence to Council that the wording ‘minimal average’ would not be used in the Precinct Structure Plan.</p>	Pakenham East PSP
21-22	R14	<p>A coordinated drainage plan, fill plan and concept plan is required to provide appropriate guidance on the development of Housing Area 2 and to confirm that decreasing the present lots from 4000sqm to 800sqm is appropriate and can be implemented without implications on adjoining properties.</p> <p>Council prefers larger lots (larger than 800sqm) to assist with the interface with Deep Creek and to provide a residential and landscape character respondent to the area.</p>	<p>The potential development of these lots falls outside existing defined Melbourne Water Catchment Development Services Schemes. As such, development of these lots has not been accounted for in the drainage strategies developed for the three DSS’s proposed within the Precinct Structure Plan boundary.</p> <p>There are usually four potential impacts of development being;</p> <ul style="list-style-type: none"> • Site outfall provisions, • Increased stormwater pollutant loads, • Increase flood flows to Deep Creek, and • Flood protection of the development itself <p>Ideally it would be advantageous for all lots to develop as one uniform drainage strategy. However, this cannot be guaranteed, so it has to be assumed that each lot will develop individually. In a simple sense this is awkward, as potentially there will be at least 10 site outfalls required to be constructed to Deep Creek.</p> <p>In regard to increased pollutant loads Council believes that each potential lot developer could pay the Melbourne Water Catchment water quality rate which would help fund the proposed wetlands proposed in the downstream Deep Creek retarding basin. However, as the area is not within a Development Services Scheme, Melbourne Water may require individual WSUD initiatives on each lot to meet Clause 56 requirements. Space definitions for these initiatives would need to be defined on each lot.</p> <p>In regard to increased flood flows Council believes that the peak flows from this small area would discharge to Deep Creek well before the peak discharge in Deep Creek occurs. As such, Council suspects that Melbourne Water would not require flood retardation provisions on each lot.</p> <p>All of the above would be required to be confirmed by Melbourne Water.</p>	Pakenham East PSP

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			<p>The increased development of these lots does not impact on the existing drainage scheme proposed for Pakenham East PSP and/or vice versa as these lots are not in any affected Development Services Scheme east of the creek. However, development of each individual lot will probably require an individual drainage strategy addressing the above issues and the filling issues discussed below.</p> <p>Fill will be required for these properties. The a 50 metre reserve on the west of Deep Creek and a 100 metre reserve of the east of Deep Creek between Princes Highway and Ryan Road was set assuming some simple flood plain augmentation (shaping) works were carried out in the flood plain to the east of Deep Creek as detailed in Figure 8 of the 2014 Stormy Water Solutions report. If these works occur, the properties to the west of the creek can be filled to the 50 m reserve boundary without increasing flood levels in the area.</p> <p>Any future development must incorporate filling to required Melbourne Water catchment standards adjacent to the creek to ensure adequate flood protection. At this stage fill requirements are assumed to be 600 mm above the flood levels determined given ultimate reserve requirements. Fill requirements should be in the order of between 750 to 1100 mm adjacent to Deep Creek in the low density lots to the west of the creek. As discussed in the 2014 Stormy Water Solutions report, developers could probably grade the fill down to natural surface level over (say) 100 metres, creating, in effect, a very wide, flat levee adjacent to the creek.</p> <p>It should be noted that the SWS 2014 report did indicate that further work required going forward in the design process should include:</p> <ul style="list-style-type: none"> • Ensuring the design of any future subdivision relies on detailed flood plain survey information, and updated flood levels to set adequate fill levels adjacent to the reserve, and • Ensure the design of future reserve augmentation works meets the intent of the design as detailed in the Stormy Water Solutions 2014 report. <p>It may be difficult for an individual landowner to undertake this investigation/design work. Again if, all lots were part of one overall strategy this could occur easily, but this cannot be guaranteed. This may mean that the first developer may incur the cost to set fill requirements for all, unless Melbourne Water or VPA have undertaken (or have already undertaken) this analysis as an internal activity.</p> <p>The uncoordinated development of this area could result in damming in some properties. An overall fill plan would assist with the development of this area. This should be done in conjunction with the updated flood analysis discussed above. Provided filling of an downstream lot incorporates an adequately graded catch drain (directed to Deep Creek) on the northern extent of the fill, flood levels on the lot to the north should not increase and nuisance flooding on this neighbour should not be too significant. Of course each catch drain will require space on the developing lot which may affect lot yield etc.</p> <p>This will not be an easy area to ensure coordinated implementation of drainage and flood protection mechanisms. Melbourne Water and /or VPA/Council will probably be required to set an overriding drainage strategy for the area to ensure all landowners meet all requirements going forward without detrimental impacts on their direct neighbours or on the Deep Creek corridor.</p>	
22	R15	<p>Modified wording required</p> <p>Subdivision of land in Interface Housing Area 3 as shown in <i>Plan 5 – Image, Character, Housing and Community and Figure 1 Transmission Easement Concept Plan</i> must provide:</p>	<p>Need to link this requirement to Fig 1 Transmission Easement Concept Plan that demonstrates a possible layout for the area (page 26).</p> <p>Larger lot sizes are required as the size of the land outside of the electricity easement is not large enough to assist landowners to build appropriate sheds or ancillary buildings for this type of lifestyle topology proposed. No buildings can be built on the Electricity easement.</p>	Pakenham East PSP

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		<ul style="list-style-type: none"> A building envelope to address the ridgeline (slope) and electricity line easement with reference to Cardinia Shire Council Guidelines for Slope Management in Subdivisions and Ausnet Services A guide to living with transmission line easements That the application will achieve an average minimum lot size of 2,000m²; <u>4000sqm</u> Rural fencing that is low scale and visually permeable to facilitate the rural lifestyle character of this area; and Maximise side setbacks and create openness between the dwellings <u>A road that provides an interface with Green Wedge (rural) land to the north</u> 	<p>Consider topographic and electricity easement issues of the area with reference to the Slope Management Guidelines and A Guide to Living with Transmission Line Easements.</p> <p>A road is required adjacent to Green Wedge (rural) land to meet CFA requirements, to assist farming practises and decrease amenity impacts on new housing and vice versa. The Victorian Planning Authority have previously provided correspondence to Council that the wording 'minimal average' would not be used in the Precinct Structure Plan.</p>	
26	Figure 1 Transmission Easement Concept Plan	Plan requested to be modified to demonstrate an average lot size of 4000sqm instead of 2000 sqm and the location of the high power tension line tower poles on the plan.	Larger lot sizes are required as the size of the land outside of the electricity easement is not large enough to assist landowners to build appropriate sheds or ancillary buildings and plant vegetation for this type of lifestyle topology proposed. No buildings can be built on the Electricity easement	Pakenham East PSP
22	G13	<p>Modified wording requested</p> <p>Specialised housing forms such as lifestyle communities, retirement living or aged care facilities should, subject to limitations imposed by utilities:</p> <ul style="list-style-type: none"> Be integrated into the wider urban structure; Be built with building fronting the public street network; Be located in close proximity to town centres and community hubs; Be accessible by public and active transport; and Not present a barrier to movement from adjoining development to key hubs and destinations or active and public transport routes. <u>Ensure all dwellings achieves at a minimum 6 star NATHERS rating</u> 	To be consistent with G20	Pakenham East PSP
22	G20	<p>Modified wording required</p> <p>Environmentally Sustainable Development principles should be explored and encouraged in all development, such as the inclusion of:</p> <ul style="list-style-type: none"> Material re-use and recycling; - Use of materials with reduced embodied energy; - Electrical self-generation, car charge schemes, smart grids and battery storage; Use of <u>tools such as Built Environment Sustainability Scorecard (BESS) to demonstrate best practise environmental design development</u>; Measures that reduce the urban heat island effect; and - Waste management initiatives. 	To provide flexibility if a developer prefers to use Green star to assess the environmental quality of the development	Pakenham East PSP
	New Guideline	An existing and/or original dwelling should not be retained on a lot greater than 1000sqm unless otherwise approved by the responsible authority	To assist decreasing awkward and ad hoc lot layouts for existing dwellings, which could impede the future development of a site.	Pakenham East PSP
3.1.4 Heritage				
27	R17 and R18	Would R17 and R18 be best located in the Urban Growth Schedule as a planning permit condition?	Clarification sought on the most appropriate location R17 and R18.	Pakenham East PSP
27	New Requirement	Prior to the certification of a plan of subdivision for the first stage of subdivision, a Conservation Management Plan (CMP) must be adopted for the heritage places	Links to R18.	Pakenham East PSP and/or Urban Growth Schedule

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		nominated on Plan 2 to ascertain required restoration works, possible future uses and interpretative signage to the satisfaction of the responsible authority.	Council prefers that the Conservation Management Plan is completed upfront to assist with the overall management of a heritage site instead of dealing with the heritage values later in the subdivision.	
27	New Requirement	The archaeological sites as shown on Plan 2 are noted to have archaeological interest and must be further investigated through a detailed archaeological site inspection (with the required Notice of Intent submitted to Heritage Victoria and Archaeology Site Cards completed and submitted to Heritage Victoria). The recommendations from the archaeological site inspection must be followed to the satisfaction of Heritage Victoria.	<p>Advice from Heritage Victoria needs to be sought based on the new Heritage Act and its implementation.</p> <p>The archaeological sites are identified on Plan 2 while no guidance is provided in the Urban Growth Schedule or Precinct Structure Plan as to what is required to be undertaken for these sites. Guidance is required, as these sites are important because they increase our understanding of the past and cannot be learned from other sources. If it is considered inappropriate that this condition is placed in the Precinct Structure Plan or Urban Growth Schedule, Council requests these sites are covered with a Heritage Overlay instead.</p> <p>All historical archaeological places and artefacts in Victoria are protected under the <i>Heritage Act 1995</i>. This applies to all historical archaeological sites in the state, including sites that are not recorded on the Victorian Heritage Inventory or Heritage Register.</p> <p>Section 127 of the Heritage Act 2017 specifies that it is an offence to disturb an archaeological site or artefact unless approval has been obtained from the Executive Director of Heritage Victoria.</p> <p>The management of an archaeological site depends on the significance of the findings. If archaeological remains that have a low level of significance are discovered, there will be few or no implications for a proposed project. If the archaeological remains have a higher level of significance, it is likely that some investigations will be required, possibly involving excavation and recording. These investigations may take place prior to or during the disturbance of the site. In cases where the archaeological remains are considered to be of State-level significance, it may be necessary for the site to remain undisturbed.</p>	Pakenham East PSP and/or Urban Growth Schedule or Heritage Overlay
27	New Requirement	If any sub-surface works are proposed (including foundation works) at 140 Ryan Road Pakenham, engage a suitably qualified archaeological consultant to assess if the works may have a detrimental impact on any historical archaeological deposits. Should further assessments determine the potential for archaeological sites and artefacts, you will be required to seek a Consent under section 124 of the Heritage Act 2017, prior to works commencing.	The building at 140 Ryan Road has been demolished and the heritage values of the site above ground have been removed. Council wants to make the landowner aware of their responsibilities under the Heritage Act regarding sub-surface works.	Pakenham East PSP
27	New Requirement	A historical interpretative sign and open space is required to be delivered at 140 Ryan Road to portray historical information of this iconic historical site, informing residents and visitors about the rich history of our Cardinia Shire. No credit should be available under open space provisions for the delivery of this land as it is an historical site within Cardinia Shire Council.	In order to make heritage information more widely accessible, a heritage interpretation sign and interpretive park would assist in fully appreciating this historic site and heritage buildings for residents and visitors to the area.	Pakenham East PSP
3.2 Town Centre and Employment				
32	R21	Delete	Specified in the Urban Growth Schedule	Pakenham East PSP
32	R22	Delete	Specified in the Urban Growth Schedule	Pakenham East PSP
32	R23	<p>Modified wording required:</p> <p>The Local town Centre must focus on the Main Street. The town centre must be provided with active frontages to the public realm.</p> <p>Larger built form core retail developments in the Local Town Centre are to:</p> <ul style="list-style-type: none"> Be sleeved behind specialty retail or permissible use built form, as illustrated in the Local Town Centre Concept Plan shown in in <i>Figure 2 – Pakenham East</i> 		Pakenham East PSP

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		<p><i>Local Town Centre (LTC) Concept Plan</i>, addressing the Main Street and any other public realm area other than a lane;</p> <ul style="list-style-type: none"> • Screen all loading areas, loading docks and all other service areas from public realm areas; • Minimise views to car parking areas; and • Be provided to a zero setback from the footpath. 		
32	R24	<p>The built form specifies a variety of controls for future development that should be included in a Design and Development Plan Overlay</p> <p>Modified wording also required</p> <p>The built form of sleeving uses, including specialty retail, mixed use and commercial development in the Local Town Centre are to:</p> <ul style="list-style-type: none"> • Contribute to the development of a traditional town centre urban pattern focused on a Main Street; • Be provided to a zero setback from the footpath with a continuous frontage; • Provide for buildings up to four storeys (14 metres); • Promote commercial uses at ground floor level and commercial and/or residential at upper levels; • Focus pedestrian movement and activity on the Main Street: • Locate <u>the principle</u> shop pedestrian entrances to the Main Street; • Provide highly activated frontages with windows and entrances as the predominant elements of the ground floor façade; • Maximise opportunities to enhance passive surveillance of the public realm; and • Provide a continuous weather protection canopy along the full length of any <u>ground floor</u> the façade <u>that interfaces with a street</u> 	<p>The Precinct Structure Plan contains built form requirements and provisions which are more suited to a Design and Development provision rather than a requirement contained within an incorporated document. This advice is consistent with the guidance provided in Planning Practice Note 13 – Incorporated and Reference Document. Placing design and built form requirements within an incorporated document is not effective and makes it difficult for the controls to be found. Therefore, any built form, height and design requirements should be excised from the Precinct Structure Plan and implemented through an appropriate Victorian Planning Provision (VPP) tool such as a Design and Development Overlay</p>	Pakenham East PSP and New DDO
33	R27	<p>Modified wording required</p> <p>Create a town square and other civic spaces which provide the community with places for meeting, markets, performances, alfresco dining and lingering.</p> <p>The design of the town square is to:</p> <ul style="list-style-type: none"> • Provide appropriate street furniture and amenities within the town square (or civic space) to comply with the Cardinia Street Furniture Guidelines; requirements • Provide required circulation space around outdoor dining areas; • Provide built form interfaces to civic spaces that provide appropriate activation and connectivity. 	<p>Council is developing a Street Furniture Guideline. In the meantime all furniture will need to meet requirements as specified by our urban designers.</p>	Pakenham East PSP
33	New Requirement and New Figure	<p>New Requirement required</p> <p>The use and development of the local convenience centre must be generally in accordance with the Local Convenience Concept Plan, as shown in <i>Figure ? – Pakenham East Local Convenience Centre (LCC) Concept Plan</i> and must address the design principles outlined in <i>Appendix B: Local Convenience Centre (LCC) Principles</i>, and the <i>Urban Design Guidelines for Victoria, DELWP</i>.</p>	<p>A concept plan for the local convenience centre has been developed by Council and it would be beneficial for this plan to be shown in the Precinct Structure Plan to provide appropriate guidance on the development of the area. Please refer to Attachment 1</p>	Pakenham East PSP

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3.3 Open Space, Community Facilities and Education				
3.3.1 Open Space				
37	R37	<p>Modified wording required</p> <p>All <u>pocket parks, neighbourhood parks and sport reserves</u> must be located, designed and developed to the satisfaction of the responsible authority in accordance with <i>Plan 6 - Open Space, Table 6 - Open Space Delivery Guide, Appendix G: Open Space Delivery Guidelines</i>, and the Cardinia Shire Council Open Space Strategy, <u>Cardinia Shire Council Developer Landscape Guidelines January 2017-(or as amended) and Cardinia Shire Council Recreation Reserve Facility Standards Policy 2012 (or as amended)</u>.</p> <p>An alternative location for a <u>pocket park or neighbourhood park</u> may be considered if it is generally in accordance with <i>Plan 6- Open Space and Table 6</i> and provided:</p> <ul style="list-style-type: none"> • The location does not reduce the walkable access to local parks demonstrated in <i>Plan 6- Open Space</i>; • The design does not require the removal of protected trees; • The design does not diminish the quality or usability of the space for passive recreation; • The land area is equal to or more than the local park provision outlined in <i>Table 6 - Open Space Delivery Guide</i>. <p>Where a proposed park is larger than outlined in <i>Table 6 - Open Space Delivery Guide</i>, it may be accepted so long as it does not result in the removal of another park allocation.</p> 	<p>Revise wording to make it clearer that open space encompasses pocket and neighbourhood parks (passive) and sporting reserves (active open space). Both passive parks and active sporting reserves have different delivery guidelines that need to be met which have been included in the requirement.</p> <p>Passive open space is guided by Cardinia Shire Council Developer Landscape Guidelines January 2017-(or as amended) while sporting reserves are guided by Cardinia Shire Council Recreation Reserve Facility Standards Policy 2012 (or as amended).</p>	Pakenham East PSP
37	R38	<p>Modified wording required</p> <p>Appropriately scaled lighting must be installed along all major pedestrian thoroughfares traversing public open space and along the cycling network <u>as shown in Plan 8 as off road shared paths and two-way off-road bicycle paths in accordance with Cardinia Shire Council Developer Landscape Guidelines (or as amended) and Australian sporting standards</u> to the satisfaction of the responsible authority.</p>	The requirement needs to link to Plan 8 to demonstrate the location of lighting required along all major pedestrian thoroughfares traversing public open space, which is sporting reserves only and off road shared paths and two-way off-road bicycle paths.	Pakenham East PSP
37 and 98	R39 Appendix E associated with R39	<p>R39 relates to all proposed landscaping within the gas easement.</p> <p>At present Appendix E: Easement Cross Sections relates to a high power electricity easement. An additional Appendix needs to be developed to demonstrate the cross-section of the gas easement.</p>	Guidance is required as to what trees and/or landscaping can be located within the gas easement. A cross-section developed between the gas authorities, VPA and Council would provide clarity on what setbacks are required from the gas pipe, allowable height of trees and what additional ancillary structures would be possible (example veggie planter boxes and/or street furniture).	Pakenham East PSP
37	R40	New and/or additional statement in R40 that sporting reserves must be designed and constructed as Cardinia Shire Council Recreation Reserve Facility Standards Policy	Changes are required to ensure consistency with Councils Recreation Reserve Facility Standards Policy	Pakenham East PSP
37	R42	<p>Modified wording required</p> <p>Any fencing of open space where required must be:</p> <ul style="list-style-type: none"> • Low scale and visually permeable to facilitate public safety and natural surveillance, <u>except where safety fencing is required for sporting reserves</u> • Designed to guide appropriate movement and access and 	This change would ensure greater certainty with Councils Recreation Reserve Facility Standards Policy	Pakenham East PSP

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		<ul style="list-style-type: none"> Designed and constructed from materials that complement the open space/conservation setting. 		
37	R45	Modified wording required. Reference to a local park needs to be changed to pocket parks and neighbourhood parks	To be consistent with R37, Table 6 and Appendix G	Pakenham East PSP
37	R47	<p>Modified wording required</p> <p>Development of the hilltop park (LP-01) must respond to <i>Figure 5 - Hilltop Park Concept Plan</i>, and provide appropriate car parking, playground, <u>play space</u>, <u>skate able space</u>, landscaping and paths, to the satisfaction of the responsible authority.</p>	<p>Council has identified we need a local skate able space (not a skate park) based on Council's Skate and BMX Strategy (2016).</p> <p>Just as play spaces, parks and gardens are critical in the planning of new developments it is equally as important to ensure the development of open spaces that can accommodate the needs of teenagers and young people. As a minimum it is recommended that an incidental skate space (min 200-300 sq/m) be included in LP01 park that can be designed as part of the broader hill top park to include recreation and social opportunities for young people as per Council's Skate and BMX Strategy (2016)</p>	Pakenham East PSP
39	Table 6	<p>Modified table required</p> <p>Need to align Table 6 with Appendix G (Open Space Delivery Guidelines). Please refer to revised Table 6 as shown in Attachment 2</p>	<p>At present Table 6 does not align with Councils or VPA open space hierarchy as shown in Appendix G. Appendix G will also be required to be modified to highlight Councils open space hierarchy</p> <p>This change would ensure greater certainty between the VPA and Council open space hierarchy and decrease future confusion during implementation.</p>	Pakenham East PSP
40	Figure 3 Sports Reserve 1 Concept Plan	<p>Modified figure required to demonstrate</p> <ul style="list-style-type: none"> Vehicular access is required to both pavilions due to disability car parking requirements. Rectangular fields cannot be located end to end as ball will be kicked into adjacent field. Trees cannot be located in close location to fields for maintenance purposes. Walking path locations create risk issues for pedestrians in close proximity to diamond fields. Car parking is very close to diamond fields, with fly balls. No batting cages allowed for. 	Council appreciates this plan is a concept plan, but Council needs to be confident that the site can appropriately fit all facilities on site.	Pakenham East PSP
41	Figure 4 Sports reserve 2 Concept plan	<p>Provide additional 1 hectare of land by re-locating pocket park from property id 41 next to State Government Primary School and pocket park on property id 37 to Sporting Reserve (property id 39).</p> <p>Modified figure required to demonstrate:</p> <ul style="list-style-type: none"> Netball courts need to be co-located with fields due to Netball/Football being one Club, pavilion for both needs to be co-located. Rectangular fields cannot be located end to end as ball will be kicked into adjacent field. Playground needs to be centrally located. Cricket net location is too far from pavilion for child safety No parking has been allowed for surrounding the playing fields. Lack of car parking for the level required for this use of the reserve. Being the major sporting reserve for this precinct not enough land to appropriately accommodate the sporting facilities on site. Need more land and better shape. 	<p>The shape of the land is difficult and requires a concept plan that demonstrates the facilities will appropriately fit on the site and meet National and State sporting facility standards. The consequence of not providing a layout and facilities that do not meet National and State standards is Council cannot insure the site and a permit to occupy the site will not be released.</p> <p>Council requires additional land to assist with the development of the site. If additional land is not proposed the sporting reserve will ultimately only fit two ovals instead of three ovals and create a shortage in sporting facilities within the Precinct.</p>	Pakenham East PSP

Page No:	Requirement /Guideline:	Requested Change:	Why is Change required?	Document/s that must be changed
		<ul style="list-style-type: none"> Suggest 1ha park located to the west be incorporated in this reserve. Vehicular access is required to both pavilions due to disability car parking requirements. Trees cannot be located in close location to fields for maintenance purposes. One indoor court is not viable for community competition. Suggest this be located within the school facilities and meet sporting requirements to be used for training and school use. 		
42	Figure 5	<p>Modified figure required to demonstrate:</p> <ul style="list-style-type: none"> Update legend and the plan to demonstrate play space, and skate able space (which is not a skate park) of a minimum 200-300 sqm to be included in LPO1 park that can be designed as part of the broader hill top park to include recreation and social opportunities for young people as per Council's Skate and BMX Strategy (2016) 	To be consistent with R47 and Council objectives for open space.	Pakenham East PSP
3.3.2 Community Facilities and Education				
43	R48	<p>Modified wording required</p> <p>The design and layout of each community facility must should reflect appropriate consideration of the requirements specified for the Local Town Centre and/or Local Convenience Centre and <u>Appendix B (Local Town Centre Design (LTC) and Local Convenience Centre (LCC) Principles</u> to ensure effective cohesion</p>	To ensure effective cohesion specifying a link to Appendix B is necessary	Pakenham East PSP
43	R51	<p>Modified wording required</p> <p>Where the responsible authority is satisfied that the land shown as non-government school site is unlikely to be used for a non-government primary school, that land may be used for an alternative purpose which is generally consistent with the surrounding land uses and the provisions of the zone. <u>The land will also be no longer exempt from Infrastructure Contributions Plan (ICP) contributions</u></p> <p>In order to satisfy....(continuation of paragraph ok)</p>	Council wants to make it clear that land converted from a non-government use to an alternative purpose will be required to pay Infrastructure Contributions Plan (ICP) contributions.	Pakenham East PSP
43	G33	<p>Change Guideline to a Requirement and modified wording required</p> <p>School sites must should be provided with three street frontages where practicable to the satisfaction of the responsible authority</p>	If a school site location is modified, the ability to require three street frontages is a must and not a should.	Pakenham East PSP
3.4 Biodiversity, threatened species and native vegetation				
44	New Note	<p>Include new note between heading and requirements table</p> <p>All development must be in accordance with the incorporated Pakenham East Native Vegetation Precinct Plan</p>	To assist with cohesion between the Precinct Structure Plan and Native Vegetation Precinct Plan a link needs to be established	Pakenham East PSP
44	R54 Plan 3 (Future Urban Structure)	<p>Modified wording required</p> <p>Development within the Conservation Area <u>identified as Rural Conservation Zoned land (other than Conservation Area - Local)</u> must be in accordance with the relevant Conservation Area Concept Plan (<i>Figure 6 - Deep Creek Conservation Reserve Concept Plan</i>) and relevant Interface Cross Section in Appendix C: Road Cross Sections to the satisfaction of the Department of Environment, Land, Water and Planning and Melbourne Water. Any proposed development or works within the Deep Creek <u>Rural Conservation Zone Reserve</u> must obtain the approval of the responsible authority.</p>	<p>The land is not identified as a conservation area or reserve under Melbourne Strategic Assessment and/or the Biodiversity Conservation Strategy.</p> <p>The area is important for both biodiversity values and drainage and both government authorities (DELWP and Melbourne Water) should be referred any proposed development works within the Deep Creek Rural Conservation Zoned area. The status of this land needs to be clear.</p>	Pakenham East PSP

Page No:	Requirement /Guideline:	Requested Change:	Why is Change required?	Document/s that must be changed
		Plan 3 (Future Urban Structure) needs to be updated to make it clear which area is exempt from this requirement	Clarification required on what is identified as Conservation Area Local, as it's not shown on Plan 3 (Future Urban Structure). Is it the conservation area near Canty Lane or is it along Princes Highway or both? Proposed to delete wording to decrease confusion.	
44	R55	Modified wording required Development abutting the Deep Creek <u>Rural Conservation Zoned land and local conservation area near Canty Lane and conservation area near Princes Highway</u> must be in accordance with the corresponding relevant Interface Cross Section in <i>Appendix C: Road Cross Sections</i> , to the satisfaction of the Department of Environment, Land, Water and Planning , and the responsible authority and relevant.	Interface with all conservation areas need to be taken into consideration with appropriate corresponding interface road cross sections. Planning permits would be referred to relevant referral authorities as part of any future planning permits for consideration.	Pakenham East PSP
44	56	Public lighting must be designed and baffled to prevent light spill and glare within and adjacent to any conservation area (other than Conservation Area Local) , to the satisfaction of the Department of Environment, Land, Water and Planning , and the responsible authority.	Pubic lighting requirements need to apply to all conservation areas in the Precinct Planning permits would be referred to relevant referral authorities as part of any future planning permits for consideration	Pakenham East PSP
44	R57	Council seeks clarification on the purpose and meaning of the conservation buffer zone. Further discussion on the buffer location and lead agency to implement is required? This requirement also needs to link to Figure 6 to assist with the cohesion of the PSP	Council supports a buffer of 30 metres from the existing conservation areas within the existing Deep Creek corridor to be planted with appropriate local indigenous species to assist with the protection of Deep Creek and its biodiversity values. Further advice from DELWP and Melbourne Water is required to determine appropriateness and lead agency to implement. Council is concerned that the location of the 30 metre buffer zone (as shown in Figure 6) outside the Deep Creek Corridor (100 metre) excludes buildings and will cause conflict between the intent of the planning zone proposed and the intent of the conservation zone. Council's preference is for an appropriate conservation cross-section interface (Section 9) to be implemented and shown on Figure 6 to provide a consistent approach to land outside the Deep Creek Corridor (100 metre setback) Native vegetation offsets (money) will be collected as part of the Native Vegetation Precinct Plan. Council seeks clarification that the money collected as part of the Native Vegetation Precinct Plan can be used in the Pakenham East Precinct towards conservation areas identified within the Precinct. The land is not identified as a conservation area or reserve under Melbourne Strategic Assessment and/or the Biodiversity Conservation Strategy.	Pakenham East PSP
44	R58	Delete	Is a repeat of R62	Pakenham East PSP
44	R59	Clarification sought on location and intent of requirement	Clarification required on what is identified as a Local Conservation Reserve, as its not shown on Plan 6 (Open Space). Is it the conservation area near Canty Lane or is it the conservation area along Princes Highway or both? Plan 6 will require to be updated to provide greater clarity The placement of a Rural Conservation Zone on the conservation area along Canty Lane is discussed later in this submission.	Pakenham East PSP Plan 6 (Open Space)
44	R60 and R63	Combine R60 and R63 as shown below Roads fronting the local conservation reserve <u>and/or conservation area</u> must contain planting and street trees of indigenous species. Where a street intersects the conservation <u>reserve/area</u> , the treatment of the conservation <u>reserve/area</u> should spill out onto the nature strip through appropriate indigenous streetscape planting. Streetscapes Roads must not include plant species that could behave as environmental weeds including non-indigenous tree and shrub species and vigorous rhizomatic grasses. Appropriate application of vehicular exclusion	Combine R60 and R63, as they repeat the same intent	Pakenham East PSP

Page No:	Requirement /Guideline:	Requested Change:	Why is Change required?	Document/s that must be changed
		fencing <u>must</u> around should be provided, to the satisfaction of the responsible authority		
44	R61	Delete	Is a repeat of R55	Pakenham East PSP
44	R65	Delete	A new requirement under Image and Character (Section3.1.1) has been created. This requirement makes a clear differentiation between planted native vegetation (not part of the Native Vegetation Precinct Plan) and amenity trees and links to Plan 2.	Pakenham East PSP
44	New Requirement	Provided the conditions of the Environment Protection Biodiversity Conservation Act are satisfied as set out in Appendix xx, individual assessment and approval under the Environment Protection Biodiversity Conservation Act is not required	<p>Council received notice from the Commonwealth Environment Department that no further action is required to all actions associated with urban development in the Precinct. Notifying landowners and developers of this outcome provides appropriate guidance.</p> <p>Here is a link to the referral made for the Pakenham East precinct under the EPBC Act: http://epbcnotices.environment.gov.au/publicnoticesreferrals/</p> <p>The reference number for the referral and for the decision is 2017/8069.</p>	Pakenham East PSP
46	Figure 6	<p>Clarification is sought on the conservation interface zone.</p> <p>Modified figure required to demonstrate:</p> <ul style="list-style-type: none"> The location of the conservation interface zone (30 m) needs to be located 30 metres from the existing conservation areas within the existing Deep Creek corridor and not outside the 100 metre corridor from Deep Creek. Council's preference is for an appropriate conservation cross-section interface (Section 9) to be shown and linked to Figure 6. 	<p>Council supports a buffer of 30 metres from the existing conservation areas within the existing Deep Creek corridor to be planted with appropriate local indigenous species to assist with the protection of Deep Creek and its biodiversity values. Further advice from DELWP and Melbourne Water is required to determine appropriateness and lead agency to implement.</p> <p>Council is concerned that the location of the 30 metre buffer zone outside the Deep Creek Corridor (100 metre) excludes buildings and will cause conflict between the intent of the planning zone proposed and the intent of the conservation buffer. Council's preference is for an appropriate conservation cross-section interface (Section 9) to be implemented and to provide a consistent approach to land outside the Deep Creek Corridor (100 metre setback). Figure 6 needs to be make this clear</p>	Pakenham East PSP
3.5 Transport and Movement				
49	R69	<p>Modified wording required</p> <p>Subdivision layouts must provide:</p> <ul style="list-style-type: none"> a permeable safe low speed and direct local street network for walking and cycling; a convenient access to local points of interest and destinations for effective integration with neighbouring properties, parkland and sports reserves. <u>A response to Councils ' Guidelines for slope management in subdivisions if slope of pre-development land is greater than 10%</u> 	Additional requirements to provide implementation cohesion for subdivision layouts	Pakenham East PSP
	R76	<p>Modified wording required</p> <p>Where a connector street crosses a waterway <u>as shown on Plan 9- Integrated Water Management a connector street bridge as shown in Appendix C Road Cross Sections xx</u> must be constructed prior to the issue of statement of compliance (unless otherwise included in the Pakenham East Infrastructure Contributions Plan) for the first stage of residential subdivision on the <u>opposite side of the waterway</u>, whether or not that residential subdivision directly abuts the waterway <u>to the satisfaction of Responsible Authority and Melbourne Water</u></p>	<p>Council and developers need to know what type of street bridge (connector or local access) will be required, example: length, width, style, pedestrian access etc. A cross-section of a connector and local access bridge would provide appropriate advice.</p> <p>The development of a cross-section for the bridges will also assist with the implementation of the Infrastructure Contributions Plan for bridges included in the Infrastructure Contributions Plan and decrease uncertainty between Council and Developers.</p>	Pakenham East PSP
49	R77	Modified wording required	Council requires appropriate guidance is provided to all developers of what is expected to be delivered as part of the Precinct Structure Plan. The location of roundabouts and/or other	Pakenham East PSP

Page No:	Requirement /Guideline:	Requested Change:	Why is Change required?	Document/s that must be changed
		Roundabouts must be designed to slow vehicles, provide to pedestrian visibility and safety and ensure connectivity of shared paths and bicycle paths as shown in Plan 7 <u>in accordance with Ausroad and Vic Roads standards to the satisfaction to the responsible authority.</u>	<p>traffic calming intersections need to be shown on Plan 7 to demonstrate what is expected (similar to a road cross-section). Please refer to Attachment 3 for a plan demonstrating the proposed location of roundabout and/or traffic calming intersections.</p> <p>Council is presently undertaking a Traffic Impact Assessment of both the exhibited road hierarchy and layout and Councils preferred road hierarchy and layout and further advice will be provided to the VPA of the outcomes of the Traffic Impact Assessment. Council requests that this matter is discussed further at a future Panel Hearing on Councils position.</p>	
49	R78	Delete	Combined with R76 as both relate to the crossing of a waterway	Pakenham East PSP
49	R80	Council recommends this requirement is deleted as it is proposed to have road intersection alignments in the Precinct Structure Plan that are in accordance with TFV, Vic Roads, VPA and Council requirements. Please refer to New Requirement below.	It is proposed to have revised intersection plans shown in the Precinct Structure Plan that have been agreed by all authorities, meaning the plans are set now and described what land take is required. If in the future additional land is required (which is more than what is specified in the land use budget) any modifications required will conflict with this requirement.	
49	New Requirement	The four signalised intersections proposed along Princes Highway (arterial road) as shown in Appendix Intersections 1, 2, 3 & 4 must be designed, constructed and controlled to the satisfaction of the coordinating road authority and the responsible authority. The main design objective is to allow a minimum 10 year design life having regard to the anticipated traffic growth on the affected roads from both the ultimate development of the Precinct and the external traffic	<p>The Precinct Structure Plan demonstrates the proposed signalised intersection plans (Intersection 1,2, 3 and 4) on page 95 and 96 of the Precinct Structure Plan</p> <p>Council and the VPA in conjunction with the coordinating road authority are in the process of finalising the interim and ultimate intersection plans and further advice will be provided at a future Panel Hearing on Councils position on these plans.</p>	Pakenham East PSP
49	New Requirement	All streets must be or an urban standard to the satisfaction of the Responsible Authority		Pakenham East PSP
49	New Requirement	Any major traffic control items as defined in the Road Safety Regulations must have the consent from the responsible authority (Vic Roads and Responsible Authority)	To highlight the legal requirements for these items, due to previous issues experienced in other Precinct Structure Plan	Pakenham East PSP
49	G42	<p>Modified wording required</p> <p>Street block lengths should not exceed 200 240 metres to ensure a safe, permeable and low speed environment for pedestrians, cyclists and vehicles is achieved</p>	Current Council standard is 200 metres.	Pakenham East PSP
49	G45	<p>Modify wording required</p> <p>All signalised intersections should be designed in accordance with Vic Roads Growth Area Road Network, Planning and Guidance & Policy Principles handbook road design standards to the satisfaction of the responsible authority</p>	The Vic Roads Growth Area Road Network, Planning and Guidance & Policy Principles handbook is a draft document and not in accordance with current Vic Roads road design standards. Council cannot utilise a draft document that conflicts with current adopted Vic Roads standards.	Pakenham East PSP
50	G47	Delete	The design and layout of the arterial / connector road intersections have been developed and agreed between TFV/VicRoads, VPA and Council and the use of slip lanes has been agreed in specific locations. The provision of slip lanes at signalised intersections is a standard VicRoads practice to increase capacity and safety with a study not showing any adverse effect upon pedestrian safety when slip lanes are used.	Pakenham East PSP
50	New Guideline	Appropriate car parking should be built on site at a non-government school. If car parking cannot be built onsite a connector street or local access street abutting a non-government school must include indented car parking for the full abuttal of the non-government school to the satisfaction of the responsible authority	To make sure enough car parking is provided for proposed use and development and to limit future traffic issues experienced at pick-up and drop-off times.	Pakenham East PSP
50	New Guideline	Interim street turnaround areas must be provided where a street is to ultimately continue onto an abutting property	To assist with traffic flow during the development of estates	Pakenham East PSP

Page No:	Requirement /Guideline:	Requested Change:	Why is Change required?	Document/s that must be changed
50	New Guideline	Where existing vegetation or trees are to be retained in a street, flexibility in the street layout and the width may need to be widened to ensure the provision of road side clear zones, footpaths, services and drainage does not compromise the health of the vegetation or trees	To provide flexibility in the management of street when a tree and/or vegetation is proposed to be protected.	Pakenham East PSP
3.5.2 Public Transport				
53	R84	Modified wording required. Unless otherwise agreed by the Transport for Victoria, prior to the issues of a	Minor grammatical error needs to be changed	Pakenham East PSP
53	New Guideline	End of trip facilities are encouraged for new employment based development measuring greater than 2000 square metres. End of trip facilities should include: <ul style="list-style-type: none"> • Showers and change rooms with lockers • Secure bike storage/parking and • Lockers for personal items Unless otherwise agreed by the responsible authority	To decrease reliance on cars	Pakenham East PSP
53	New Guideline	A parking bay for a green fleet and/or car share provider scheme is encouraged to be located within medium density development located within the walkable catchment boundary	To assist development within the walkable catchment (22 dwellings per hectare) to provide alternative transport modes to increase inclusiveness and decrease reliance on cars for residents located in future apartment blocks that maybe four storey's or higher.	Pakenham East PSP
3.5.3 Walking and Cycling				
53	R87	Modified wording required Bicycle priority at intersections of local streets and connector roads with dedicated off-road bicycle paths must be achieved through strong and consistent visual and physical cues and supportive directional and associated road signs, as per the designs in the Greenfield Engineering Design and Construction Manual <u>and Ausroads and Vic Roads standards</u> and to the satisfaction of the responsible authority.	Increases consistency by referencing both manual and regulation	Pakenham East PSP
53	R89	Modified wording required Shared and pedestrian paths along waterways/retarding basins must: <ul style="list-style-type: none"> • Be delivered by development proponents consistent with the network shown on <i>Plan 8 – Public Transport and Path Network</i>; • Be <u>above 1:100</u> 1:10 year flood level with any crossing of the waterway designed to be above the 1:100; flood level to maintain hydraulic function of the waterway; • Be positioned above 1:100 year flood where direct access is provided to the dwelling from the waterway reserve; • Be constructed to a standard that satisfies the requirements of Melbourne Water and the responsible authority. All to the satisfaction of Melbourne Water and the responsible authority.	Council will not accept any pedestrian paths above the 1:10 flood level. Paths along the waterway must be above the 1:100 flood level.	Pakenham East PSP
3.6.2 Utilities				
61	R97	Modified wording required Utilities must be placed <u>outside conservation areas</u> and on the outer edges of waterway corridors to avoid disturbance to existing waterway values, native vegetation, significant landform features and heritage sites, to the satisfaction of Melbourne Water and the responsible authority	Combine 97 and 98 as they repeat.	Pakenham East PSP
61	R98	Delete	Combined with R97	Pakenham East PSP

Page No:	Requirement /Guideline:	Requested Change:	Why is Change required?	Document/s that must be changed
61	R100	<p>Modified wording required</p> <p>Above ground utilities (such as electricity substations, kiosk and sewer pumps) must be identified at the subdivision design stage to ensure effective integration with the surrounding neighbourhood and to minimise amenity impacts, and be designed to the satisfaction of the relevant authority.</p> <p>Where that infrastructure is intended to be located in public open space, the land required to accommodate that infrastructure will not be counted as contribution to public open space requirements specified and will be additional to the areas designated in <i>Table 6 - Open Space Delivery Guide</i>.</p>	To provide context as to what an above ground utility encompasses	Pakenham East PSP
3.6.3 Energy and sustainability				
62	G66	<p>Modified wording required</p> <p>Development should facilitate the reduction of environmental impacts and resource use through:</p> <ul style="list-style-type: none"> • Appropriate subdivision designs that orientate dwellings on an <u>north-south east-west</u> axis to achieve greater access to northern sun; • Public realm design and connectivity; • Facilitation of alternative energy generation systems; and • Access to public and integrated active transport networks 	Change to decrease conflict with G15 on page 22	Pakenham East PSP
3.7 Infrastructure Delivery and Staging				
65	R105	<p>Modified wording required</p> <p>All public open space (where not otherwise provided via an Infrastructure Contributions Plan) must be finished to a standard (<u>Cardinia Shire Council Developer Landscape Guidelines</u>) that satisfies the requirements of the responsible authority prior to the transfer of the public open space, including but not limited to:</p> <ul style="list-style-type: none"> • Removal of all existing and disused structures, foundations, pipelines and stockpiles; • Clearing of rubbish and environmental weeds and rocks, levelled, topsoiled and grassed with warm climate grass; • Provision of water tapping, potable and/or recycled water connection points; • Identification of sewer, gas and electricity connection points for land proposed as sports reserves, district reserves, neighbourhood reserves or local reserves; • Trees and other plantings; • Vehicular exclusion devices (landscape treatments, fences, bollards or other suitable methods) and maintenance access points, to the satisfaction of the responsible authority; and <p>Installation of park furniture including barbeques, shelters, tables, local scale play grounds and other local scale play equipment elements such as half basketball courts, rubbish bins and appropriate paving to support these facilities consistent</p>	To provide developers further guidance on standards to be met with reference to the Cardinia Shire Council Developer Landscape Guidelines.	Pakenham East PSP

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		with the type of public open space listed in the open space delivery guide, Appendix G.		
3.8 Precinct Infrastructure				
68-74	Table 8	Please refer to Attachment 4 demonstrating Council concerns with Table 8	To be discussed in more detail at Panel	Pakenham East PSP
Plans				
8	Plan 2	<p>Modified plan to show:</p> <ul style="list-style-type: none"> Different colour for land subject to inundation as it blends with other grey scale items Different colour for extractive industry interest area as it blends with easements There are four properties that have a light purple square on them. Council seeks clarification on these as to what it represents <p>Council also requests that all GIS layers of all plans in the Precinct Structure Plan are provided to Council to assist statutory planners to identify what aspects are applicable to relevant properties in the future.</p>	As per items raised in submission	Pakenham East PSP
12	Plan 3	<p>Modified plan to show:</p> <ul style="list-style-type: none"> Provide additional 1 hectare of land by re-locating pocket park from property id 41 next to State Government Primary School and pocket park on property id 37 to Sporting Reserve (property id 39). Move the location of Boulevard Connector Road to interface with property Id 37 to stop the land from being land-locked. The land surrounding property id 37 is in a different land ownership Relocate the walkable catchment boundary to the south of the local park on property id 8 to assist decreasing conflict with slope Show a road bridge on Ryan Road where it intersects with Deep Creek. This bridge will required to be upgraded as part of Ryan Road Change the legend for business to say business (small local enterprises) Increase the size of each community centre located adjacent to a State Government Primary School from 0.4 hectares to 0.6 hectares Demonstrate Councils preferred road hierarchy (more information to be supplied at Panel) 	<p>As per items raised in submission</p> <p>The present community centres located adjacent to each State Government School site in the PSP is shown as .04 hectare. Council requires 0.6 hectares To assist understanding why please review two Scenarios below:</p> <p>Assumptions</p> <ul style="list-style-type: none"> The population 0-4 at 2036 is 2239, so population for Kindergarten 559.75. (560 children) If we assume 30% are accessing kinder in a long day care centre 392 children will require Kindergarten in a council kindergarten by 2036. At present no detailed population data after 2036 is available, although further discussion with id profile will be undertake to clarify this aspect. Comparison Arena is .4ha and Henry Family Children's Centre is .6ha <p>Scenario 1</p> <ul style="list-style-type: none"> At each .4 ha site we can accommodate 132 in four year old kindergarten but the site would only have Kinder, 1 MCH room (like Arena). This means there would be no space for Playgroups / ECIS/ Community Activities or 3 year old kinder. At the .6ha we can accommodate 132 in four year old kindergarten, 3 consult rooms (MCH and specialist services), 66 children in 3 year old kinder and community playgroups and other community activities This scenario provides 396 four year old kindergarten places, however this is based on the id data being correct and the build plan occurring ahead of the population growth. It provides only one site for essential community activities such as community space for playgroup/ new parents groups <p>Scenario 2</p> <ul style="list-style-type: none"> At each .4ha accommodate 66 in four year old kindergarten, 1 MCH room, community space for playgroup/ new parents groups / community activities and 3 year old kinder for 44 At the .6ha we can accommodate 132 in four year old kindergarten, 3 consult rooms (MCH and specialist services), 66 children in 3 year old kinder and community playgroups and other community activities 	Pakenham East PSP

Page No:	Requirement /Guideline:	Requested Change:	Why is Change required?	Document/s that must be changed
			<ul style="list-style-type: none"> This scenario provides 264 kindergarten places, a shortfall of 128 four year old kinder places 	
16	Plan 4	Modified plan to show <ul style="list-style-type: none"> Parcel number and parcel identification number 13 is missing. 	Grammatical error	Pakenham East PSP
18	Plan 5	Modified plan to show: <ul style="list-style-type: none"> Demonstrate view lines from the open space hilltop LP01 looking north-east south and west. Demonstrate view lines from the open space hilltop LP07 north, east, south and west. Indicate Melbourne Water fish way And all Items requested as part of Plan 3	As per items raised in submission	Pakenham East PSP
36	Plan 6	Modified plan to show: <ul style="list-style-type: none"> The legend needs to be updated to reflect what is on the plan (for example local park in the legend is a different colour scheme to the plan Can the legend and plan be updated to explain the following: <ul style="list-style-type: none"> Pocket parks Neighbourhood Parks Sporting reserves Clarification required on what is identified as a Local Conservation Reserve (Requirement 59), as its not shown on Plan 6 (Open Space). Is it the conservation area near Canty Lane or is it the conservation area along Princes Highway or both? Plan 6 will require to be updated to provide greater clarity And all Items requested as part of Plan 3	As per items raised in submission	Pakenham East PSP
48	Plan 7	Modified plan to show: <ul style="list-style-type: none"> Modify road hierarchy as shown on Attachment 3 Modify plan and legend to demonstrate the location of roundabouts and/or other intersection treatments The plan to reference all cross-section numbers (1 – 9) And all Items requested as part of Plan 3	Council is presently undertaking a Traffic Impact Assessment of both the exhibited road hierarchy and layout and Councils preferred road hierarchy and layout and further advice will be provided at a future Panel Hearing on Councils position.	Pakenham East PSP
52	Plan 8	Modify plan to show: <ul style="list-style-type: none"> Demonstrate a shared path along Princes Highway and Freeway to Nar Nar Goon Township and to Pakenham Township Change the legend to say '<i>pedestrian crossing</i>' to be consistent with Plan 7 Provide an off road shared path along the gas easement located in the south for the whole length of the easement. Change legend to explain '<i>two way off road bicycle path (in road reserve)</i> to assist decreasing confusion. Provide the continuation of the off road shared path to connect the retarding basins located in the south and extend to Mount Ararat South Road to provide an opportunity to complete a walking loop around the precinct. Modify road hierarchy as shown on Attachment 3 and cross-sections to assist with increasing the opportunity to have a shared path in the cross-section to provide better access to the hill top parks (property id 9) Modify plan and legend to demonstrate the location of roundabouts and/or other intersection treatments And all Items requested as part of Plan 3	Cardinia Shire Council Pedestrian and Bicycle Strategy August 2017 identifies important trails to connect people to daily destinations. The policy identifies a link <ul style="list-style-type: none"> From Pakenham East to Beaconsfield and From Pakenham East to townships along the rail line These shared paths must be demonstrated on the Precinct Structure Plan to assist Council to request for future State Government grants. Council is presently undertaking a Traffic Impact Assessment of both the exhibited road hierarchy and layout and Councils preferred road hierarchy and layout and further advice will be provided at a future Panel Hearing on Councils position. The road hierarchy also influences the cross-sections which correlate to shared paths and increasing	Pakenham East PSP

Page No:	Requirement /Guideline:	Requested Change:	Why is Change required?	Document/s that must be changed
56	Plan 9	<p>Modified plan to show:</p> <ul style="list-style-type: none"> An existing road bridge along Ryan Road will require to be upgraded as part of Ryan Road and it should be shown in the plan A reserve or easement must be shown in the exhibited PSP to allow for a 600mm diameter pipe for alternative water (stormwater harvesting) to the north of Princes Freeway and south of Ryan Rd drainage asset and Hancock's drainage asset <p>And all Items requested as part of Plan 3</p>	As per items raised in submission	Pakenham East PSP
60	Plan 10	<p>Modified plan to show:</p> <ul style="list-style-type: none"> A reserve or easement must be shown in the exhibited PSP to allow for a 600mm diameter pipe for alternative water (stormwater harvesting) to the north of Princes Freeway and south of Ryan Rd drainage asset and Hancock's drainage asset <p>And all Items requested as part of Plan 3</p>	As per items raised in submission	Pakenham East PSP
64	Plan 11	<p>Modified plan to show:</p> <ul style="list-style-type: none"> The ICP project identification to include: <ul style="list-style-type: none"> The whole of Ryan road <p>And consideration of changes identified in Plan 3</p>	As per items raised in submission	Pakenham East PSP
4.3 Appendix				
81	New Appendix	Copy of EPBC Act notice.	Links new requirement under Section 3.4 (Biodiversity, threatened species and native vegetation retention)	Pakenham East PSP
85	Appendix B: Local Town Centre Design (LTC) Design and Local Convenience (LCC) Principles)	<p>Principle 10 Modified wording required</p> <ul style="list-style-type: none"> Investigating Ensure the use of energy efficient design and construction methods for all buildings 		
Appendix C Road cross sections and intersections with Princes Highway				
86	Section 1	<p>The plan doesn't reflect the Princes Highway cross- section. Please update. Plan to be revised based on Traffic Impact Assessment presently being undertake. Will provide information to VPA as soon as possible.</p> <p>Modified wording required in note, with specific attention on the following bullet points:</p> <ul style="list-style-type: none"> Mature street tree size <u>and low level planting</u> must be in accordance with <u>Cardinia Shire Melton City Council landscape policy Developer Landscape Guidelines January 2017 (or as amended)</u> Include low level plantings on the 0.5m strip to delineate between pedestrian path and bike path 	<p>Specify correct Council and relate to Cardinia Shire Councils landscape policy</p> <p>Council is presently undertaking a Traffic Impact Assessment of both the exhibited road hierarchy and layout and Councils preferred road hierarchy and layout and further advice will be provided to the VPA of the outcomes of the Traffic Impact Assessment. Council requests that this matter is discussed further at a future Panel Hearing on Councils position.</p>	Pakenham East PSP
87	Section 2 Connector Street	<p>Plan to be revised based on Traffic Impact Assessment presently being undertaken. Will provide information to VPA as soon as possible</p> <p>Modified wording required in note, with specific attention on the following bullet points:</p> <ul style="list-style-type: none"> Minimum street tree mature height 15 metres. Mature street tree size <u>and low level planting</u> must be in accordance with <u>Cardinia Shire Melton City</u> 	<p>Specify correct Council and relate to Cardinia Shire Councils landscape policy</p> <p>Council is presently undertaking a Traffic Impact Assessment of both the exhibited road hierarchy and layout and Councils preferred road hierarchy and layout and further advice will be provided to the VPA of the outcomes of the Traffic Impact Assessment. Council requests that this matter is discussed further at a future Panel Hearing on Councils position.</p>	Pakenham East PSP

Page No:	Requirement /Guideline:	Requested Change:	Why is Change required?	Document/s that must be changed
		<p>Council landscape policy <u>Developer Landscape Guidelines January 2017 (or as amended)</u></p> <ul style="list-style-type: none"> <u>Curb outstand to be 5m kerb</u> 		
88	Section 3 Connector Street (24.0 m) – Ryan Road Residential	<p>Plan to be revised based on Traffic Impact Assessment presently being undertaken. Will provide information to VPA as soon as possible.</p> <p>The road reserve for Ryan Road is 24 m while the figure demonstrates 25 metres. Please modify the cross-section as Council does not support a 1 metre road acquisition along the eastern edge of existing titles along Ryan Road.</p> <p>Modified wording required in note, with specific attention on the following bullet points:</p> <ul style="list-style-type: none"> Minimum street tree mature height 15 metres. Mature street tree size <u>and low level planting</u> must be in accordance with <u>Cardinia Shire Melton City Council landscape policy Developer Landscape Guidelines January 2017 (or as amended)</u> <u>Curb outstand to be 5m kerb</u> 	<p>Council is presently undertaking a Traffic Impact Assessment of both the exhibited road hierarchy and layout and Councils preferred road hierarchy and layout and further advice will be provided to the VPA of the outcomes of the Traffic Impact Assessment. Council requests that this matter is discussed further at a future Panel Hearing on Councils position.</p>	Pakenham East PSP
90	Section 5	<p>Modified wording required in note, with specific attention on the following bullet points:</p> <ul style="list-style-type: none"> Minimum street tree mature height 15 metres. Mature street tree size <u>and low level planting</u> must be in accordance with <u>Cardinia Shire Melton City Council landscape policy Developer Landscape Guidelines January 2017 (or as amended)</u> <u>Semi amountable curbs 5m profile</u> 	<p>Specify correct Council and relate to Cardinia Shire Councils landscape policy</p> <p>Council is presently undertaking a Traffic Impact Assessment of both the exhibited road hierarchy and layout and Councils preferred road hierarchy and layout and further advice will be provided to the VPA of the outcomes of the Traffic Impact Assessment. Council requests that this matter is discussed further at a future Panel Hearing on Councils position.</p>	Pakenham East PSP
91	Section 6	<p>Plan to be revised based on Traffic Impact Assessment presently being undertaken. Will provide information to VPA as soon as possible.</p> <p>Modified wording required in note, with specific attention on the following bullet points:</p> <ul style="list-style-type: none"> Mature street tree size <u>and low level planting</u> must be in accordance with <u>Cardinia Shire Council landscape policy Developer Landscape Guidelines January 2017 (or as amended)</u> <u>Need barrier curb with 5m profile on curb outstand.</u> 	<p>Council is presently undertaking a Traffic Impact Assessment of both the exhibited road hierarchy and layout and Councils preferred road hierarchy and layout and further advice will be provided to the VPA of the outcomes of the Traffic Impact Assessment. Council requests that this matter is discussed further at a future Panel Hearing on Councils position.</p>	Pakenham East PSP
92	Section 7	<p>Plan to be revised based on Traffic Impact Assessment presently being undertaken. Will provide information to VPA as soon as possible.</p> <p>Modified wording required in note, with specific attention on the following bullet points:</p> <ul style="list-style-type: none"> Minimum street tree mature height 15 metres. Mature street tree size <u>and low level planting</u> must be in accordance with <u>Cardinia Shire Council landscape policy Developer Landscape Guidelines January 2017 (or as amended)</u> 	<p>Council is presently undertaking a Traffic Impact Assessment of both the exhibited road hierarchy and layout and Councils preferred road hierarchy and layout and further advice will be provided to the VPA of the outcomes of the Traffic Impact Assessment. Council requests that this matter is discussed further at a future Panel Hearing on Councils position.</p>	Pakenham East PSP
93	Section 8	<p>Plan to be revised based on Traffic Impact Assessment presently being undertaken. Will provide information to VPA as soon as possible.</p> <p>Modified wording required in note, with specific attention on the following bullet points:</p> <ul style="list-style-type: none"> Mature street tree size <u>and low level planting</u> must be in accordance with <u>Cardinia Shire Council landscape policy Developer Landscape Guidelines January 2017 (or as amended)</u> 	<p>Council is presently undertaking a Traffic Impact Assessment of both the exhibited road hierarchy and layout and Councils preferred road hierarchy and layout and further advice will be provided to the VPA of the outcomes of the Traffic Impact Assessment. Council requests that this matter is discussed further at a future Panel Hearing on Councils position.</p>	Pakenham East PSP

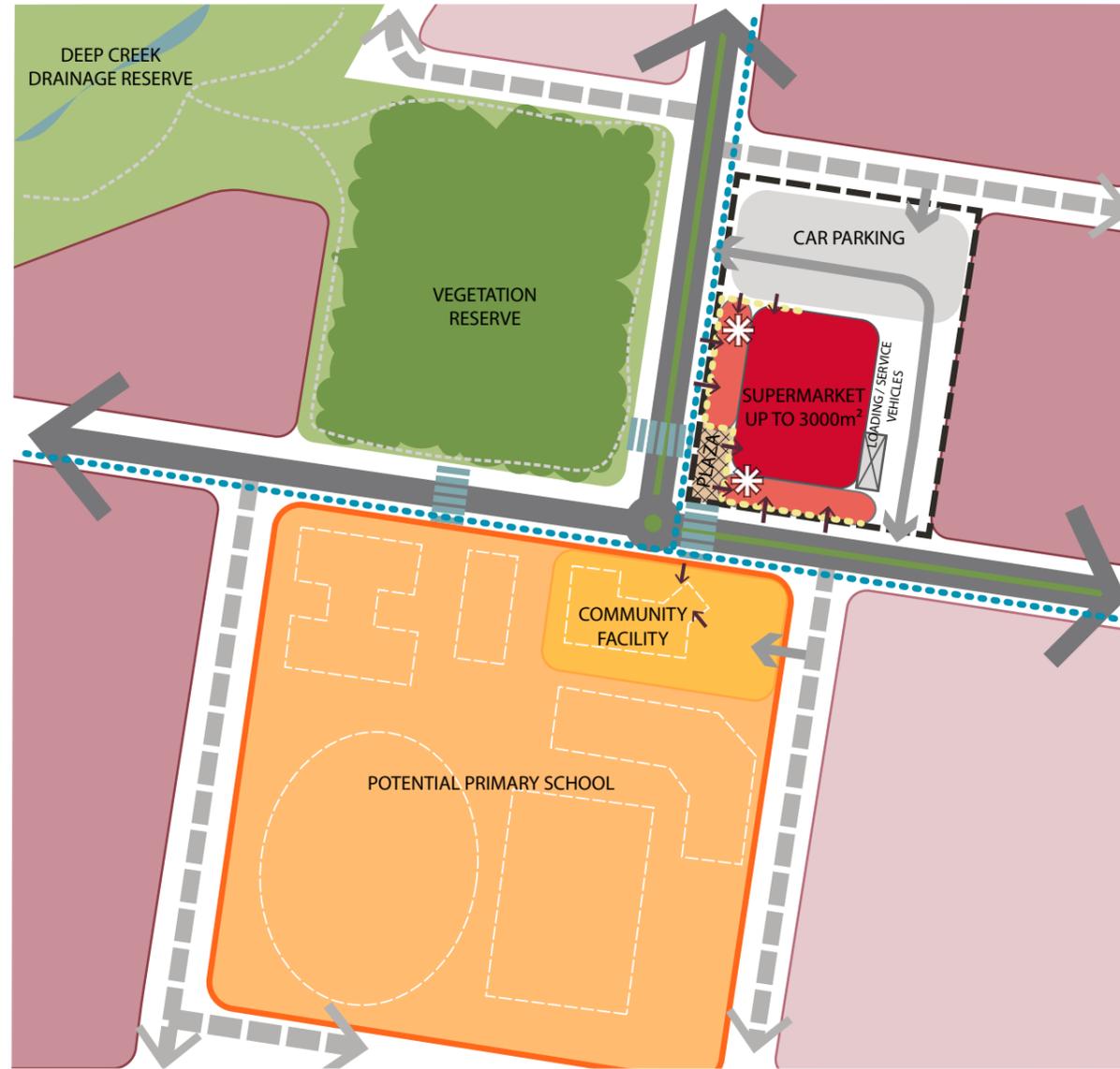
Page No:	Requirement /Guideline:	Requested Change:	Why is Change required?	Document/s that must be changed
94	Section 9	Plan to be revised based on Traffic Impact Assessment presently being undertaken. Will provide information to VPA as soon as possible.	Council is presently undertaking a Traffic Impact Assessment of both the exhibited road hierarchy and layout and Councils preferred road hierarchy and layout and further advice will be provided to the VPA of the outcomes of the Traffic Impact Assessment. Council requests that this matter is discussed further at a future Panel Hearing on Councils position.	Pakenham East PSP
94	New Section	New road cross-section for bridges required Provide a cross-section of all street bridges on a connector and local access street that cross a waterway., which includes pedestrian bridge information also	Link to R76 Council and developers need to know what type of street bridge (connector or local access) will be required, example: length, width, style, pedestrian access etc. A cross-section of a connector and local access bridge would provide consistent advice. The development of a cross-section for the bridges will also assist with the implementation of the Infrastructure Contributions Plan for bridges included in the Infrastructure Contributions Plan and decrease uncertainty between Council and Developers.	Pakenham East PSP
95 & 96	Intersection 1 & 2 & 3 & 4	Functional layout plans for the signalised intersections will be provided at the future Panel Hearing. The interim design of Ryan Road needs to be discussed based on the intersection being 50% funded through the Infrastructure Contributions Plan.	Council is presently undertaking a Traffic Impact Assessment of both the exhibited road hierarchy and layout and Councils preferred road hierarchy and layout and further advice will be provided to the VPA of the outcomes of the Traffic Impact Assessment. Council requests that this matter is discussed further at a future Panel Hearing on Councils position.	Pakenham East PSP
Appendix D: Waterway Cross session				
97	Appendix D	Remove reference to Melton City Council landscaping policy and replace with Mature street tree size and low level planting must be in accordance with Cardinia Shire Council Developer Landscape Guidelines January 2017 (or as amended)	Grammatical error	Pakenham East PSP
Appendix E Easement cross-sections				
98	New Appendix	At present Appendix E: Easement Cross Sections relates to a high power electricity easement. An additional Appendix needs to be developed to demonstrate the cross-section of the gas easement, so assist with Requirement 39.	Guidance is required as to what trees and/or landscaping can be located within the gas easement. A cross-section developed between the gas authorities, VPA and Council would provide clarity on what setbacks are required from the gas pipe, allowable height of trees and what additional ancillary structures would be possible (example veggie planter boxes and/or street furniture).	Pakenham East PSP
Appendix G Open Space Delivery Guidelines				
101	Pocket Park	Modified wording required: Defined as Local Park in the Cardinia Shire Council Recreation Open Space Strategy	Correct hierarchy of open space in Cardinia Shire Council defined	Pakenham East PSP
101	Neighbourhood Park	Modified wording required: Defined as Local Parks and Neighbourhood Pocket-Parks in the Cardinia Shire Councils Recreation Open Space Strategy	Correct hierarchy of open space in Cardinia Shire Council defined	Pakenham East PSP
101	Community Parks	Modified wording required Defined as Neighbourhood Parks in the Cardinia Shire Shire Councils Recreation Open Space Strategy	Error in word	Pakenham East PSP
102	Municipal Parks	Modified wording required Defined as Municipal Parks <u>and Metropolitan Reserve</u> in the Cardinia Shire Council Recreation Open Space Strategy	Correct hierarchy of open space in Cardinia Shire Council defined	Pakenham East PSP
Other				

Page No:	Requirement /Guideline:	Requested Change:	Why is Change required?	Document/s that must be changed
	Schedule 5 to Clause 37.07 The Urban Growth Zone	Please to Attachment 5 for revised Schedule	Schedule updated to assist Council to implement the Schedule	Clause 37.07 Schedule 5
	Clause 43.01 of the Cardinia Planning Scheme	<p>Planning Scheme Ordinance - Replace Clause 43.01 Schedule with a new Schedule to include the following sites</p> <ul style="list-style-type: none"> • 40 Dore Road, Nar Nar Goon • 45-55 Dore Road, Nar Nar Goon • 1550-1560 Princes Highway Nar Nar Goon <p>And to remove the following sites from the schedule</p> <ul style="list-style-type: none"> • 140 Ryan Road Pakenham 	<p>Advice from Heritage Victoria is required on these matters.</p> <p>Council prefers a new condition is inserted in the PSP under Section 3.1.4 but if it is considered inappropriate a Heritage Overlay is requested instead. Please refer to Section 3.1.4 Heritage for the substantiation for additional Heritage Overlay for archaeological interest sites.</p> <p>The building at 140 Ryan Road has been demolished and the heritage values of the site removed. A summary of what lead to this event are described below:</p> <ul style="list-style-type: none"> • On the 1 June 2017 Bosco Johnson on behalf of Parklea submitted a planning permit application (T170326) to subdivide the land into two lots (dwelling excision). • On the 27 June 2017 under Section 54 of the Planning and Environment Act Council requested for further information from the permit applicant. The letter also advised the applicant: <ul style="list-style-type: none"> ○ The subject land and dwelling on site was identified as having heritage significance and earmarked for a future heritage overlay ○ The significant tree study assessed a single Monterey Cypress tree located to the east of the dwelling and noted that it is of limited viability and not worthy of specific controls or retention. ○ Council requested for a Conservation Management Plan to be prepared and submitted for the existing dwelling that provides details of the cultural value/significance, appropriate site boundaries, required restoration works, possible future uses and interpretative signage. Council advised that a condition will be placed on any permit issued for the subdivision that gives effect to the management plan via a section 173 agreement which provides for works to the future heritage place for the purposes of restoration and repair in accordance with the timeframes and requirements of the Conservation Management Plan. ○ Council's also raised concerns with the proposal in relation to the proposed land size of 2 hectares which is considered to be in excess of what would be considered appropriate for a future urban area. Whilst it is recognised that there are no specific controls in place regarding heritage or a designated lot size, the lot size should be significantly reduced in size to adequately retain the dwelling whilst considering the future heritage value, heritage curtilage (extent) and integrity of the site in the context of a future urban area. A plan was provided that showed the approximate heritage extent around the bungalow, front yard, rear yard and Monterey Cypress. Please note Monetary Cypress as noted above is not required to be retained and the heritage extent is subject to change. ○ As a result of the above, a revised plan of subdivision was requested taking into consideration the heritage extent and the comments above. • On the 27th July 2018 Bosco Johnson requested for an extension of time to submit a response to Council's letter dated the 27 June 2017. • On the 27th July 2018 Council extended the timeframe for the applicant to submit a response to Council request for further information under Section 54 of the Act to the 26th September 2017 • No further information was submitted to Council and the planning permit application lapsed. • On the 23 October 2017 Nepean Building Permits submitted to Council an application to Request for Report and Consent to Proposed Demolition under Section 29A of the Building Act 1993 • On the 31 October 2017 a building permit was issued for the demolition of the building as Council advised no heritage overlay or proposed heritage overlay was proposed. Unfortunately there was a communication breakdown within Council and the landowner received their demolition building permit and removed the building of the week starting on the 27th November 2017 	<p>Clause 43.01 of the Cardinia Planning Scheme</p> <p>Map 15 and 18 Heritage Overlay</p>

Page No:	Requirement /Guideline:	Requested Change:	Why is Change required?	Document/s that must be changed
	Clause 43.02 of the Cardinia Planning Scheme	Planning Scheme Ordinance – Insert new 43.02 Schedule for the local town centre and local convenience centre	Section 3.2 (Town Centres and employment) specifies a variety of controls for future development of the town centre and local convenience centre that should be included in a Design and Development Plan Overlay.	Clause 43.02 of the Cardinia Planning Scheme
	Clause 45.03 of the Cardinia Planning Scheme	Amend Clause 45.03 of the Cardinia Planning Scheme to include the following sites with an Environmental Audit Overlay: 1. 27 Dore Road Pakenham (Lot 1, TP709318d and Lot 1 TP424541M) 2. Ryan Road Pakenham (Lot 2, PS547650h)	To comply with the recommendations of the Environmental Site Assessment by GHD in 2013	Clause 45.03 of the Cardinia Planning Scheme
	Clause 52.28 of the Cardinia Planning Scheme	Amend Clause 52.28 and Table 1 of Clause 52.28 of the Cardinia Planning Scheme to prohibit gaming machines in a shopping complex that includes Pakenham East town centre and local convenience centre	The prohibition of gaming machines is based on Cardinia Shire Gaming Policy Review September 2015 which: <ul style="list-style-type: none"> • Provided a concise overview of gaming issues affecting Cardinia Shire. • Set out an evidence-base and policy framework to guide decision making on new gaming proposals within the Shire. • Forms a strategic basis for statutory implementation of gaming policy in the Local Planning Policy Framework of the <i>Cardinia Planning Scheme</i>. 	Clause 52.28 of the Cardinia Planning Scheme
	Clause 66.04	Council objects to the Victorian Planning Authority as a determining authority for any application to subdivide, or construct or carry out works (where those value of those works is in excess of \$500,000) on land in the Local Town Centre in the Incorporated Pakenham East Precinct Structure Plan	We have worked closely with the Victorian Planning Authority with the development of the concept plan for the local town centre and strongly believe their involvement at the planning permit stage is unnecessary. The town centre is a local town centre and not a major activity centre Council is satisfied for the Victorian Planning Authority to be recommending referral authority instead	Clause 66.04
	Clause 81.01 of the Cardinia Planning Scheme	Amend Clause 81.01 of the Cardinia Planning Scheme to include <i>Guidelines for Slope Management in Subdivisions Cardinia Shire Council – Pakenham East Precinct Structure Plan</i> as a incorporated document	The Guidelines for Slope Management will be used to guide developers and/or landowners on the extent of planning controls (role and function of the slope management guideline) and the exercise of discretion by the responsible authority. The document is essential to the proper functioning of the planning scheme and decision making process.	Clause 81.01 of the Cardinia Planning Scheme
	Small Lot Housing Code	Revise Small Lot Housing Code to include simpler language and diagrams to assist in the interpretation of the document, similar to Officer Precinct Structure Plan Small Lot Housing Code	Council agrees it will be useful to have a consistent code utilised by all growth corridor councils. Cardinia Shire Council argues the code needs to be revised to assist the interpretation of the code, similar to Officer Precinct Structure Plan Small Lot Housing Code.	Small lot Housing Code
	Zone Map. Amend Planning Scheme 15,17, and 18	Require a Rural Conservation Zone on the conservation area along Canty Lane	To assist with the long term protection of this patch of vegetation	Zone Map. Amend Planning Scheme 15,17, and 18
	Amend Planning Scheme ESO Map 18	Require an ESO over the existing city gate and nearby land to inform adjacent landowners of potential noise issues.	Appropriate controls need to be in place to assist with development surrounding the city gate. Council is presently undertaking a noise assessment and further discussion on this matter is requested to be undertaken at the Panel	Map 18 ESO
	Amend Planning Scheme EAO Map 15, 17 and 18	Require an EAO on 1. 27 Dore Road Pakenham (Lot 1, TP709318d and Lot 1 TP424541M) 2. Ryan Road Pakenham (Lot 2, PS547650h)	To comply with the recommendations of the Environmental Site Assessment by GHD in 2013	Map 15, 17 and 18 EAO
	Amend Planning Scheme HO Map 15 and 18	Overlay Maps - Amend Planning Scheme Map No 15 and 18 to place a Heritage Overlay on archaeological interest sites at <ul style="list-style-type: none"> • 40 Dore Road, Nar Nar Goon • 45-55 Dore Road, Nar Nar Goon • 1550-1560 Princes Highway Nar Nar Goon 	Council prefers a new condition is inserted in the PSP under Section 3.1.4 but if it is considered inappropriate a Heritage Overlay is requested instead. Please refer to Section 3.1.4 Heritage for the substantiation for additional Heritage Overlay for archaeological interest sites.	Amend Planning Scheme HO Map 15 and 18

Page No:	Requirement /Guideline:	Requested Change:	Why is Change required?	Document/s that must be changed
		<p>Overlay Map – Amend Planning Scheme Map 15 to remove a Heritage Overlay (H0276) as the building has been demolished</p>	<p>The building at 140 Ryan Road has been demolished and the heritage values of the site removed. A summary of what lead to this event are described below:</p> <ul style="list-style-type: none"> • On the 1 June 2017 Bosco Johnson on behalf of Parklea submitted a planning permit application (T170326) to subdivide the land into two lots (dwelling excision). • On the 27 June 2017 under Section 54 of the Planning and Environment Act Council requested for further information from the permit applicant. The letter also advised the applicant: <ul style="list-style-type: none"> ○ The subject land and dwelling on site was identified as having heritage significance and earmarked for a future heritage overlay ○ The significant tree study assessed a single Monterey Cypress tree located to the east of the dwelling and noted that it is of limited viability and not worthy of specific controls or retention. ○ Council requested for a Conservation Management Plan to be prepared and submitted for the existing dwelling that provides details of the cultural value/significance, appropriate site boundaries, required restoration works, possible future uses and interpretative signage. Council advised that a condition will be placed on any permit issued for the subdivision that gives effect to the management plan via a section 173 agreement which provides for works to the future heritage place for the purposes of restoration and repair in accordance with the timeframes and requirements of the Conservation Management Plan. ○ Council's also raised concerns with the proposal in relation to the proposed land size of 2 hectares which is considered to be in excess of what would be considered appropriate for a future urban area. Whilst it is recognised that there are no specific controls in place regarding heritage or a designated lot size, the lot size should be significantly reduced in size to adequately retain the dwelling whilst considering the future heritage value, heritage curtilage (extent) and integrity of the site in the context of a future urban area. A plan was provided that showed the approximate heritage extent around the bungalow, front yard, rear yard and Monterey Cypress. Please note Monetary Cypress as noted above is not required to be retained and the heritage extent is subject to change. ○ As a result of the above, a revised plan of subdivision was requested taking into consideration the heritage extent and the comments above. • On the 27th July 2018 Bosco Johnson requested for an extension of time to submit a response to Council's letter dated the 27 June 2017. • On the 27th July 2018 Council extended the timeframe for the applicant to submit a response to Council request for further information under Section 54 of the Act to the 26th September 2017 • No further information was submitted to Council and the planning permit application lapsed. • On the 23 October 2017 Nepean Building Permits submitted to Council an application to Request for Report and Consent to Proposed Demolition under Section 29A of the Building Act 1993 <p>On the 31 October 2017 a building permit was issued for the demolition of the building as Council advised no heritage overlay or proposed heritage overlay was proposed. Unfortunately there was a communication breakdown within Council and the landowner received their demolition building permit and removed the building of the week starting on the 27th November 2017</p>	

Attachment 1



Local Convenience Centre Pakenham East Precinct Structure Plan

- LEGEND**
- Supermarket
 - Specialty Retail
 - Community Facility
 - School Site
 - Car Parking
 - Loading
 - Town Square/Plaza
 - Medium Density Residential
 - Residential
 - Passive Open Space
 - Vegetation Reserve
 - Boulevard Connector
 - Connector Street
 - Access Street Level 1
 - Roundabout
 - Car Park Access
 - Prominent sites/ Key Built form
 - Primary building frontages
 - Key building entries/ access
 - Key Pedestrian crossings
 - Off road bikeway



Plan Ref: 15042_LCC
 Rev: B
 Date: 19 May 2016
 Drawn: HW / MH



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Attachment 2

Table 6 – Open Space Delivery Guide

OPEN SPACE ID	AREA (HA)	TYPE	ATTRIBUTES	RESPONSIBILITY
LP-01	10.89	Local Park Neighbourhood Park	Hilltop Local Park	Cardinia Shire Council
LP-02	0.80	Pocket Park Local Park	Local park abutting community facility and primary school	Cardinia Shire Council
LP-03	1.00	Local Park Neighbourhood Park	Local park	Cardinia Shire Council
LP-04	1.00	Local Park Neighbourhood Park	Local park	Cardinia Shire Council
LP-05	1.63	Local Park Neighbourhood Park	Local park abutting conservation reserve and Deep Creek Reserve	Cardinia Shire Council
LP-06	1.00	Neighbourhood Park Local Park	Local park	Cardinia Shire Council
LP-07	0.50	Local Park Pocket Park	Local park adjacent to community facility and primary school (property 41) Land purchase	Cardinia Shire Council
LP-08	1.39	Local Park Neighbourhood Park	Hilltop Local Park	Cardinia Shire Council
LP-09	0.33	Pocket Park Local Park	Local Park	Cardinia Shire Council
LP-10	0.20	Pocket Park Local Park	Pocket park / town square (property 34) in the Local Town Centre	Cardinia Shire Council

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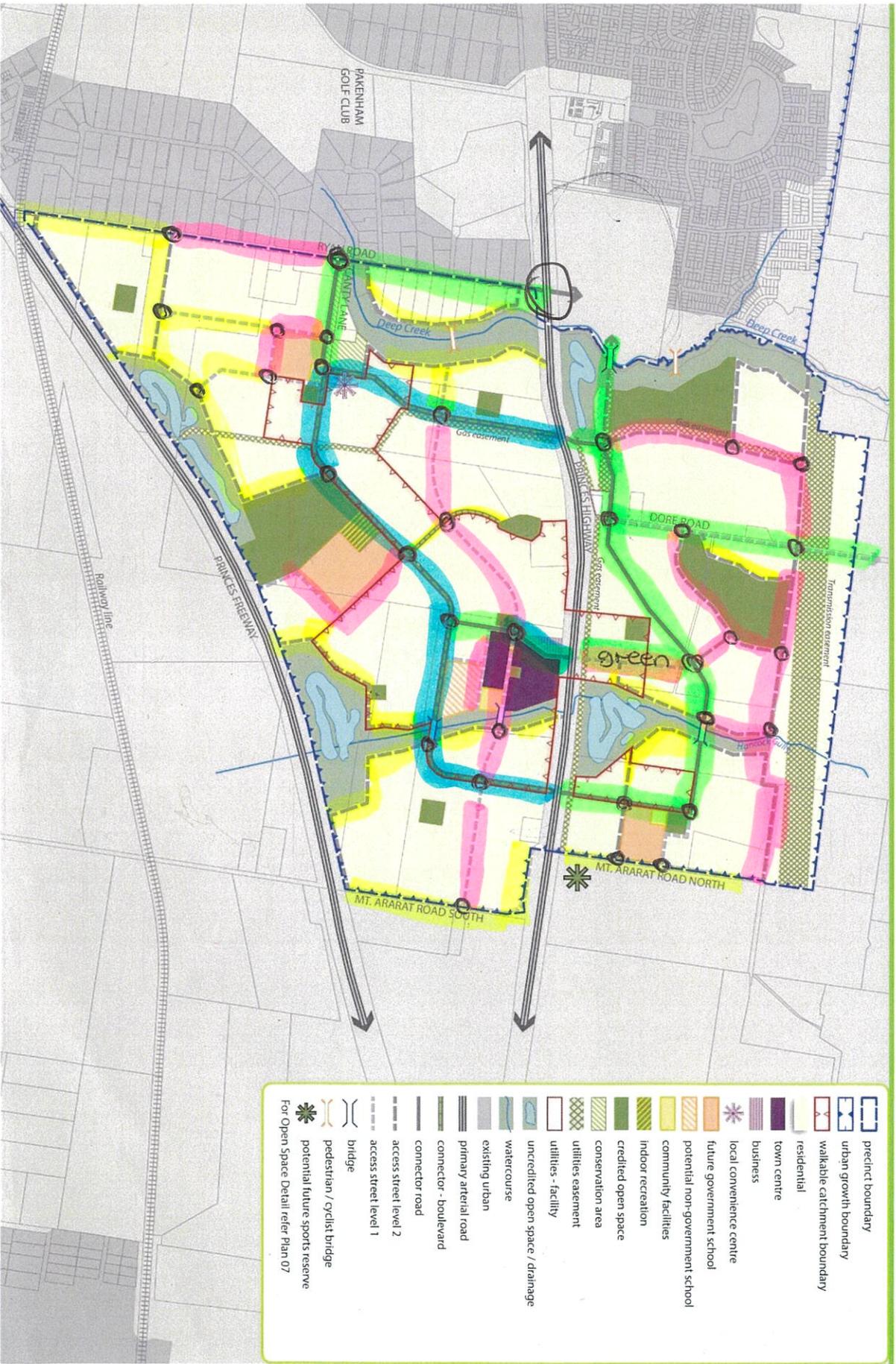
Table 6 – Open Space Delivery Guide

LP-11	0.40	Local Park <u>Pocket Park</u>	Local Park abutting drainage reserve	Cardinia Shire Council
LP-12	1.00	Local Park <u>Neighbourhood Park</u>	Local park	Cardinia Shire Council
SR-01	10.08	Sports reserve	Local Sports reserve and associated pavilion	Cardinia Shire Council
SR-02	13.60	Sports reserve	Local Sports reserve and associated pavilion	Cardinia Shire Council

Identified ICP Items

Dore rd = 20m wide reserve
 Ryan rd = 24m
 Canty lane = 20m
 Mt Ararat = 20m

Vpa Plan 3 - Future Urban Structure
 Pakenham East Precinct Urban Structure Plan



- precinct boundary
 - urban growth boundary
 - walkable catchment boundary
 - residential
 - town centre
 - business
 - local convenience centre
 - future government school
 - potential non-government school
 - community facilities
 - indoor recreation
 - credited open space
 - conservation area
 - utilities easement
 - utilities - facility
 - uncredited open space / drainage
 - watercourse
 - existing urban
 - primary arterial road
 - connector - boulevard
 - connector road
 - access street level 1
 - access street level 2
 - bridge
 - pedestrian / cyclist bridge
 - potential future sports reserve
- For Open Space Detail refer Plan 07



BC
 C
 L2
 L1

Attachment 4

PROJECT CATEGORY	ICP PROJECT NUMBER	TITLE	PROJECT DESCRIPTION	LEAD AGENCY	COMPONENT INCLUDED IN ICP			TIMING
					Ultimate land	Interim construction	Ultimate construction	
Road Projects								
Road	RD-01 (ICP)	Ryan Road Connector Road: Princes Highway (IN-01) to Canty Lane connector (IN-05)	<p>Construction of a 1 lane carriageway, excluding intersections (ultimate treatment) within the existing Ryan Road reserve</p> <p><u>Council's Traffic Impact Assessment will clarify Councils position on the road hierarchy and items included in the ICP.</u></p>	Cardinia Shire Council	No	Yes	Yes	M-L
Intersection Projects								
Intersection	IN-01 (ICP)	Intersection - Princes Highway / Ryan Road connector road	<p>Purchase of land (ultimate treatment) and construction of primary arterial to connector road 4-way signalised intersection (interim treatment)</p> <p><u>The land take for the intersection needs to be confirmed.</u></p> <p><u>A 50% funding of this intersection poses a serious risk to Council, as the land holder to the north of the intersection is likely to challenge any future planning permit requiring a monetary contribution to the intersection. This could result in a Victorian Civil Administration Tribunal hearing, of which the outcome may not be in Councils favour.</u></p> <p><u>Need to confirm description of northern and southern road</u></p>	VicRoads	Yes (50%)	Yes (50%)	No	M-L

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Intersection	IN-02 (ICP)	Intersection - Princes Highway / north south connector road	Purchase of land (ultimate treatment) and construction of primary arterial to connector road 4-way signalised intersection (interim treatment)	VicRoads	Yes	Yes	No	S
PROJECT CATEGORY	ICP PROJECT NUMBER	TITLE	PROJECT DESCRIPTION	LEAD AGENCY	COMPONENT INCLUDED IN ICP			TIMING
					Ultimate land	Interim construction	Ultimate construction	
Intersection	IN-03 (ICP)	Intersection - Princes Highway / north south connector road/local access road	Purchase of land (ultimate treatment) and construction of primary arterial to connector road (south of the highway)/local access road (north of the highway) 4-way signalised intersection (interim treatment) <u>The road descriptions - but must be local access road (level 2) on northern side</u>	VicRoads	Yes	Yes	No	M
Intersection	IN-04 (ICP)	Intersection - Princes Highway / north south connector road	Purchase of land (ultimate treatment) and construction of primary arterial to connector road 4-way signalised intersection (interim treatment)	VicRoads	Yes	Yes	No	M
Intersection	IN-05 (ICP)	Roundabout - Ryan Road/Canty Lane connector road	Purchase of land (ultimate treatment) and construction of connector to connector road 3-way roundabout (ultimate treatment) <u>Design needs to be included in the Precinct Structure Plan to provide appropriate guidance and to confirm no land take is required.</u> <u>Final design still to be resolved</u> <u>The PSP needs to show the location of other roundabouts and/or traffic calming devices to ensure the delivery of these items. Council understands these will not form part of the ICP. ICP item vs text in the</u>	Cardinia Shire Council	Yes	N/A	Yes	M

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			<u>PSP needs to be clear about what is required, when and who pays.</u>					
Bridge and Culvert Projects								
Bridge	BR-01 (ICP)	Pedestrian and cyclist bridge	<u>Purchase of land and construction of pedestrian and cycle bridge across Deep Creek, north of the Princes Highway</u> <u>Is it the purchase for western side only - do we need to purchase land on the western side? Already in council ownership?</u> <u>Need confirmation of what these bridges look like? Need to ensure that it is constructed to a standard we are happy with - should not have to negotiate on each item. If we pursue 3 quotes - based on what?</u> <u>Need to include a section similar to implementation section of public open space with concept plans to provide appropriate guidance.</u>	Cardinia Shire Council	Yes	No	Yes	L
Bridge	BR-02 (ICP)	Connector road bridge across Deep Creek	<u>Purchase of land and construction of road bridge across Deep Creek</u> <u>Does the purchase of land apply to western side only? Also need detail with how much land is required and how will it be acquired</u> <u>Page 58 - MWV Deep Creek Reserve, will the land fall within this area?</u> <u>Need guidance on the type of bridge - will it include pedestrian access - detail needs to be included in the PSP document - both pedestrian and road bridge</u> <u>Fig 6 Deep Creek concept plan should (pg46) show the bridge detail.</u>	Cardinia Shire Council	Yes	No	Yes	L

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Bridge	BR-03 (ICP)	Pedestrian and cyclist bridge	<p>Purchase of land and construction of pedestrian and cycle bridge across Deep Creek, south of the Princes Highway</p> <p><u>Do we need to purchase land? Purchase likely on western side</u></p> <p><u>Western link could be problematic due to flood overlay, no path currently on western side and a variety of individual landholders</u></p> <p><u>Density, drainage and development of Ryan Road needs to be confirmed.</u></p>	Cardinia Shire Council	Yes	No	Yes	L
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PROJECT CATEGORY	ICP PROJECT NUMBER	TITLE	PROJECT DESCRIPTION	LEAD AGENCY	COMPONENT INCLUDED IN ICP			TIMING
					Ultimate land	Interim construction	Ultimate construction	
Pedestrian Crossing Projects								
Signals	PS-01	Pedestrian Signals	Construction of pedestrian signals on Princes Highway <u>Need further information on type (is it signalised pedestrian crossing or a pedestrian bridge?) and comparison of cost. What does Vic Roads support?</u> <u>Why only an interim construction cost?</u>	VicRoads	N/A	Yes	No	M-L
Signals	<u>New item</u>	<u>Pedestrian Signals</u>	<u>Construction of pedestrian signals on boulevard connector road adjacent to government secondary school not part of ICP. Need to confirm the definition of the road and whether it would be an allowable item. Further investigation required.</u>					
Signals	<u>New item</u>	<u>Pedestrian Signals</u>	<u>Construction of pedestrian signals on boulevard connector road adjacent to government primary school is not part of ICP. Need to confirm the definition of the road and whether it would be an allowable item. Further investigation required.</u>					
Community Facility Projects								
Community	(CI-01) C	Northern Community Centre	Construction of a Level 1 community building (child services) <u>There is a shortfall in money collected from the ICP based on sqm rate and what items are included in the scope for a community centre. Example: sealed car parking for a community centre is not included in the</u>	Cardinia Shire Council	Yes	N/A	Yes	

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			<p><u>ICP. A certificate of occupancy will not be provided for a community centre if the car park is not sealed. –</u></p> <p><u>The land size is also not large enough and needs to be 0.6 hectares</u></p> <p>Land purchase of a Level 1 community building (child services)</p>					
Community	CI-02 (C)	Local Town Centre Community Centre	<p>Construction of a Level 2 community building (community use with potential for child services)</p> <p>Land purchase for a Level 2 community building (community use with potential for child services)</p>	Cardinia Shire Council	Yes	N/A	Yes	M
Community	CI-03 (C)	Southern Community Centre	<p>Construction of a Level 1 community building (child services)</p> <p>Land purchase of a Level 1 community building (child services)</p> <p><u>There is a shortfall in money collected from the ICP based on sqm rate and what items are included in the scope for a community centre. Example: sealed car parking for a community centre is not included in the ICP. A certificate of occupancy will not be provided for a community centre if the car park is not sealed. –</u></p> <p><u>The land size is also not large enough and needs to be 0.6 hectares</u></p>	Cardinia Shire Council	Yes	N/A	Yes	M
Education Projects								
School	-	Government Primary School	Land and construction of government primary school in the Northern Community Hub	Department of Education and Training	No	No	No	L

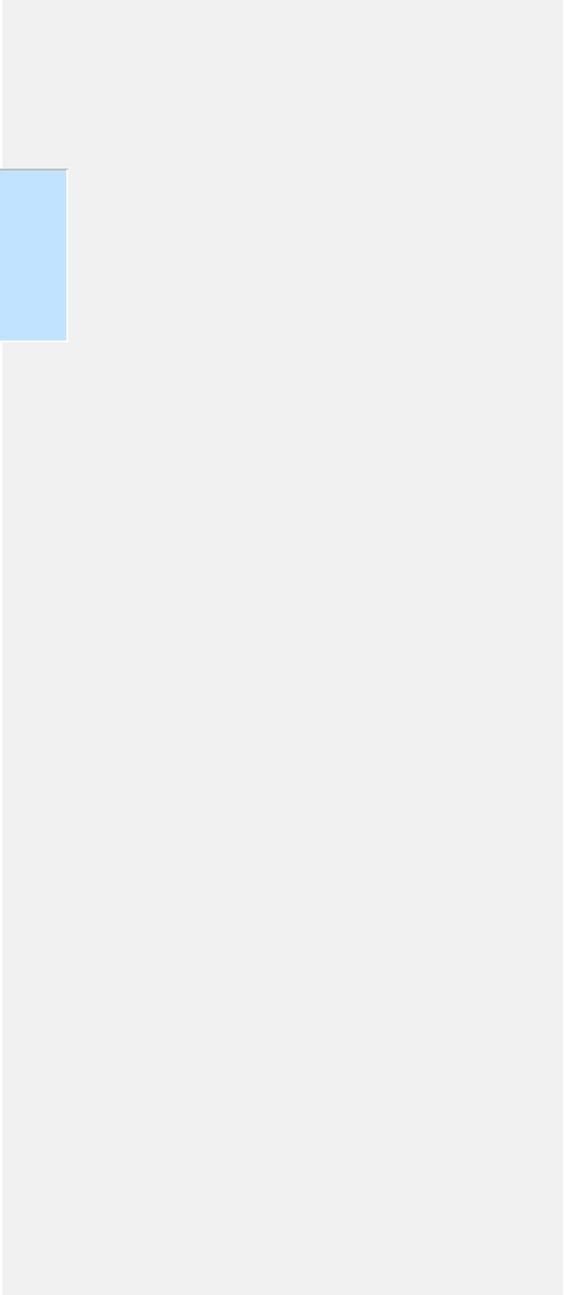
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PROJECT CATEGORY	ICP PROJECT NUMBER	TITLE	PROJECT DESCRIPTION	LEAD AGENCY	COMPONENT INCLUDED IN ICP			TIMING
					Ultimate land	Interim construction	Ultimate construction	
School	-	Government Primary School	Land and construction of government primary school in the Southern Community Hub	Department of Education and Training	No	No	No	M
<u>School</u>	=	<u>Government Secondary School</u>	<u>Land and construction of government secondary school in the south</u>	<u>Department of Education and Training</u>	<u>No</u>	<u>No</u>	<u>NO</u>	<u>?</u>
School	-	Non-Government Primary School	Land and construction of potential non-government primary school adjacent to the Local Town Centre	Non-government school provider	No	No	No	M
Open Space and Local Park Projects								
Open space	SR-01	Northern Sports Reserve	<u>There is a shortfall in money collected from the ICP based on sqm rate and what items are included in the scope for a sporting reserve</u>	Cardinia Shire Council	Yes	N/A	Yes	M-L
			Land purchase for sports reserve and pavilion/s.					
			Construction of a sports reserve incorporating basic and essential playing surfaces and car					

			<i>parks, including all construction works, landscaping and related infrastructure.</i>					
			<i>Construction of pavilion/s to serve the sports reserve, including all building works, landscaping and related infrastructure.</i>					



PROJECT CATEGORY	ICP PROJECT NUMBER	TITLE	PROJECT DESCRIPTION	LEAD AGENCY	COMPONENT INCLUDED IN ICP			TIMING
					Ultimate land	Interim construction	Ultimate construction	
Open space	SR-02	Southern Sports Reserve	<u>There is a shortfall in money collected from the ICP based on sqm rate and what items are included in the scope for a sporting reserve</u>	Cardinia Shire Council	Yes	N/A	Yes	M
			Land purchase for sports reserve and pavilion/s.					
			Construction of a sports reserve incorporating basic and essential playing surfaces and car parks, including all construction works, landscaping and related infrastructure .					
			Construction of a pavilion/s to serve the sports reserve, including all building works, landscaping and related basic and essential infrastructure.					
			<u>Concept plan in PSP on page 41 Council is concerned cannot fit the required facilities on site. Additional land requested. Please refer to submission to learn what credited open space is requested to be combined to the sporting reserve.</u>					
Open space	LP-01	Local Park	Hilltop Local Park (property 7 8, 9) Land purchase <u>Property #7 .16ha Where is the open space on the land use budget plan?</u> <u>Property #8 3.09ha For two separate open space areas, breakdown would be useful</u>	Cardinia Shire Council	Yes	No	No	L
Open space	LP-02	Local Park	Local park abutting community facility and primary school (property 6) Land purchase	Cardinia Shire Council	Yes	No	No	L

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<i>Open space</i>	<i>LP-03</i>	<i>Local Park</i>	<i>Local park (property 8) Land purchase</i>	<i>Cardinia Shire Council</i>	<i>Yes</i>	<i>No</i>	<i>No</i>	<i>L</i>
<i>Open space</i>	<i>LP-04</i>	<i>Local Park</i>	<i>Local park (property 30) Land purchase</i>	<i>Cardinia Shire Council</i>	<i>Yes</i>	<i>No</i>	<i>No</i>	<i>S</i>
<i>Open space</i>	<i>LP-05</i>	<i>Local Park</i>	<i>Local park abutting conservation reserve and Deep Creek Reserve (property 27,28) Land purchase</i>	<i>Cardinia Shire Council</i>	<i>Yes</i>	<i>No</i>	<i>No</i>	<i>M</i>

PROJECT CATEGORY	ICP PROJECT NUMBER	TITLE	PROJECT DESCRIPTION	LEAD AGENCY	COMPONENT INCLUDED IN ICP			TIMING
					Ultimate land	Interim construction	Ultimate construction	
Open space	LP-06	Local Park	Local park (property 48) Land purchase	Cardinia Shire Council	Yes	No	No	M
Open space	LP-07	Local Park	Local park adjacent to community facility and primary school (property 41) Land purchase	Cardinia Shire Council	Yes	No	No	M
Open space	LP-08	Local Park	Hilltop Local Park (property 31,32,33)	Cardinia Shire Council	Yes	No	No	M
Open space	LP-09	Local Park	Local Park (property 34)	Cardinia Shire Council	Yes	No	No	M-L
Open space	LP-10	Local Park	Pocket park / town square (property 34) in the Local Town Centre Land purchase	Cardinia Shire Council	Yes	No	No	M-L
Open space	LP-11	Local Park	Local Park abutting drainage reserve (property 37-38)	Cardinia Shire Council	Yes	No	No	M-L
Open space	LP-12	Local Park	Local park (property 35) Land purchase	Cardinia Shire Council	Yes	No	No	M-L

PROJECT CATEGORY	ICP PROJECT NUMBER	TITLE	PROJECT DESCRIPTION	LEAD AGENCY	COMPONENT INCLUDED IN ICP			TIMING
					Ultimate land	Interim construction	Ultimate construction	
Local path	P-01	Shared path within the Prince Highway road reserve (north of the highway)	Construction of shared path within the Princes Highway road reserve, north of the highway carriageway	Cardinia Shire Council	No	N/A	Yes	L
Local path	P-02	Shared path within the Prince Highway road reserve (south of the highway)	Construction of shared path within the Princes Highway road reserve, south of the highway carriageway	Cardinia Shire Council	No	N/A	Yes	M
Local path	P-03	Shared path Ryan road to Racecourse Road	Construction of shared path within the Vic track rail reserve- Ryan road- Racecourse road	Cardinia Shire Council	No	N/A	Yes	L
Conservation Projects								
Conservation	-	Local Conservation <u>In Canty Lane</u>	Nature Conservation area	Cardinia Shire Council	No	No	No	M
Conservation	-	Deep Creek Conservation Reserve	Nature Conservation area	DELWP/Me Ibourn Water	No	No	No	L

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Attachment 5

CARDINIA PLANNING SCHEME

DD/MM/YYYY
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SCHEDULE 5 TO CLAUSE 37.07 THE URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ5**.

Pakenham East Precinct Structure Plan

1.0

The plan

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Plan 1 below shows the future urban structure proposed in the *Pakenham East Precinct Structure Plan*. It is a reproduction of Plan 3 in the *Pakenham East Precinct Structure Plan*.

Plan 1 to Schedule 5 to Clause 37.07



2.0

Use and development

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2.1

The land

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The use and development provisions specified in this schedule apply to the land as shown within the 'precinct boundary' on Plan 1 of this schedule and shown as UGZ5 on the planning scheme maps.

Note: If land shown on Plan 1 is not zoned UGZ5, the provisions of this zone do not apply.

2.2

Applied zone provisions

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Table 1 allocates the land use/development shown on Plan 1 of this schedule with a corresponding zone from this scheme. The provisions of the following zones in this scheme apply to the use and subdivision of the land, the construction of a building and the construction or carrying out works as set out in Table 1.

The precise boundary of the zone is to be determined by the designation of land in a relevant plan of subdivision to the satisfaction of the responsible authority.

Where the use/development in the left column is carried out or proposed generally in accordance with the incorporated *Pakenham East Precinct Structure Plan*, the use, subdivision, construction of a building and construction and carrying out of works provisions of the corresponding zone in the right column apply.

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.

Note: e.g. The Commercial 2 Zone specifies 'Shop' as a Section 1 Use with the condition, 'The site must adjoin, or have access to, a road in a Road Zone.' In this instance the condition should be read as, 'The site must adjoin, or have access to, a road in a Road Zone or an applied Road Zone in the Urban Growth Zone schedule applying to the land'

Table 1: Applied zone provisions

Primary arterial road	Clause 36.04 – Road Zone Category 1
Business	Clause 34.02 – Commercial 2 Zone
Local town centre	Clause 34.01 – Commercial 1 Zone
Local convenience centre	
Residential on a lot wholly within walkable residential catchment boundary (once subdivided)	Clause 32.07 – Residential Growth Zone
All other land	Clause 32.08 – General Residential Zone

Table 1: Applied zone provisions

<u>Land use or development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land</u>	<u>Applied zone provisions</u>
<u>Local Town Centre</u>	<u>Clause 34.01 – Commercial 1 Zone</u>
<u>Local Convenience Centre</u>	
<u>Primary Arterial road</u>	<u>Clause 36.04 – Road Zone – Category 1</u>
<u>Business</u>	<u>Clause 34.02 – Commercial 2 Zone</u>
<u>Residential on a lot wholly within walkable residential catchment boundary once subdivided)</u>	<u>Clause 32.07 – Residential Growth Zone</u>
<u>All other land</u>	<u>Clause 32.08 – General Residential Zone</u>

2.3 Specific provisions – Use and development of future public land

*A permit is not required to use or develop land shown in the *Pakenham East Precinct Structure Plan* as a local park, local sports reserve or community facilities provided the use or development is carried out generally in accordance with the *Pakenham East Precinct Structure Plan* and with the prior written consent of Cardinia Shire Council. *Note: other planning scheme provisions may apply.**

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2.34 Specific provision – Use of land

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Section 1 - Permit not required

Use	Condition
Primary school	Must be on land shown as Potential Non-Government School in the <i>Pakenham East Precinct Structure Plan</i> .
Secondary school	

CARDINIA PLANNING SCHEME

Bed and breakfast	Must meet any corresponding condition in Section 1 of the General Residential Zone or Residential Growth Zone; and
Place of worship	
Residential aged care facility where the applied zone is General Residential Zone or Residential Growth Zone	Must not be on land shown within the 'high pressure gas transmission pipeline measurement length' depicted on Plan 10 of the <i>Pakenham East Precinct Structure Plan</i>
Shop (other than Adult sex bookshop) where the applied zone is Commercial 1 Zone	The combined leasable floor area of all shops must not exceed: 9,100 square metres for land shown as a Local Town Centre in the <i>Pakenham East Precinct Structure Plan</i> . 4,100 square metres for land shown as a Local Convenience Centre in the <i>Pakenham East Precinct Structure Plan</i> .
Accommodation (other than dwelling, dependant persons unit and Corrective institution)	Must meet any corresponding condition in Section 1 of the Commercial 1 Zone; and
Child care centre	Must not be on land shown within the 'high pressure gas transmission pipeline measurement length' depicted on Plan 10 of the <i>Pakenham East Precinct Structure Plan</i>
Cinema	
Cinema based entertainment facility	
Education centre	
Place of worship where the applied zone is Commercial 1	
Cinema	Must meet any corresponding condition in Section 1 of the Commercial 1 ₂ Zone; and
Cinema based entertainment facility where the applied zone is Commercial 2	Must not be on land shown within the 'high pressure gas transmission pipeline measurement length' depicted on Plan 10 of the <i>Pakenham East Precinct Structure Plan</i>

Section 2 - Permit required

Use	Condition
-----	-----------

Section 3 - Prohibited

Use	Condition
-----	-----------

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Specific provisions - Subdivision

None specified.

2.56

Specific provisions – Buildings and works

Dwellings on a lot less than 300 square metres

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot

Housing Code ~~via-created as~~ a restriction on title, ~~and-ithat~~ complies with the *Small Lot Housing Code* incorporated in the Cardinia Planning Scheme;

Or:

A permit is not required to construct one dwelling on a lot of between 250 and 300 square metres where an approved building envelope (as defined in Part 4 of the Building Regulations 2006) applies to the lot.

A permit is required to construct a front fence within 3 metres of a street unless the Front Fence Height Standard in Table A2 to Clause 54.06-2 is met.-

Buildings and works for a school

A permit is required to construct a building or construct or carry out works associated with a Primary school or Secondary school on land shown as a Potential Non-Government School unless exempt under Clauses 62.02-1 and 62.02-2.

Gas pipeline construction management plan required whether or not a permit is required

Prior to the commencement of any works, including demolition, on land within, or within 50m of the boundary of a utilities easement (gas) shown as on Plan 10 – Utilities in the incorporated *Pakenham East Precinct Structure Plan*, a construction management plan must be submitted to and approved by the responsible authority. The plan must:

- Prohibit the use of rippers or horizontal directional drills unless otherwise agreed by the owner/operator of the high pressure gas pipeline; and
- Be endorsed by the owner/operator of the high pressure gas transmission pipeline prior to being submitted to the responsible authority.

The construction management plan must be implemented to the satisfaction of the responsible authority.

The construction management plan may be amended to the satisfaction of the responsible authority.

Specific Provision - Construction and extension of one dwelling on a lot 1000sqm or more

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A permit is required to construct or extend one dwelling on a lot of 1000 square metres or more, except where buildings and works are generally in accordance with an approved building envelope (as defined in Part 4 of the Building Regulations 2006).

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Buildings and works on Encumbered Open Space

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A permit is required for building and works on land shown as Encumbered Open Space in Map 1 except for works carried out by or on behalf of the public land manager.

Native Vegetation Precinct Plan

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A permit is required to remove, destroy or lop native vegetation, including dead native vegetation. This does not apply:

- If the removal, destruction or lopping of native vegetation is in accordance with the approved native vegetation precinct plan incorporated into the Cardinia Planning Scheme. Any conditions or requirements specified in the Native Vegetation Precinct Plan must be met.

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To the removal, destruction or lopping of native vegetation specified in the table to Clause 52.16-4, unless a native vegetation precinct plan specifies otherwise to the satisfaction of the responsible authority.

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3.0 Application requirements

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The following application requirements apply to an application for a permit under Clause 37.07, and in addition to those specified in the relevant applied zones, Clause 37.07 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority. If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Subdivision ~~and~~ Residential development

All applications for subdivision and multi-dwelling development must be accompanied by the following information to the satisfaction of the responsible authority.

In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land, and the staging of the development for all land in contiguous ownership with the land under application.

An application for a residential development or subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the incorporated Pakenham East Precinct Structure Plan.
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority, which demonstrates: in accordance with the incorporated Pakenham East Precinct Structure Plan:
 - Responds to and achieves the objectives and planning and design requirements and guidelines within the “Housing” section of the Pakenham Precinct Structure Plan incorporated into this scheme; and
 - ~~▪~~ Where adjoining Princes Highway, must respond to the role of Principal Highway as part of the Principal Freight Network and manages the impacts of freight movements on urban amenity.
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- Details of the proposed use and development of each part of the land.
- A land budget table in the same format and methodology as those within the precinct structure plan applying to the land, setting out the amount of land allocated to the proposed uses and expected population, mix of lot sizes, dwelling (including estimations for superlots);
- An overall master plan for all land in contiguous ownership of the landowner demonstrating lot yield, diversity and distribution across the subject land areas, consistent with the principles outlined within the Pakenham East Precinct Structure Plan;
- Demonstrate how the property will contribute to the achievement of the residential density outcomes in the Pakenham East precinct Structure Plan applying to the land;
- An indication of staging and subdivision timing;
- Demonstrate the lot size diversity by including a colour coded lot size plan, reflecting the lot size categories and colours outlines in Table 2 - Lot size and Housing Type Guide in the Pakenham East Precinct Structure Plan;
- A mobility plan that demonstrates how the local street and movement network integrates with adjacent urban development or is capable of integrating with future development on adjacent land parcels;

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- The proposed road and street network, including pedestrian and cycling routes, intersection treatments, proposed bus routes and the interface treatments with arterial roads, open space and environmentally sensitive areas;
- A plan showing access arrangements for properties adjacent to all existing and future arterial roads;
- A slope management plan that demonstrates how the subdivision responds to the natural topography of the land and provide plans that are prepared by a suitably qualified engineer, addressing the appropriateness of the depth of proposed earthworks and use of retaining structures where they are to exceed 1.0 metre in height;
- Detail how road connections, open space, pedestrian and bicycle linkages and drainage networks of the proposed subdivision integrates with and responds to existing and planned development on adjacent sites;
- A Conservation Management Plan for land within the Heritage Overlay in accordance with Section 4.4 of this Schedule.
- An environmental site assessment in accordance with Section 3.4 of this Schedule
- An approved Cultural Heritage Management Plan that is endorsed by the future public land manager/s of any reserve to be created as part of the development or advice from a suitable qualified cultural heritage professional that confirms that a Cultural Heritage Management Plan is not required. This requirement may not be waived.
- A landscape master plan prepared by a suitably qualified professional in the field that shows the proposed species, locations, approximate height and spread of proposed planting and the retention of existing trees and shrubs. Where trees are retained, a Tree Protection Zone must be applied and should adhere to the Australian Standard Protection of Trees and Development Sites (AS4970-2009)
- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority.
- Potential bus route and bus stop locations prepared in consultation with Public Transport Victoria;
- A drainage and hydrogeological assessment of the groundwater conditions on the site and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater on the development and the impact of the development on groundwater.
- A preliminary site assessment of the potential for contaminated land as a result of previous land uses, carried out by a suitably qualified person.

Slope management

An application to subdivide land or to construct a building or carry out works for land shown on Plan 2 of the *Pakenham East Precinct Structure Plan* as having a pre-development slope greater than 10%, must include a Slope Management Plan that responds to the document 'Guidelines for Slope Management in Subdivisions- Pakenham East Precinct Structure Plan.'

Acoustic report

An acoustic report, prepared by a qualified acoustic engineer, demonstrating how the proposed subdivision or development will comply with the relevant noise regulations, particularly in relation to noise from the Princes Freeway (Pakenham Bypass) and any measures required to achieve compliance with relevant noise regulations.

Integrated Water Management Plan

A subdivision of 60 or more lots must include an Integrated Water Management Plan.

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Applications must demonstrate how:

- Waterways and integrated water management design enables land to be used for multiple recreation and environmental purposes.
- Overland flow paths and piping within road reserves will be connected and integrated across property/parcel boundaries.
- Melbourne Water and the Responsible Authority freeboard requirements for overland flow paths will be adequately contained within the road reserves.
- Relevant integrated water management requirements and guidelines of this PSP will be achieved, to the satisfaction of the retail water authority, including the supply of recycled water.

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Environmental Sustainable Design Statement

- A sustainability statement and a sustainable design assessment report using an appropriate assessment tool demonstrating how achievement of a medium to high level of performance compared to a minimum mandatory standard. This will be measured using an appropriate sustainable design tool (e.g Built Environment Sustainability Scorecard (BESS)).

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Construction on or near the gas transmission pipeline easement and Gas Net Facility

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- Buildings within 50 metres of the gas transmission pipeline easement must be limited to no more than 3 storey's in height, unless a qualified structural engineer assessment is provided, reviewed and approved by the responsible authority (gas service provider).
- A Construction Management Plan is required for all use and development proposed within the gas transmission pipeline easement to the satisfaction of the responsible authority (APA or Lattice Energy).
- A Construction Management Plan is required for all development works 50 metres from the gas transmission pipeline easement to the satisfaction of the responsible authority (APA or Lattice Energy). The Construction Management Plan must

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- Prohibit the use of rippers or horizontal directional drills unless otherwise agreed by the owner/operator of the high pressure gas pipeline;
- Mandate that no blasting or piling will be undertaken unless otherwise agreed by the owner/operator of the high pressure gas pipeline;
- Advise that soil is not to be stockpiled on the easement unless otherwise agreed by the owner/operator of the high pressure gas pipeline;
- Outline the type of construction vehicles to be used and define locations for heavy vehicle crossings and what additional treatments are required at these crossing points to prevent damage to the pipeline;
- Include any other relevant matter to the satisfaction of the responsible authority and coordinating authority (APA or Origin Energy).
- The construction management plan must be implemented to the satisfaction of the responsible authority and coordinating authority (APA or Origin Energy).

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- The subdivision of land for residential development adjoining the gas transmission city gate facility on Dore Road must be accompanied by an acoustic assessment by a qualified acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority and gas facility operator (APA). The acoustic assessment report must include (as appropriate to the particular use or development):

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- An assessment of noise levels on the land taking into account the existing and likely future noise levels associated with the ongoing operation of the Gas Net facility.

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- Recommendations for limiting the impact of the operations of the Gas Net facility on future buildings within the proposed subdivision.
- A design response that addresses the recommendations of the acoustic assessment including all necessary architectural noise attenuation treatments.
- All to the satisfaction of the responsible authority and Gas Net facility operator (APA).

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Local Town Centre

An application to use, subdivide land, construct a building or construct or carry out works for a Local Town Centre must also include the following information, as appropriate, to the satisfaction of the responsible authority:

- A design response report and plans that:
 - address the Local Town Centre requirements, the Local Town Centre Guidelines and the Local Town Centre Concept Plan in the *Pakenham East Precinct Structure Plan*;
 - address any relevant design guidelines prepared by the Victorian Government or the Cardinia Shire Council;
 - demonstrate how the proposal relates to existing or approved development in the area;
 - demonstrate site responsive architecture and urban design;
 - demonstrate how the proposal will contribute to the urban character of the Local Town Centre;
 - explain how the proposal responds to feedback received following consultation with relevant infrastructure agencies such as the Transport for Victoria;
 - include environmental sustainability initiatives including integrated water management and energy conservation;
 - include provisions for car parking including the location and design of car parking areas and car parking rates for proposed uses within the centre;
 - address the provision of advertising signs;
 - include arrangements for the provision of service areas and for deliveries and waste disposal including access for larger vehicles and measures to minimise the impact on the amenity of the centre and adjoining neighbourhoods; and
 - demonstrate how opportunities for medium and higher density housing and future commercial expansion can be incorporated into the centre (including on future upper levels and through future car park redevelopments).
- An overall landscape concept/master plan for the centre including a design of the town square/ public space.

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Public Infrastructure Plan

An application for subdivision and/or use and development of land must be accompanied by a Public Infrastructure Plan which addresses the following:

- What land may be affected or required for the provision of infrastructure works;
- The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
- What, if any, infrastructure set out in the infrastructure contributions plan applying to the land is sought to be provided as "works in lieu" subject to the consent of the collecting agency;

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- The provision of public open space and land for any community facilities; and
- Any other matter relevant to the provision of public infrastructure required by the responsible authority.

Traffic Impact Assessment

An application that proposes to create or change access to a primary or secondary arterial road must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility / concept road safety audit, must be to the satisfaction of VicRoads or the responsible authority, as required.

Subdivide, use or develop land for a sensitive purpose – Environmental Site Assessment

An application to subdivide land or to use or develop land identified as either a Table 2 Assessment Level ‘A’ or ‘B’ in Appendix I of the report titled *CSC – PEP - ESA, Pakenham East Precinct (GHD, June 2013)*, for a sensitive use (residential use, child care centre, pre-school centre or primary school) must be accompanied by an Environmental Site Assessment prepared by a suitably qualified environmental professional to the satisfaction of the responsible authority which takes account of the report titled *CSC – PEP - ESA, Pakenham East Precinct (GHD, June 2013)* and provides information including:

- Further detailed assessment of potential contaminants on the relevant land;
 - Clear advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all, or part, of the land is recommended having regard to the *Potentially Contaminated Land General Practice Note June 2005, DSE*;
 - Further detailed assessment of surface and subsurface water conditions and geotechnical characteristics (including access to locked structures, intrusive works, soil and groundwater sampling and analysis) on the relevant land and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions and geology on the development and the impact of the development on surface and subsurface water; and
 - Recommended remediation actions for any potentially contaminated land.
- An application for subdivision and or use and development of land identified in Table 1 must be accompanied by an Environmental Site Assessment (including access to locked structures, intrusive works, soil and groundwater sampling and analysis) to assess if the environmental conditions of the land is suitable for the proposed use/s and whether an environmental audit of all or part of the land is required, having regard to the Potentially Contaminated Land General Practice Note June 2005, DSE to the satisfaction of the Responsible Authority
- Table 1: Sites requiring an Environmental Site Assessment

<u>Lot 1 TP709442, 155 Dore Road, Pakenham</u>
<u>Lot 2, LP93961, 325 Seymour Road Nar Nar Goon North</u>
<u>Lot 1, LP55512, 85 Mount Ararat North Road, Nar Nar Goon North</u>
<u>Lot 2, PS422931, Dore Road, Nar Nar Goon North</u>
<u>Lot 1, PS422931, 40 Dore Road, Nar Nar Goon North</u>
<u>Lot 1, PS436254, 15 Mount Ararat North Road, Nar Nar Goon North</u>
<u>Lot 1-2, PS547978, Lot 3 PS607403, Lot 1 PS613913, 1550 Princes Highway, Nar Nar Goon</u>
<u>Lot 3 PS308950, 1560 Princes Highway, Nar Nar Goon</u>
<u>Lot 1, PS425398, 32 Mount Ararat South Road, Nar Nar Goon</u>
<u>Lot 2 PS439920, 35 Canty Lane, Pakenham</u>

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Lot 1, LP56549, 100 Ryan Road, Pakenham
Lot 5, PS 4255422, 40 Ryan Road, Pakenham
Lot 5, PS 425422, 36 Ryan Road, Pakenham
Lot 3, PS425421, 30 Ryan Road, Pakenham

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Conditions and requirements for permits

Conditions - Subdivision permits that allow the creation of a lot less than 300 square metres

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the *Small Lot Housing Code* incorporated in the Cardinia Planning Scheme and to the satisfaction of the responsible authority; and
- The plan of subdivision submitted for certification must identify whether type A or type B of the *Small Lot Housing Code* applies to each lot to the satisfaction of the responsible authority.
- Before a plan of subdivision is certified (or the relevant stage of a subdivision) for each lots less than 300 square metres, an approved building envelope as defined in Part 4 of the Building Regulations 2006 must be applied to the lot (either in accordance with the Small Lot Housing Code or as approved by the Responsible Authority) to the satisfaction of the Responsible Authority.
- All approved building envelopes must be applied as a restriction on the plan of subdivision through an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 that is registered on the title to the land.

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Conditions - Subdivision or buildings and works permits where land is required for community facilities, public open space and road widening

A permit for subdivision or buildings and works, where land is required for community facilities, public open space or road widening, must include the following conditions:

- The costs associated with effecting the transfer or vesting of land required for community facilities, public open space or road widening must be borne by permit holder.
- Land required for community facilities, public open space or road widening must be transferred to or vested in the relevant public agency with any designation (e.g. road, reserve or lot) nominated by the relevant agency.
- Land required for road widening including right of way flaring for the ultimate design of any intersection within an existing or proposed local road must be transferred to or vested in Council at no cost to the acquiring agency unless funded by the Pakenham East Infrastructure Contributions Plan.

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Conditions - Environmental Site Assessment

Before a plan of subdivision is certified for the first stage of subdivision under the Subdivision Act 1988, an Environmental Site Assessment is required to be provided to use or develop land for a sensitive purpose for land identified in Table 1 and must be carried out to the satisfaction of the responsible authority.

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The owner must comply with the Environmental Site Assessment Report and any further requirements made having regard to the guidance set out in the General Practice Note on

Potentially Contaminated Land June 2005 (DSE). The plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

Conditions - Heritage

Prior to the certification of a plan of subdivision for the first stage of the subdivision, a Conservation Management Plans (CMP's) must be approved for the heritage places nominated with a Heritage Overlay to ascertain cultural value/significance, appropriate site boundaries, required restoration works, possible future uses and interpretative signage.

Before the commencement of works for any stage of subdivision or development, the heritage place(s) must be appropriately secured against damage as a result of works, deterioration, and the effects of weather, trespassing or vandalism to the satisfaction of the Responsible Authority

Prior to the issue of a statement of compliance for the first stage of subdivision the owner must enter into an agreement with the Responsible Authority made pursuant to Section 173 of the *Planning and Environment Act 1987* which provides for works to the heritage places for the purposes of restoration and repair are in accordance with the timeframes and requirements of the approved Conservation Management Plan.

The archaeological interest sites identified as:

- 40 Dore Road, Nar Nar Goon
- 45-55 Dore Road, Nar Nar Goon
- 1550-1560 Princes Highway

are noted to have archaeological interest and must be further investigated through a detailed archaeological site inspection (with the required Notice of Intent submitted to Heritage Victoria and Archaeology Site Cards completed and submitted to Heritage Victoria). The recommendations from the archaeological site inspection must be followed to the satisfaction of the Responsible Authority and Heritage Victoria.

Requirements - Protection of conservation areas and native vegetation during construction

A permit granted to subdivide land where construction or works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, on land including or abutting a conservation area or patch of native vegetation or scattered tree identified for retention in the incorporated *Pakenham East Precinct Structure Plan* or *Pakenham East Native Vegetation Precinct Plan* must ensure that:

- Before the start of construction or carrying out of works in or around a conservation area, scattered native tree or patch of native vegetation the developer of the land must erect a conservation area/vegetation protection fence that is:
 - highly visible
 - at least 2 metres in height
 - sturdy and strong enough to withstand knocks from construction vehicles
 - in place for the whole period of construction
 - located the following minimum distance from the element to be protected:

Element	Minimum distance from element
Conservation area	2 metres
Scattered tree	Twice the distance between the tree trunk and the edge of the tree canopy

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Patch of native vegetation	2 metres
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- Construction stockpiles, fill, machinery, excavation and works or other activities associated with the buildings or works must:
 - be located not less than 15 metres from a waterway;
 - be located outside the vegetation protection fence;
 - be constructed and designed to ensure that the conservation area, scattered tree or patches of native vegetation are protected from adverse impacts during construction;
 - not be undertaken if it presents a risk to any vegetation within a conservation area; and
 - be carried out under the supervision of a suitable qualified ecologist or arborist.

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Requirement - Management of bushfire risk during subdivisional works

A permit for subdivision that contains a condition requiring a construction management or site management plan must ensure that the relevant plan addresses any potential bushfire risks arising from the land during construction and must include a statement from a suitably qualified professional that the proposed bushfire risk management measures are appropriate.

Conditions - Public transport

Unless otherwise agreed to **in writing** by Public Transport Victoria, prior to the issue of a statement of compliance for any subdivision stage, bus stops must be constructed, at full cost to the permit holder as follows:

- Generally in the location identified by Public Transport Victoria
- In accordance with the *Public Transport Guidelines for Land Use and Development* with a concrete hard stand area, and in activity centres a shelter must also be constructed
- Be compliant with the *Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002*; and
- Be provided with direct and safe pedestrian access to a pedestrian path.

All to the satisfaction of Public Transport Victoria and the responsible authority.

Conditions - Environmental Site Assessment

Any permit for the use and development of land, identified as either a Table 2 Assessment Level ‘A’ or ‘B’ in Appendix I of the report titled *CSC – PEP - ESA, Pakenham East Precinct (GHD, June 2013)*, for a sensitive use (residential use, child care centre, pre-school centre or primary school) must contain the following conditions:

- Before the commencement of the development of the land, the recommendations of the Environmental Site Assessment submitted with the application must be carried out to the satisfaction of the responsible authority.
- Upon receipt of the further testing report the owner must comply with any further requirements made by the responsible authority after having regard to the guidance set out in the *General Practice Note on Potentially Contaminated Land June 2005 (DSE)*. The plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

Any permit for the subdivision of land identified as either a Table 2 Assessment Level ‘A’ or ‘B’ in Appendix I of the report titled *CSC – PEP - ESA, Pakenham East Precinct (GHD, June 2013)* must contain the following conditions:

- Before a plan subdivision is certified under the *Subdivision Act 1988*, the recommendations of the Environmental Site Assessment submitted with the application must be carried out to the satisfaction of the responsible authority.

- Upon receipt of the further testing report the owner must comply with any further requirements made by the responsible authority after having regard to the guidance set out in the *General Practice Note on Potentially Contaminated Land June 2005* (DSE). The plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

Conditions - use of the land for accommodation

Prior to the development of a building for accommodation (residential building, residential village, retirement village, group accommodation, camping and caravan park)

- A report from a suitably qualified National Housing Energy Rating Scheme (NatHERS) accredited assessor must be submitted to the Responsible Authority, confirming that each accommodation type meets the 6 star NatHERS rating, including any changes to the accommodation construction to ensure each accommodation type meets the 6 star NatHERS rating. The report must be to the satisfaction of the Responsible Authority and development must be constructed and completed in accordance with the report.

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5.0 Land and home sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided that:

- The advertisement area for each sign does not exceed 10 square metres;
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage;
- The sign is not animated, contain scrolling, electronic or internally illuminated sign;
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot; and
- The sign is setback a minimum of 750mm from the property boundary.

Entry treatments to residential estates must:

- Be maintained by the developer until handover to Council; and
- Be removed within 2 months of the statement of compliance being issued for the final stage of the subdivision. The area must be reinstated to the satisfaction of the Responsible Authority before handover to Council.

5.0 Exemption from notice and review not to apply to certain applications

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An application to use land for a use listed in Section 2 of the Residential Growth Zone and General Residential Zone on land where the applied zone listed at Table 1 of this schedule is Residential Growth Zone or General Residential Zone is not exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

An application under any provision of this scheme which is generally in accordance with the *Pakenham East Precinct Structure Plan* that applies to the land is exempt from the notice requirements of section 52 (1) (a), (b) and (d), the decision requirements of section 64 (1), (2) and (3) and the review rights of section 82 (1) of the Act, unless the schedule to this zone specifies otherwise.

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6.0 Decision Guidelines

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Before deciding on an application to create floorspace in excess of any cap in a town centre or local convenience centre, in addition to the decision guidelines at Clause 37.07-14, the responsible authority must consider, as appropriate:

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- The local catchment and PSP catchment demand for the additional floor area; and
- The effect on existing and future major town centres within Shire of Cardinia.

7.0 Advertising Signs

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Land is in the category specified in the applied zone.