

3.4

PRECINCT 4: EAST COMMERCIAL AND MIXED USE BUILT ENVIRONMENT

3.4.2 BUILDING FRONTAGES REQUIREMENTS

The building frontages of development in the East Commercial and Mixed Use precinct should:

- a. Establish a consistent built form pattern and streetscape structure for the precinct that maximises physical and visual permeability between public and private domains.
- b. Provide highly activated frontages with windows and entrances as the predominant elements of the ground floor facade.
- c. Allow only the following elements to be located in front of the building line:
 - landscaping
 - signage
 - paths
 - entrance canopies
 - a car park access point
- d. Locate main ground floor entrances of built form in the primary street façade or a façade interfacing with a public realm space.
- e. Locate entrances to the upper storeys in the primary street façade or a frontage interfacing with a public realm space.
- f. Maximise physical and visual permeability between the street and commercial spaces.
- g. Maximise opportunities to enhance passive surveillance of the public realm.
- h. At ground level provide entrance and window elements that form at least 50% [up to 70%] of the facade surface.
- i. Locate living areas and balconies of any residential component of the building to address public open space adjoining the site.
- j. In case of buildings which exceed the preferred building height, be designed so the upper levels cannot be seen from the street.



Figure 25 - indicative elevation of preferred building frontages in Precinct 4

3.4

PRECINCT 4: EAST COMMERCIAL AND MIXED USE BUILT ENVIRONMENT

3.4.3 PARKING + SERVICING REQUIREMENTS

Off-street car parking and servicing areas in the East Commercial and Mixed Use precinct should:

- a. Limit the amenity and aesthetic impacts of car parking areas and service areas on the streetscapes of the activity centre.
- b. Be located to the rear of building envelopes and be screened from view from the public realm.
- c. Be responsive to the topography of their site and consider under croft, multi-decked or basement car parking formats.
- d. Be designed to provide access points that minimise disruption to the continuity of the public realm.
- e. Screen from view all car parking, loading and all other service areas from the public realm.
- f. Provide a designated pedestrian link to a street.



Figure 26 - plan of preferred off street car parking locations in Precinct 4

3.5

PRECINCT 5: PAKENHAM PLACE: KEY DEVELOPMENT SITE BUILT ENVIRONMENT

PREFERRED CHARACTER

This precinct is identified as having the potential for significant redevelopment. Due to its location which adjoins the Retail Core of the activity centre, the built form and urban pattern of any redevelopment of this precinct must integrate with the Core Retail area of the town centre.

The urban pattern of the town centre, in terms of the street network and site access, should inform redevelopment. The design of the precinct should integrate with the surrounding street network and improve connectivity and permeability in the activity centre.

The built form of the precinct should reflect that of the core retail precinct to integrate and extend the pedestrian focused shopping area of the town centre.

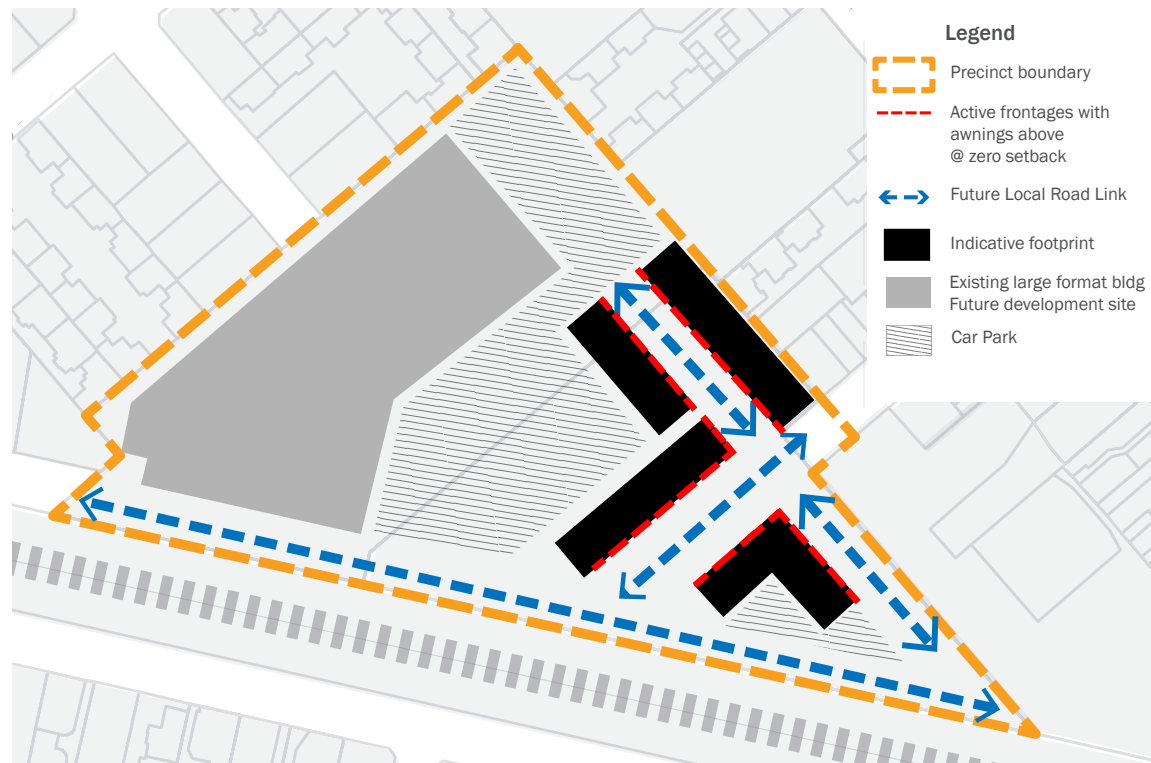


Figure 27 - indicative master plan for Precinct 5

3.5 PRECINCT 5: PAKENHAM PLACE: KEY DEVELOPMENT SITE BUILT ENVIRONMENT

3.5.1 BUILT FORM REQUIREMENTS

The built form of development in the Pakenham Place precinct should:

- a. Contribute to the development of a traditional town centre urban pattern focused on a John Street extension and any other new street created, to reinforce a traditional shopping street focused activity centre urban pattern.
- b. Present a zero setback from the road reserve of any adjoining street other than a laneway.
- c. Be constructed with a preferred maximum height of 15 metres comprising four storeys.
- d. In the case of larger format retail use, be sleeved behind fine grain specialty retail built form addressing a street.



Figure 28 - indicative illustration of preferred future built form in Precinct 5



Figure 29 - indicative cross section of future built form siting in Precinct 5

3.5

PRECINCT 5: PAKENHAM PLACE: KEY DEVELOPMENT SITE BUILT ENVIRONMENT

3.5.2 BUILDING FRONTAGES REQUIREMENTS

The building frontages of development in the Pakenham Place precinct should:

- a. Maximise the extent of building frontages addressing Core Retail activity centre streets and present highly activated frontages.
- b. Contribute to a consistent town centre streetscape.
- c. Locate principal entrances of shops within the ground floor facade[s] that are orientated towards a street or other public realm space adjoining the development site.
- d. Provide highly activated frontages with windows and entrances as the predominant elements of the ground floor facade.
- e. Maximise physical and visual permeability between the street and commercial spaces.
- f. Maximise opportunities to enhance passive surveillance of the public realm.
- g. Provide entrance and window elements that form at least 70% of the ground floor facade surface.
- h. Limit any expanse of blank wall in the ground floor facade to a maximum width of 2 metres.

- i. In the case of larger format retail use, provide pedestrian access from the street and avoid creating any internalised malls.
- j. Locate and design entrance foyers to upper storeys to be accessible from the street.
- k. Provide a continuous weather protection canopy above the full length of all ground floor

facades with an interface to a street and are to extend out over the footpath a minimum width of 2.5 metres.

- l. In the case of buildings which exceed the preferred building height, be designed so the upper levels cannot be seen from the street.



Figure 30 - indicative elevation of preferred building frontages in Precinct 5

3.5

PRECINCT 5: PAKENHAM PLACE: KEY DEVELOPMENT SITE BUILT ENVIRONMENT

3.5.3 PARKING + SERVICING REQUIREMENTS

Off-street car parking and servicing areas in the Pakenham Place precinct should:

- a. Limit the amenity and aesthetic impacts of car parking areas and service areas on the streetscapes of the activity centre.
- b. Be located to the rear of building envelopes and be screened from view from the public realm.
- c. Be responsive to the topography of their site and consider under croft, multi-decked or basement car parking formats.
- d. Be designed to provide access points that minimise disruption to the continuity of the public realm.
- e. Provide a designated pedestrian link to a street.



Figure 31 - plan of preferred off street car parking locations in Precinct 5

3.6 PRECINCT 6: MARKET PLACE BUILT ENVIRONMENT

PREFERRED CHARACTER

This precinct has been identified as having the potential to accommodate redevelopment on the southern section of the precinct adjoining Treloar Lane which is occupied by a council owned carpark.

The preferred future development of this site would involve a multi storey commercial development on the corner of John Street and Treloar Lane, a pedestrian plaza linking to the entrance of the Marketplace shopping centre and multi deck carpark structure with retail and commercial uses at ground floor fronting onto Treloar lane.

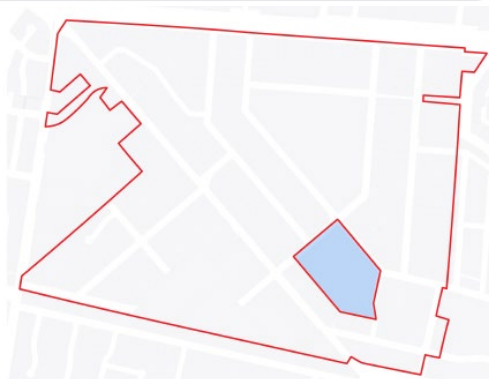


Figure 32 - indicative master plan for Precinct 6

3.6 PRECINCT 6: MARKET PLACE BUILT ENVIRONMENT

3.6.1 BUILT FORM REQUIREMENTS

The built form of development in the Market Place precinct should:

- a. Contribute to the development of a traditional town centre urban pattern orientated to street frontages.
- b. Present a zero setback from the road reserve of any adjoining street including a laneway.
- c. Be constructed with a preferred maximum height of 15 metres comprising four storeys.
- d. Promote upper floor car parking use that is sleeved behind ground floor specialty retail or commercial frontages addressing a street, laneway or plaza.



Figure 33 - indicative illustration of preferred future built form in Precinct 6

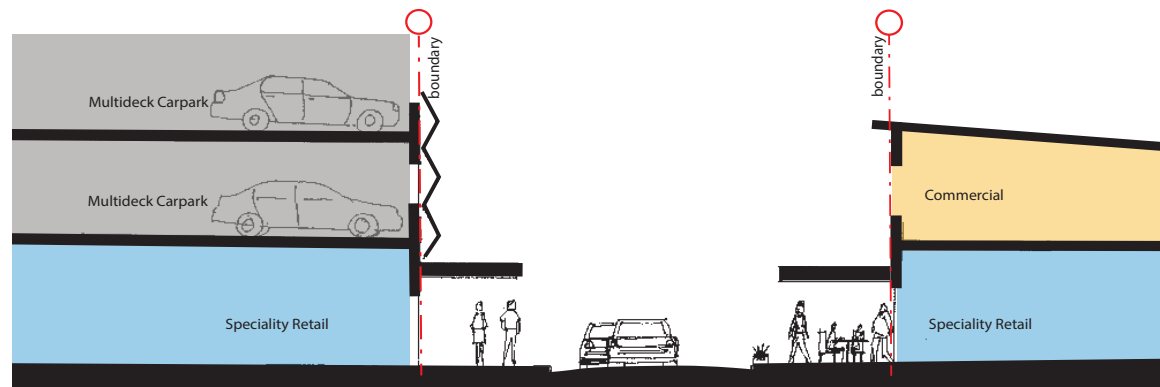


Figure 34 - indicative cross section of future built form siting in Precinct 6

3.6 PRECINCT 6: MARKET PLACE BUILT ENVIRONMENT

3.6.2 BUILDING FRONTAGES REQUIREMENTS

The building frontages of development in the Market Place precinct should:

- a. Maximise the extent of building frontages addressing streets and laneways presenting highly activated frontages.
- b. Contribute to a consistent town centre streetscape.
- c. Locate principal entrances of shops within the ground floor facade[s] that are orientated towards a street or other public realm space adjoining the development site.
- d. Provide highly activated frontages with windows and entrances as the predominant elements of the ground floor facade.
- e. Maximise physical and visual permeability between the street and commercial spaces.
- f. Maximise opportunities to enhance passive surveillance of the public realm.
- g. Provide entrance and window elements that form at least 50% [up to 70%] of the facade surface.
- h. Limit any expanse of blank wall in a ground floor facade to a maximum width of 2 metres.
- i. Locate and design entrance foyers to upper storeys to be accessible from the street.
- j. Provide a continuous weather protection canopy above the full length of all ground floor facades with an interface to a street and are to extend out over the footpath a minimum of 2.5 metres.



Figure 35 - indicative elevation of preferred building frontages in Precinct 6

3.6

PRECINCT 6: MARKET PLACE BUILT ENVIRONMENT

3.6.3 PARKING + SERVICING REQUIREMENTS

Off-street car parking and servicing areas in the Market Place precinct should:

- a. Limit the amenity and aesthetic impacts of car parking areas and service areas on the streetscapes of the activity centre.
- b. Be located to the rear of built form or on the upper levels of development and be screened from view from the public realm.
- c. Be responsive to the topography of their site and consider under croft, multi-decked or basement car parking formats.
- d. Be designed to provide access points that minimise disruption to the continuity of the public realm.
- e. Provide a designated pedestrian link to a street.

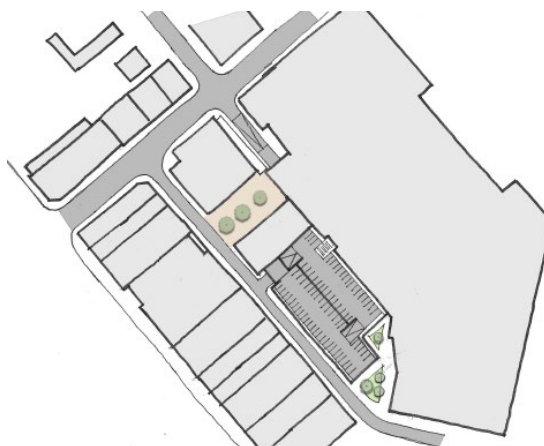


Figure 36 - plan of preferred above ground level off street car parking locations in Precinct 6

3.7 PRECINCT 7: RESIDENTIAL BUILT ENVIRONMENT

PREFERRED CHARACTER

Higher density residential development is identified as the preferred use for a number of areas of the activity centre often located at the periphery of the activity centre or adjacent open space or mixed use areas of the activity centre.

The structuring of the higher density housing will perform a number of functions to support the activity centre. These will include providing a diversity of housing choices within walking distance to key facilities and amenities. Creating an area of transition between the more intensive development of the activity centre and the less intensive development of the medium and standard density residential areas that surround the activity centre.



Figure 37 - indicative master plan for Precinct 7

3.7 PRECINCT 7: RESIDENTIAL BUILT ENVIRONMENT

3.7.1 BUILT FORM REQUIREMENTS

The built form of higher [medium] density residential development in the Residential precinct should:

- a. Create a scale of development that provides a transition between the urban pattern of a town centre and that of a traditional residential neighbourhood.
- b. At ground level present a minimum front setback of 4 metres.
- c. Be constructed with a minimum of two storeys and preferred maximum height of 13.5 metres comprising three storeys.
- d. Result in no more than a 60 percent built form site coverage of the lot.
- e. Encourage the inclusion of verandahs and balconies in the front setback, up to a depth of 2 metres into the front setback.



Figure 38 - indicative illustration of preferred future built form in Precinct 7



Figure 39 - indicative cross section of future built form siting in Precinct 7

3.7 PRECINCT 7: RESIDENTIAL BUILT ENVIRONMENT

3.7.2 BUILDING FRONTAGE REQUIREMENTS

The building frontages of development in the Residential precinct should:

- a. Maximise passive surveillance opportunities of adjoining streets and open space areas.
- b. Provide front facades that maximise the number of balconies and include the building’s main entrance.
- c. Provide fencing in the front setback that is of a maximum height of 1.2 metres.

- d. Consider a raised ground floor level of 1 metre above natural ground level to partial restrict views into dwellings from the street but still allow passive surveillance opportunities from the dwellings.
- e. In the case of buildings which exceed the preferred building height, be designed so the upper levels cannot be seen from the street.



Figure 40 - indicative elevation of preferred building frontages in Precinct 7

3.7.3 PARKING + SERVICING REQUIREMENTS

Off-street car parking and servicing areas in the Residential precinct should:

- a. Limit the aesthetic impacts of parking and service areas on the streetscapes by screening these areas from the public realm.
- b. Be located to the rear of buildings and be screened from view from the public realm.
- c. Be responsive to the topography of their site and consider under croft or basement car parking formats.
- d. Provide access points that minimise disruption to the continuity of the public realm.



Figure 41 - plan of preferred off street car parking locations in Precinct 7

Section 4 **PUBLIC REALM GATEWAYS**

This section provides guidance on the preferred character and design requirements for the public realm in the Pakenham Major Activity Centre



4.0 GATEWAY DESIGN REQUIREMENTS

Pakenham Major Activity Centre is bounded by key transport corridors that provide key access points to the activity centre. This places an important role on gateway locations to identify key access points that provide a sense of entrance for the activity centre and connect it to the surrounding areas. These points of access act as thresholds for the activity centre, signify a sense of arrival for visitors to the activity centre.

The requirements for the Gateway sites provide guidance on how these site can be developed and improved to create high quality public realm spaces that signify the entrance points to the Activity Centre and create a sense of arrival.

The Gateway sites are to ensure a positive sense of arrival by utilising landscape and architectural treatments. High quality landscaping is to be provided. Built form located in gateways is to provide landmark features and through urban design principles to impact positively on the safety and amenity of the public realm. Gateways are to be visible at night by using effective and distinctive lighting. Integrate public art Initiatives at appropriate locations which engage the community and visitors.

Gateway Number	Gateway Name	Role and function
1	Entertainment Plaza	The upgrade of the Main Street level rail crossing provides opportunity to create a pedestrian friendly civic space for outdoor dining and events
2	Library Forecourt	This site provides the gateway to the retail core of the activity centre for those arriving from the north.
3	North West Entrance	This site encompasses the main entrance to the activity centre from the west.
4	New Boulevard	A current unmade road linking Main Street to McGregor Road provides the opportunity to create a boulevard entry statement for a new road connection to the activity centre from the west.

Table 2 - list of Gateways and their roles

4.0 GATEWAY DESIGN REQUIREMENTS

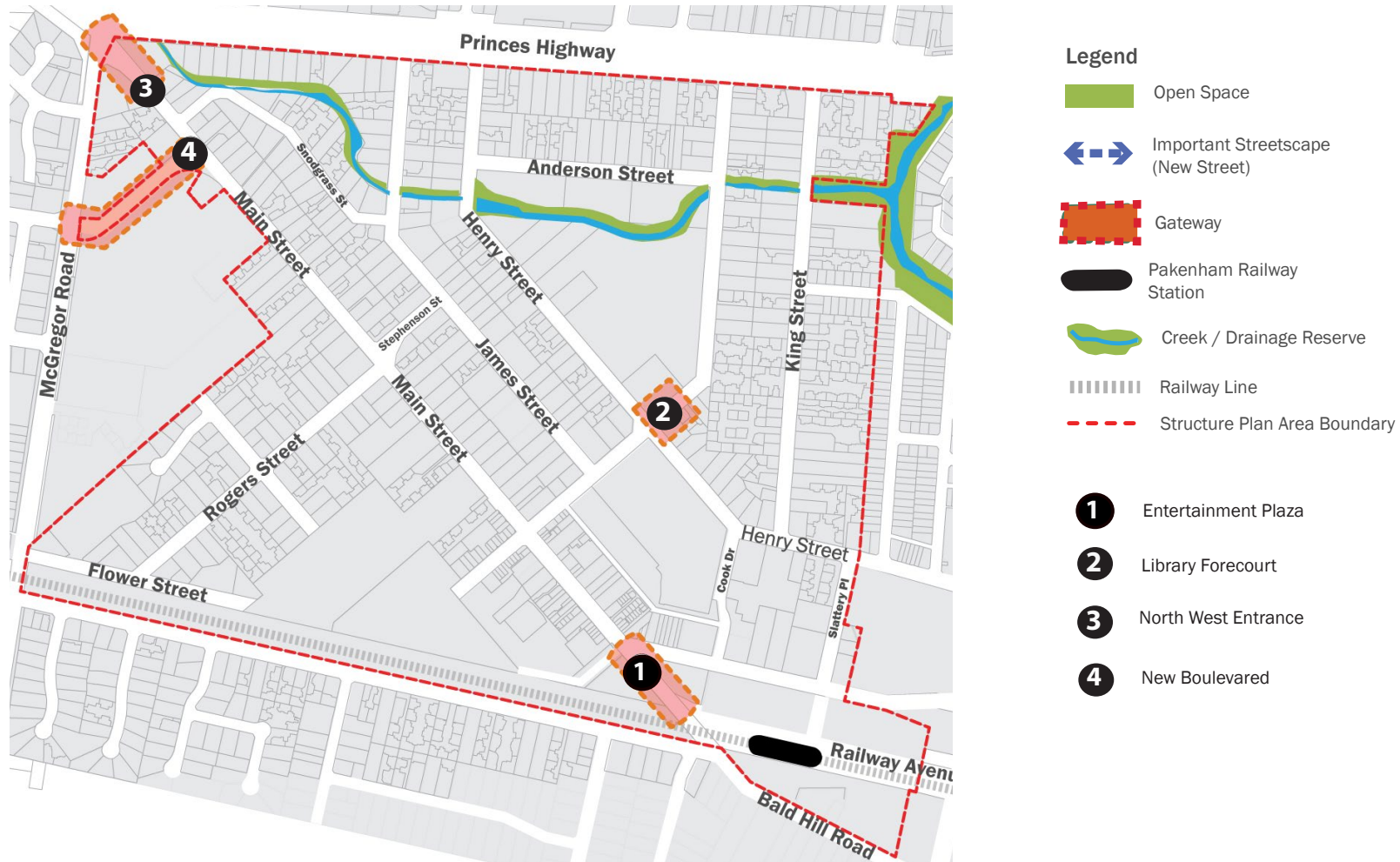


Figure 42- location of Gateway sites

4.1 ENTERTAINMENT PLAZA

FUTURE CHARACTER

As a recognition of the importance of community interaction in the activity centre, a civic space in the form of a plaza will be located at the core of the activity centre.

The plaza will be located in the south-eastern section of the Main Street between the intersection with Station Street and the termination of Main Street that will be created when the level crossing is removed. This space is to be highly defined by interfacing built form.

The location and orientation of the surrounding built form should create a well-defined, sheltered and surveilled public space that can accommodate outdoor dining and small events.

To activate the plaza space, the shopfronts of fine grain retail uses are to interface with this space at ground level.

4.1.1 DESIGN REQUIREMENTS.

The Entertainment Plaza should be designed in accordance with Figures 43 and 44 and include:

- a. Provision of extensive paved areas including feature paving to promote outdoor dining and areas for gather for events.
- b. The space is to include areas for informal seating and play.
- c. Several medium sized deciduous trees set out in a formal planting arrangement.
- d. Low ground cover planting in garden beds at both ends of the plaza.
- e. Provision of street furniture in multiple locations and strategically place to be shaded by trees and orientated towards the lawn areas.



Figure 43 - indicative illustration of Gateway 1

4.1 ENTERTAINMENT PLAZA



- 1 Boulevard Tree Planting
- 2 Lawn Areas
- 3 Feature Paving
- 4 Improved Pedestrian access to Bourke Park
- 5 Future Built form overlooking plaza
- 6 Potential Future Built form overlooking Bourke Park

Figure 44 - indicative master plan for Gateway 1

4.2 LIBRARY FORECOURT GATEWAY

FUTURE CHARACTER

This site provides the gateway to the retail core of the activity centre for those arriving from the north. The area in front of the library's east façade provides an opportunity to create a formalised landscaped gathering area around the war memorial and utilise the landmark nature of the large native tree located on the site.

Improved pedestrian connection from the site to the north through P.B.Ronald Reserve will provide increased linkages to this gateway and an alternative way to access the activity centre.

Formal low planting between the paved area and the two adjoining streets will create a sense of enclosure for this space.

4.2.1 DESIGN REQUIREMENTS

To create a gateway site through improving the functionality, safety, visual amenity and perception of this gateway site should be designed in accordance with Figures 47 and 48 and future works should include:

- a. Provision of extensive paved areas including feature paving to provide an area for gather for events and lingering.
- b. Low ground cover planting in garden beds and at ground level along the edges of paved space and between desire lines.
- c. Increased formal seating around the war memorial and increased hard surface area to allow for temporary seating for ceremonies.
- d. Improved path connections to and from the gateway space.



Figure 45 - indicative illustration of Gateway 2

4.2 LIBRARY FORECOURT GATEWAY



Figure 46 - indicative master plan for Gateway 2

4.3 NORTH WEST GATEWAY

FUTURE CHARACTER

This site encompasses the main entrance to the activity centre from the west. Within the site there are several significant elements including historic buildings, large established native trees, a creek line and a large sculpture.

The gateway area could improve views of the heritage buildings and increase their utilisation. There are opportunities to improve connectivity between the elements of the site through the introduction of features such as decking to span the creek, new paths and a crossing to link both sides of the gateway.

The stand of established trees should be utilised for a shaded gathering place.

4.3.1 DESIGN REQUIREMENTS

To create a gateway site through improving the functionality, safety, visual amenity and perception of this gateway site it should be designed in accordance with Figures 49 and 50 and future works should include:

- a. Provision of extensive decking structure that provides a crossing of the creek and a forecourt to the old shire office building.
- b. Remove some planting to improve views of significant buildings and increase passive surveillance of the site.
- c. Low ground cover planting in garden beds and at ground level along the edges of paved space and between desire lines.
- d. Provision of street furniture in multiple locations and strategically place to be shaded by trees and orientated towards the lawn areas.
- e. Improved path connections through the gateway to better connect the elements of the site and to the activity centre.

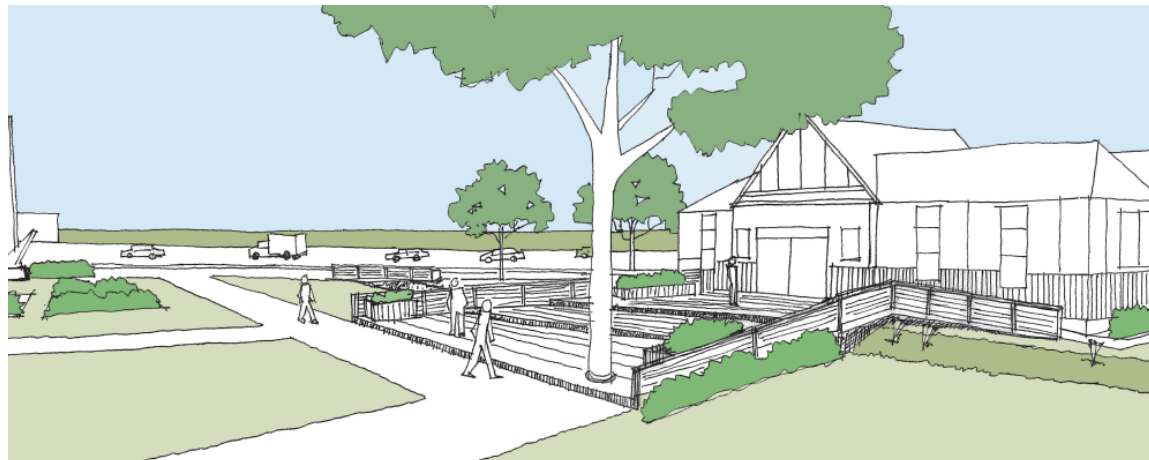


Figure 47 - indicative illustration of Gateway 3

4.3 NORTH WEST GATEWAY



Figure 48 - indicative master plan for Gateway 3

4.4 NEW BOULEVARD GATEWAY

FUTURE CHARACTER

A current unmade road linking Main Street to McGregor Road provides the opportunity to create a boulevard entry statement for a new road connection to the activity centre from the west.

This space can provide a formalised road entrance with high quality landscaping and significant street tree planting that is highly legible as a gateway into the activity centre.

4.4.1 DESIGN REQUIREMENTS

To create a functional, safe and visual appealing gateway this site should be designed in accordance with Figures 51 and 52 and future works should include:

- a. Threshold treatments at both ends of the boulevard through the use of alternative road surfacing and elements in the road reserve.
- b. Formal planting of high branching street trees at intervals of no more than 15 metres.
- c. Wide footpaths on both sides of the street.
- d. Significant landscape planting along the full length of gateway boundaries of that interface with private property and provide screening and softening any fencing along these boundaries.
- e. Utilise wider areas of the gateway for extensive low level planting.
- f. Provide public art elements to signify the entrances the gateway site and activity centre.



Figure 49 - indicative illustration of Gateway 4

4.4 NEW BOULEVARD GATEWAY



Figure 50 - indicative master plan for Gateway 4

Planning and Environment Act 1987

Panel Report

**Cardinia Planning Scheme Amendment C228
Pakenham Structure Plan**

23 June 2020

Corrected 10 July 2020

How will this report be used?

This is a brief description of how this report will be used for the benefit of people unfamiliar with the planning system. If you have concerns about a specific issue you should seek independent advice.

The planning authority must consider this report before deciding whether or not to adopt the Amendment. [section 27(1) of the *Planning and Environment Act 1987* (the Act)]

For the Amendment to proceed, it must be adopted by the planning authority and then sent to the Minister for Planning for approval.

The planning authority is not obliged to follow the recommendations of the Panel, but it must give its reasons if it does not follow the recommendations. [section 31 (1) of the Act, and section 9 of the *Planning and Environment Regulations 2015*]

If approved by the Minister for Planning a formal change will be made to the planning scheme. Notice of approval of the Amendment will be published in the Government Gazette. [section 37 of the Act]

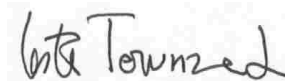
Planning and Environment Act 1987

Panel Report pursuant to section 25 of the Act

Cardinia Planning Scheme Amendment C228

Pakenham Structure Plan

23 June 2020



Lester Townsend, Chair



Peter Boyle, Member

Contents

	Page
1 Introduction.....	1
1.1 The Amendment.....	1
1.2 The Structure Plan and Urban Design Framework.....	4
1.3 Summary of issues raised in submissions	4
1.4 The Panel’s approach	4
2 Planning context	6
2.1 Background.....	6
2.2 Relevant policy	10
2.3 Discussion and conclusion.....	11
3 What is trying to be achieved	12
4 Issues.....	15
4.1 Cultural diversity	15
4.2 Heritage	15
4.3 The boundary of the activity centre	15
4.4 The possibilities that the level crossing removal create	16
4.5 Pedestrian and cycling connections and the public realm.....	18
4.6 Property for acquisition.....	20
4.7 Making railway as of right	21
4.8 Precinct 3 uses.....	21
4.9 The interface of Precinct 3 with Precinct 7	23
4.10 Integrating Precincts 6, 5 and 1.....	25
4.11 Built form requirements and guidelines	26
4.12 Rail interface.....	32

Appendix A Submitters to the Amendment

List of Tables

	Page
Table 1: Summary of events.....	7
Table 2: Preferred building heights and setbacks in the ACZ	14

List of Figures

	Page
Figure 1: Pakenham Major Activity Centre	2
Figure 2: Area to be rezoned to Activity Centre Zone.....	3
Figure 3: Pakenham Major Activity Centre Heritage Sites.....	9

Glossary and abbreviations

Act	<i>Planning and Environment Act 1987</i>
ACZ	Activity Centre Zone
Council	Cardinia Shire Council
DELWP	Department of Environment, Land, Water and Planning
DJPR	Department of Jobs, Precincts and Regions
DoT	Department of Transport
the Structure Plan	<i>Pakenham Structure Plan 2019</i>
the UDF	<i>Pakenham Major Activity Centre Urban Design Framework 2019</i>
VPP	Victoria Planning Provisions

Overview

Amendment summary

The Amendment	Cardinia Planning Scheme Amendment C228
Common name	Pakenham Structure Plan
Brief description	The Amendment gives statutory effect to the objectives and strategies in the <i>Pakenham Structure Plan 2019</i> , which guides the future land use and development in the Pakenham Activity Centre
Subject land	The Amendment applies to the Pakenham Major Activity Centre
Planning Authority	Cardinia Shire Council
Authorisation	22 August 2019 Conditional authorisation
Exhibition	28 October to 6 December 2019
Submissions	Nineteen submissions were received (including one late submission), ten from landowners and residents, and eight from Public Authorities. Three submissions objected to the Amendment, five submission supported the Amendment and the balance sought changes

Panel process

The Panel	Lester Townsend (Chair) and Peter Boyle
Directions	Given the concerns about COVID-19, the Directions Hearing planned for 1 April 2020 was cancelled. The Directions Hearing was conducted 'on the papers' <ul style="list-style-type: none"> - 27 March 2020: Interim Directions issued - 20 April 2020: Final Directions issued.
Panel Hearing	4 May 2020 by video conference
Site inspections	Unaccompanied, 1 May 2020
Appearances	<ul style="list-style-type: none"> - Council represented by Teresa Hazendonk and Tim Grace - David Young - R Myslinska and R Polonski represented by John McCaffrey, Consultant Town Planner - JAK Investment Group represented by Nick Hooper of Taylors
Citation	Cardinia PSA C228card [2020] PPV
Date of this Report	23 June 2020 Corrected 10 July 2020 to correct an incorrect reference in recommendation 2.6

Executive summary

Cardinia Planning Scheme Amendment C228 (the Amendment) seeks to replace the existing *Pakenham Activity Centre Incorporated Provisions, 20 March 2017 (revised May 2017)* (which expires on 30 June 2021), with the Activity Centre Zone. This involves rezoning land from the Commercial 1 Zone, Mixed Use Zone and General Residential Zone.

The Amendment also proposes to:

- remove the proposed link road from the Clause 43.04 Development Plan Overlay Schedule 1 and delete Development Plan Overlay Schedule 2
- delete the Development Contributions Plan Overlay Schedule 1 from VicTrack and public owned land.

The Activity Centre Zone is based on the *Pakenham Structure Plan 2019* and *Pakenham Major Activity Centre Urban Design Framework 2019*.

This strategic work identified seven precincts:

- Precinct 1 Core retail
- Precinct 2 West Commercial and Mixed Use
- Precinct 3 Princes Highway
- Precinct 4 East Commercial and Mixed Use
- Precinct 5 Pakenham Place – Key Development Site
- Precinct 6 Marketplace
- Precinct 7 Residential.

The Activity Centre Zone sets out preferred heights of 13.5, 14.5 and 15 metres.

The Panel does not consider that the heights of 14.5 metres and 15 metres across the commercial and mixed use areas of the activity centre are justified. The Pakenham activity centre is one of 121 Major Activity Centres in Melbourne and is expected to see significant growth as the surrounding growth areas develop and with the proposed grade separation of the train line that serves the centre.

It is not clear to the Panel how these height limits were derived. This is particularly the case as these essentially four-storey limits have already been overtaken by development aspirations with a permit being granted for a six-storey building in the centre. The Panel accepts that in certain circumstances it is appropriate to set height limits to achieve a preferred character. In this case the preferred height of 13.5 metres that applies to what is now the residential areas is broadly appropriate. However, in the core of the activity centre there would seem to be limited justification for preferring low scale development.

The *Pakenham Structure Plan 2019* and *Pakenham Major Activity Centre Urban Design Framework 2019* are relatively silent on improvements to the public realm. The Panel considers that the Structure Plan and Urban Design Framework could be strengthened by articulating Council's view for how the public realm should be developed. This view will necessarily be affected by the grade separation works and the future development of Bourke Park which is VicTrack land which it does not propose to sell as it may have a future as a transport interchange and which Council has decided not to purchase for open space.

In the view of the Panel the grade separation project will trigger the need to review the Structure Plan and Urban Design Framework.

The Panel is also of the view that the proposed Activity Centre Zone schedule sets out overly complex land use controls – for example a Bar is prohibited in Precinct 5, even though this is a retail precinct. At the Hearing the Panel asked the parties whether these restrictions were a concern – the parties advised that they were not.

Recommendations

Based on the reasons set out in this Report, the Panel recommends that Cardinia Planning Scheme Amendment C228 be adopted as exhibited subject to the following:

1. **Acknowledge the traditional owners of the land in the Structure Plan.**
2. **In the Activity Centre Zone Schedule:**
 - 2.1 **Update the Framework Plan to include the Railway Station.**
 - 2.2 **Include Railway as a Section 1 use.**
 - 2.3 **Include an additional requirement for new buildings adjoining a residential property or Precinct 7 as follows:**
 - **Achieve Standard B21 of Clause 55.04-5 ‘Overshadowing open space’.**
 - 2.4 **Replace all occurrences of ‘must’ with ‘should’ in:**
 - **Commercial and mixed use requirements and guidelines**
 - **Building height guidelines**
 - **Building setback guidelines**
 - **Precinct guidelines.**
 - 2.5 **Remove the preferred height limits from Precincts 1, 2, 4, 5, and 6, and the Building height requirement relation to preferred heights.**
 - 2.6 **Include ‘Buildings and works should not exceed 13.5 metres’ in the guidelines in Precincts 3 and 7.**
 - 2.7 **Simplify the ‘Building height guidelines’ to refer to a height of 14 metres to trigger a consideration of the building height guidelines.**
 - 2.8 **Remove the guidelines for taller buildings relating to:**
 - **energy, water, waste and renewable technologies**
 - **affordable housing**
 - **the upper levels of buildings to be highly articulated including a variety of floor levels and facades**
 - **a designated gateway, as shown in the Pakenham Major Activity Centre Framework Plan in Clause 1, or be a significant consolidated site.**
 - 2.9 **Edit the exemption for service equipment including plant rooms and the like to refer the building height guidelines and move it to after the guidelines.**

Further recommendations

The Panel makes the following further recommendations:

- A. **Council should revisit the planning for the centre once the government’s intentions for the rail corridor, the station and Bourke Park are known.**

1 Introduction

1.1 The Amendment

(i) Amendment description

The Amendment gives statutory effect to the objectives and strategies in the *Pakenham Structure Plan 2019* (the Structure Plan), which guides the future land use and development in the Pakenham Activity Centre.

Specifically the Amendment proposes to:

- Amend Local Planning Policy at 21.03, 21.04 and 21.06 of the Municipal Strategic Statement to:
 - update the application of zones and overlays in relation to the Pakenham Major Activity Centre
 - remove reference to 'Pakenham Town Centre'
 - remove the Pakenham Activity Centre Incorporated Provisions.
- Apply the Activity Centre Zone (ACZ) in the activity centre (in place of the Commercial 1 Zone, Mixed Use Zone and General Residential Zone) with a new Schedule 1: 'Pakenham Major Activity Centre'.
- Amend the Schedule to Clause 72.04 to delete the *Pakenham Activity Centre Incorporated Provisions, 20 March 2017 (revised May 2017)* which expire on 30 June 2021. These were implemented by Amendment C211.
- Remove the Development Plan Overlay Schedule 1 (Former Pakenham Consolidated School Site) from land intended for a proposed link road and delete Development Plan Overlay Schedule 2 which applies to the Pakenham Central Marketplace.
- Delete the Development Contributions Plan Overlay Schedule 1 from VicTrack and public owned land.

(ii) The Pakenham Major Activity Centre

The activity centre is located about 60 kilometres south-east of Melbourne's Central Business District and covers about 181 hectares. The activity centre operates as a regional hub servicing areas within and beyond the municipality.

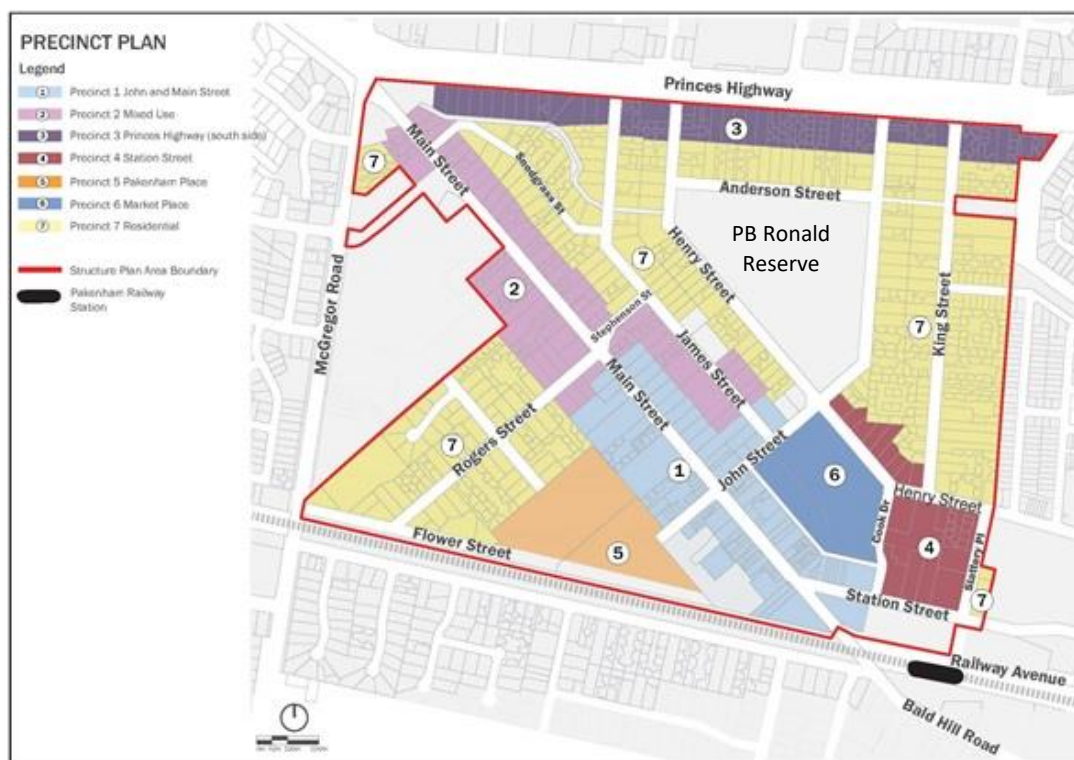
Significant nearby activity centres outside the municipality include Fountain Gate-Narre Warren and Dandenong Metropolitan Activity Centres, and Berwick Major Activity Centre.

The activity centre is in the Casey-Cardinia Growth Area. There are emerging employment areas such as the Cardinia Road Employment Precinct, South East Business Park, and Pakenham Employment Precinct. These areas are envisaged to be multi-functional employment areas that deliver a diverse mix of jobs to the Casey-Cardinia region.

The broader catchment area is characterised by a mix of established and recent development to the north and south. To the east, west and southwest are established areas, with the exception of the Bald Hill Road industrial area, which is still under development.

The activity centre is bordered by Princes Highway, McGregor Road, Pakenham Railway Line and the former Pakenham Racecourse development site to the east. See Figure 1.

Figure 1: Pakenham Major Activity Centre



The Pakenham Railway Station is located towards the south-eastern end of the activity centre. Commuters have access to both a metropolitan rail service as well as V-Line services to regional Victoria. The railway line has three level crossing points enabling north-south road, cycle and pedestrian traffic movement to and from the activity centre. These level crossings at Main Street, McGregor Road, and Racecourse Road are planned to be removed.

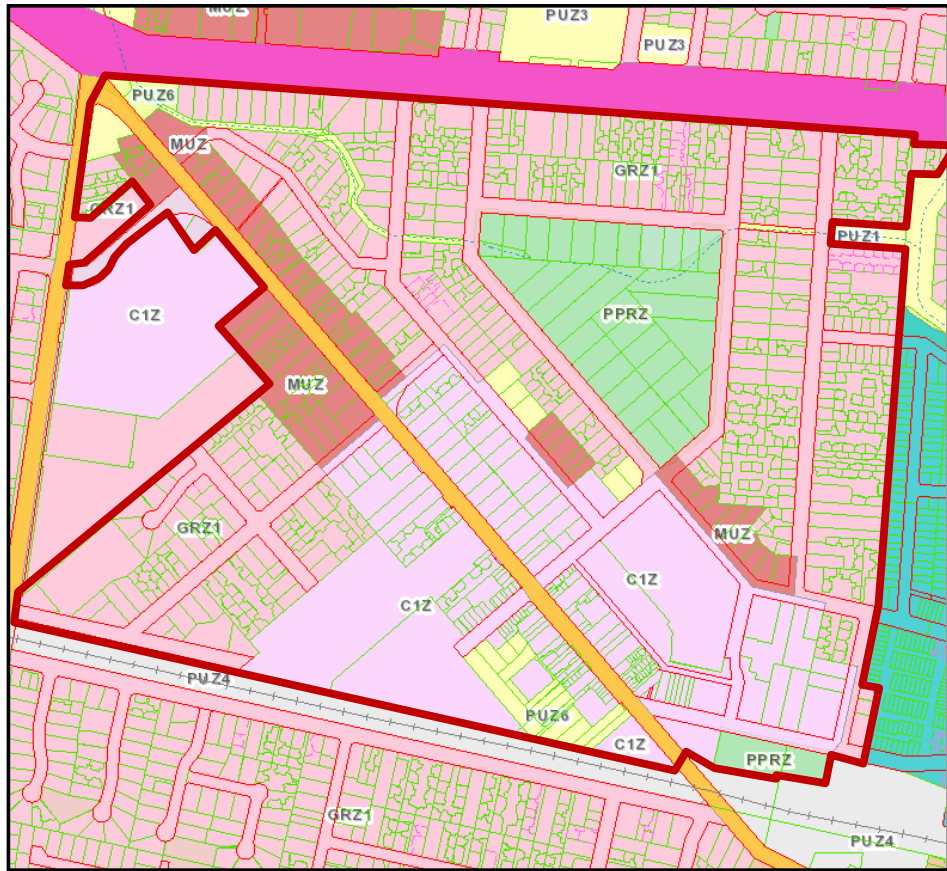
The centre comprises the John and Main Street shopping strips, Pakenham Place (⑤) and Pakenham Central Marketplace (⑥) shopping centres, the adjoining residential neighbourhoods, open space (PB Ronald Reserve and Bourke Park located just north of the station), and sporting and community facilities. There are purpose-built sporting facilities close to the activity centre, including Cardinia Life, Pakenham Regional Tennis Centre and Toomuc Reserve, that cater for the regional catchment.

The commercial core of the activity centre has traditionally been located on Main Street between John and Station Street. Over the years, development has progressively dispersed away from this central point with the development of Pakenham Place in the mid-1980s and more recently Pakenham Central Marketplace (mid-2012).

The activity centre is relatively flat with some creeks flowing through and around it. Some of these waterways are covered drains.

(iii) The subject land

The Amendment applies to land shown in Figure 2.

Figure 2: Area to be rezoned to Activity Centre Zone

The current zones include:

- C1Z – Commercial 1 Zone
- MUZ – Mixed Use Zone
- PUZ1– Public Use Zone 1 – Service and Utility
- PUZ4 – Public Use Zone 4 – Transport
- PUZ6 – Public Use Zone 6 – Local Government
- PPRZ – Public Park and Recreation Zone
- GRZ1 – General Residential Zone Schedule.

Current planning overlays include:

- Development Plan Overlay Schedule 1 (DPO1)
- Development Plan Overlay Schedule 2 (DPO2)
- Development Contributions Plan Overlay Schedule 1 (DCPO1)
- Land Subject to Inundation Overlay (LSIO)
- Special Building Overlay (SBO)
- Heritage Overlay (HO)
- Public Acquisition Overlay 4 (Cardinia Shire Council – Civic and Professional Precinct redevelopment including development of Municipal Offices) (PAO4).

1.2 The Structure Plan and Urban Design Framework

Council prepared the Structure Plan to provides an integrated response to the changes envisaged for the activity centre until the year 2035.

The Structure Plan is intended to communicates the community's shared vision for the activity centre. Specifically, the Structure Plan is intended to provide certainty for the community, business owners, developers and planning applicants regarding the level and types of changes in the development of the activity centre.

An Action Plan forms part of the Structure Plan and lists the actions required to implement the structure plan and indicates which Council department, agency or organisation is responsible; the timeframe and measure allocated to each action.

The UDF accompanies the Structure Plan. It presents preferred character statements, requirements and illustrations that are intended to give direction to landowners, designers, Council officers and the community about the expected built form outcomes to be achieved.

1.3 Summary of issues raised in submissions

Nineteen submissions were received:

- eight from Public Authorities
- eleven from residents, land owners and other interested parties.

Ten submissions requested changes or objected to parts of the amendment or strategic documents, while eight submissions generally supported or remained neutral on the amendment.

Key issues included:

- issues with Precinct 3 which envisages mixed use development along the Princes Highway – in particular traffic implications and impact on the adjoining residential Precinct
- the possibilities that the level crossing removal create and how this might affect the development of the centre
- pedestrian and cycling connections and the public realm
- how to better integrate the disparate parts of the activity centre
- built form requirements and guidelines, in particular the relatively low heights specified and the prescriptive controls.

Amanda Hutchings, J Templar, Melbourne Water, the Victorian Planning Authority, the Department of Education (Victorian School Building Authority), the Environment Protection Authority, and the Country Fire Authority generally support the amendment.

Council presented an amended version of the ACZ Schedule 1 showing possible changes in response to submissions.

1.4 The Panel's approach

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme.

The Panel considered all written submissions made in response to the exhibition of the Amendment, observations from site visits, and submissions, evidence and other material presented to it during the Hearing. It has reviewed a large volume of material and has had to be selective in referring to the more relevant or determinative material in the Report. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

After setting out the planning context in Chapter 3 and exploring what is sought to be achieved in Chapter 3, this Report deals with the issues in Chapter 4, under the following headings:

- Cultural diversity
- Heritage
- The boundary of the activity centre
- The possibilities that the level crossing removal create
- Pedestrian and cycling connections and the public realm
- Property for acquisition
- Making railway as of right
- Precinct 3 uses
- The interface of Precinct 3 with Precinct 7
- Integrating Precincts 6, 5 and 1
- Built form requirements and guidelines
- Rail interface.

The Panel has focused primarily on the proposed planning scheme changes and has not addressed issues in the Structure Plan or UDF in any great detail. These are important background documents and potentially have an important role in setting the direction for the activity centre but will not have the same status as planning scheme provisions.

2 Planning context

2.1 Background

Pakenham is identified as a Major Activity Centre in *Plan Melbourne 2017-2050*. With this designation, it is expected that the activity centre will experience significant growth in the number of jobs, job diversity, and housing density and diversity.

To accommodate this projected growth, Council refreshed the *Pakenham Structure Plan 2017* and adopted an updated version of the *Pakenham Structure Plan 2019* (the Structure Plan) together with the *Pakenham Major Activity Centre Urban Design Framework 2019* (the UDF).

The Structure Plan provides a 20-year strategic vision for the activity centre with a strong focus on residential growth, developing the commercial areas and businesses in Main Street, and providing a safe and connected pedestrianised centre.

The UDF accompanies the structure plan to provide detailed guidance for future development in the activity centre, focusing on built form, interfaces, urban structure and the public realm. The UDF provides overarching principles and specific guidance to ensure new development that positively contributes to the functionality, amenity and vibrancy of the activity centre.

Cardinia Planning Scheme Amendment C211

A structure plan for Pakenham was first adopted by Council in April 2015. The *Pakenham Structure Plan 2017* was later incorporated into the Cardinia Planning Scheme as the 'Pakenham Activity Centre Incorporated Provisions, 20 March 2017 (revised May 2017)' with an expiry date of 31 December 2019 via Amendment C211 on 20 March 2017.

Council submitted (Part A:30):

The C211 Planning Panel raised concerns about the implementation of the structure plan as an Incorporated Document, as well as the need for the structure plan to be reduced and made succinct to be appropriately used as a statutory document. It was concluded the Incorporated Document would be an appropriate interim provision pending the implementation of the Activity Centre Zone and Amendment C211 was subsequently approved with the following requirements:

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

Amendment C228 responds to requirements 1 and 2.

In response to requirement 3, Council advised that officers have engaged with VicTrack and the relevant land authority, the Department of Jobs, Precincts and Regions (DJPR). VicTrack:

- confirmed that they are not selling the land (Bourke Park) as it has potential future development opportunity as a transit hub
- requested that Council rezone the land from Public Park and Recreation Zone (PPRZ) to Public Use Zone - Schedule 4 Transport (PUZ4) to appropriately identify the intended land use for this site.

Council considered the request outside the scope of the Amendment, but advised that assistance will be provided to VicTrack in future when a formal amendment request is made.

Council advised that it has previously resolved not to seek to purchase the Bourke Park land from VicTrack.

The Framework Plan included in the ACZ is significantly different to the plan defining the activity centre in the current incorporated plan. These differences include:

- a significant reduction in the extent of the Structure Plan area
- a significant reduction in the extent of the area defined as Precinct 3
- the inclusion of Precinct 7 defining residential areas previously undefined
- the deletion of the former Precinct 6 (Former Consolidated School) and other land abutting McGregor Road
- deletion of former Precinct 5 (Former Pakenham Racecourse) and former Precinct 7 (High Amenity Employment).

Table 1 presents a chronology of key events.

Table 1: Summary of events

Date	Event
April 2015	The <i>Pakenham Structure Plan 2015</i> was adopted by Council.
20 March 2017	Amendment C211 is gazetted with conditions. The <i>Pakenham Structure Plan 2017</i> became an Incorporated Document in the Cardinia Planning Scheme as the ' <i>Pakenham Activity Centre Incorporated Provisions, 20 March 2017 (revised May 2017)</i> ' with an expiry date of 31 December 2019.
19 November 2018	Council adoption of: <ul style="list-style-type: none"> - The Pakenham Structure Plan, 19 Nov 2018, and - The Pakenham Major Activity Centre Urban Design Framework, Sep 2018. Council resolves to seek ministerial authorisation to prepare and exhibit Amendment C228.
20 May 2019	Council adopts revised: <ul style="list-style-type: none"> - Pakenham Structure Plan, 20 May 2019 - Pakenham Major Activity Centre Urban Design Framework, 20 May 2019 - Activity Centre Zone Schedule 1.
22 August 2019	Minister for Planning grants conditional authorisation for Amendment C228.
30 August 2019	Amendment C242 gazetted. The Pakenham Structure Plan Heritage Review, February 2018 (May 2019) is implemented in the Cardinia Planning Scheme through new and revised Heritage Overlays.

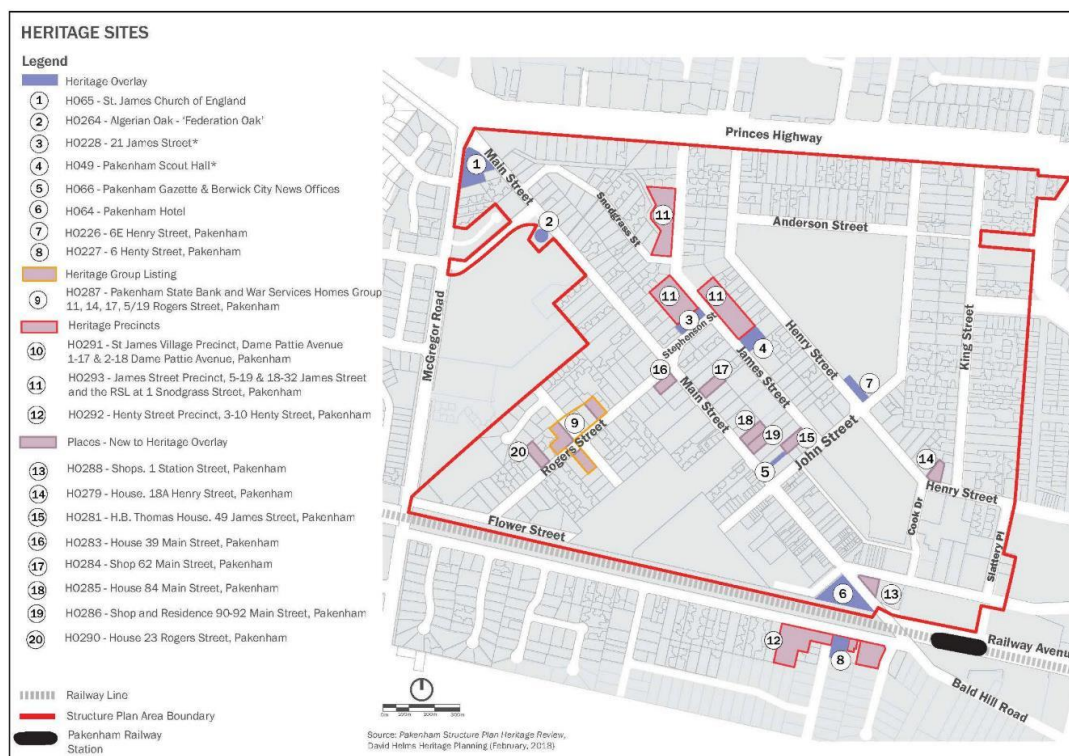
Date	Event
September 2019	In response to conditions of the Minister’s Authorisation, the following documents are updated to the satisfaction of the DELWP: <ul style="list-style-type: none"> - The Pakenham Structure Plan, 25 Sep 2019 - The Pakenham Major Activity Centre Urban Design Framework, Sep 2019 - The Activity Centre Zone Schedule 1.
28 October to 6 December 2019	Amendment C228 is formally exhibited.
12 December 2019	Amendment C260 is gazetted. The expiry of the ‘Pakenham Activity Centre Incorporated Provisions, 20 March 2017 (revised May 2017)’ is extended to 30 June 2021.

Cardinia Planning Scheme Amendment C242

Amendment C242 flows from Action 82 in the Structure Plan. The heritage places and precincts listed by Amendment C242 were initially identified by the *Pakenham Structure Plan inter-war and post-war heritage study, May 2013*.

A 2017-18 review of the study – the *Pakenham Structure Plan Heritage Review, February 2018* – analysed the recommendations and the places and precincts identified by the 2013 study. This process either re-affirmed or reduced the significance of the places and precincts.

Amendment C242 implemented the recommendations from the *Pakenham Structure Plan Heritage Review, February 2018 (May 2019)*, ensuring the protection of the Pakenham Activity Centre’s cultural, aesthetic and architectural heritage by applying heritage controls to the identified places and precincts.

Figure 3: Pakenham Major activity Centre Heritage Sites

Background Documents to the Amendment

Council submitted that the principal background documents to the Amendment are:

- The *Pakenham Structure Plan 2019*
- The *Pakenham Major Activity Centre Urban Design Framework 2019*.

Council submitted that the following strategies and studies underpin these documents and the Amendment:

- Pakenham Parking Precinct Plan (2018)
- Pakenham Structure Plan Traffic Action Plan Review Report (11 May 2018)
- Cardinia Pedestrian and Bicycle Strategy (2003, 2007, revised August 2017)
- Pakenham Core Retail and Mixed Use Assessment (December 2016)
- Pakenham Bicycle Network Plan (July 2014)
- St James Estate Comparative Heritage Study (July 2014)
- Greater Pakenham Traffic Model (July 2014)
- Cardinia's Housing Strategy, Strategic Action Plan 2013–18 (December 2013)
- Pakenham Town Centre Grade Separations (December 2013)
- Drainage Assessment Pakenham Town Centre (June 2013)
- Pakenham Inter War and Post War Heritage Study (May 2013)
- Retail Core Analysis and Recommendations (August 2012)
- Pakenham Urban Design Framework Study (November 2012)
- Plan Melbourne, Victorian State Government 2017
- Urban Design guidelines for Victoria, Department of Environment Land, Water and Planning 2017

- Stormwater Management, Melbourne Water 2017.

2.2 Relevant policy

(i) Planning policy framework

Council submitted that the Amendment is supported by:

- Clause 11.03-1S (Activity Centres) by:
 - encouraging the concentration of major retail, commercial, administrative, entertainment and cultural developments into the activity centre
 - encouraging the concentration of higher density housing and employment opportunities with access to services and public transport.
- Clause 15.01-1S (Urban Design) and Clause 15.01-2S (Building Design) by
 - encouraging high quality architecture and positive urban design outcomes focusing on interfaces, built form, environment, the public realm and changing neighbourhood character. The Framework provides guidance for new development within the activity centre.
- Clause 16.01-3S (Housing Diversity) and Clause 21.03 Settlement and Housing by:
 - encouraging higher residential density in the activity centre and supporting a diverse range of housing
 - providing for development of high density quality housing within the Pakenham Major Activity Centre.
- Clause 17.01-1S (Diversified Economy) and Clause 17.02-1S (Business) and Clause 21.04 Economic Development by:
 - providing for a range of opportunities for commercial uses – including retail, entertainment, office and other commercial facilities – and business growth and providing a framework for the location and management of growth
 - supporting employment and jobs in the activity centre by expanding and encouraging a diverse range of commercial uses and services within the activity centre.
- Clause 18.01-1S (Land use and transport planning) and Clause 18.02-2S (Public Transport) by:
 - encouraging and facilitating growth, including increased residential density and development within the Pakenham Major Activity Centre which is well serviced and close to public transport.
- Clause 21.06 Particular Uses and Development by:
 - supporting good design outcomes ensuring future development is site and context responsive, providing a strong character and identity for the Pakenham Major Activity Centre by introducing the *Pakenham Major Activity Centre Urban Design Framework Sep 2019*.

The Panel notes that the following policies are also relevant:

In Clause 11 (Settlement):

- Clause 11.02-1S (Supply of urban land) that supports a sufficient supply of land for residential, commercial, retail, industrial, recreational, institutional and other community uses.

- Clause 11.02-2S (Structure planning) that supports the orderly development of urban areas.

In Clause 15 (Built environment and heritage):

- Clause 15.01-1R (Urban design – Metropolitan Melbourne) that supports the creation of a distinctive and liveable city with quality design and amenity.
- Clause 15.01-5S (Neighbourhood character) that supports the recognition, support and protection of neighbourhood character, cultural identity, and sense of place.
- Clause 15.03-1S (Heritage conservation) that supports the conservation of places of heritage significance.

In Clause 16 (Housing):

- Clause 16.01-2R (Housing opportunity areas – Metropolitan Melbourne) that supports housing and mixed use development opportunities in major activity centres.

In Clause 18 (Transport):

- Clause 18.02-2R (Principal Public Transport Network) that supports maximising the use of existing infrastructure and increasing the diversity and density of development along the Principal Public Transport Network, including, activity centres.

(ii) Plan Melbourne

Plan Melbourne includes various policies that support the development of activity centres, including:

- 1.2.1 Support the development of a network of activity centres linked by transport
- 2.1.2 Facilitate an increased percentage of new housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs and public transport
- 2.1.4 Provide certainty about the scale of growth in the suburbs
- 2.2.3 Support new housing in activity centres and other places that offer good access to jobs, services and public transport
- 4.3.1 Promote urban design excellence in every aspect of the built environment.

2.3 Discussion and conclusion

The structure planning of the activity centre and the Amendment has a history spanning more than five years. The Amendment specifically implements the requirements of the approval of Amendment C211. In this regard the decision to apply the ACZ was made some time ago and at a Departmental level.

There is no debate that the ACZ is an appropriate tool to apply to a major activity centres. The critical issue is whether the provisions within the ACZ are appropriate. For the reasons set out in the following chapters the Panel concludes that the provisions are broadly supported by and implement the relevant sections of the Planning Policy Framework with a number of exceptions. The Amendment should proceed subject to addressing the specific issues raised in submissions and discussed in the following chapters.

3 What is trying to be achieved

(i) Policy changes

The changes to the Local Planning Policy Framework are relatively minor, mostly consisting of reference changes, but also including statements about the application of zones in clauses:

- 21.04-3: *“Applying a Activity Centre Zone to encourage intensified development of the Pakenham Major Activity Centre”*
- 21.06-1: *“Applying the Activity Centre Zone to the Pakenham Major Activity Centre to guide the design and built form of the area”.*

(ii) Zone changes

The critical changes are in the ACZ. The ACZ schedule presents:

- 1.0 A framework plan for the activity centre showing precinct boundaries and existing features but including gateways / entry points.
- 2.0 Land use and development objectives to be achieved under the headings of:
 - Activities and land uses
 - Transport and movement
 - Public realm
 - Built form and environment.

These objectives are broad in nature and, with the following exceptions, could probably apply to any activity centre:

- Create a sense of arrival to the Pakenham Activity Centre at identified key gateway sites through the provision of high quality landscape and/or architectural treatments.
 - Reinforce and enhance the ‘fine grain’ built form pattern established within the retail core of the town centre.
- 3.0 A table of uses which provides for different as-of-right and permitted uses in different precincts.
 - 4.1 Centre wide provisions on the use of land exempting public works by a public land manager and including an amenity provision dealing with transport of materials, appearance and amenity impacting emissions.
 - 4.2 Centre wide subdivision requirements requiring compliance with clause 56.
 - 4.3 Centre wide buildings and works requirements, setting out permit exemptions.
 - 4.4 Design and development requirements including:
 - Dwelling requirements
 - Commercial and mixed use requirements and guidelines
 - Heritage
 - Building height requirement and guidelines
 - Building set back requirement and guidelines
 - Landscape design
 - Environmentally sustainable design.

- 5.0 Precinct provisions for each precinct
 - Precinct map
 - Precinct objectives
 - Preferred building height and preferred building set back
 - Precinct guidelines.
- 6.0 Application requirements.
- 7.0 Notice and review.
- 8.0 Decision guidelines
 - Use
 - Environmental Audit
 - Design and built form
 - Subdivision
 - Transport and movement
 - Non-residential uses and development in Precinct 7.
- 9.0 Signs.
- 10.0 Other provisions of the scheme.
- 11.0 Reference documents.

The precinct plans

The precinct plans in the ACZ set out the urban structure initiatives. The precinct plans show a number of existing elements namely:

- Pakenham Railway Station
- Bus interchange
- Pedestrian link
- Entrance to Market Place
- Open Space
- VicTrack land (Bourke Park)
- Area excluded from the ACZ
- Heritage
- Train line
- Council owned car park.¹

The plans also show proposed or policy elements, namely:

- Active frontage with awning above
- Active frontage with landscaped front setbacks
- Gateways/entry points:
 - Entertainment Plaza (Precinct 1 and 7)
 - North West Entrance (Precinct 2 and 7)
 - Station entrance, Library forecourt (Precinct 4 and 7)
 - New Boulevard (Precinct 7)
- Future pedestrian link (in Precinct 6 this notation omits 'future')
- Future local road link

¹ This is shown in Precinct 5 but what would seem to be the corresponding objective is in precinct 6, namely: *"Support the redevelopment of the Council and car park as a multi-deck car park and commercial development."*

- Improve landscape interface treatment
- Passive surveillance interface treatment to open space.

Most of these elements are self-explanatory, but some such as the 'Entertainment Plaza' is covered in more detail in the Structure Plan.

Building heights

The ACZ sets a preferred height of 13.5 metres to 15 metres depending on the precinct.

The building height guidelines include:

Buildings and works which exceed the preferred building height ... must ... provide a maximum Street Wall Height of 15 metres.

The building setback guidelines include:

Buildings and works which exceed the preferred maximum building height should be designed so the upper levels cannot be seen from the street.

Table 2: Preferred building heights and setbacks in the ACZ

Precinct #	Name	Preferred building height	Preferred setback
Precinct 1	Core retail	15 metres	0 metre front setback 0 metre setback from the road reserve of any adjoining street or laneway
Precinct 2	West Commercial and Mixed Use	14 metres	2 metre front setback
Precinct 3	Princes Highway	13.5 metres	4 metre front setback
Precinct 4	East Commercial and Mixed Use	14 metres	Minimum 2 metre front setback 0 metre front setback from Station Street
Precinct 5	Pakenham Place – Key Development Site	15 metres	0 metre front setback
Precinct 6	Marketplace	15 metres	0 metre front setback
Precinct 7	Residential	13.5 metres	4 metre front setback

4 Issues

4.1 Cultural diversity

Glynis Ramsay (Submission 5) raised concerns that there was no mention in the Structure Plan of cultural diversity in the population breakdown.

Council submitted that including extra details about the diversity of cultures in the activity centre in the Structure Plan would be nice but would not likely change the outcomes sought by the proposed ACZ.

The Panel agrees with Council. Cultural diversity is important but it is not a driver of land use and built form outcomes under planning schemes.

4.2 Heritage

J Goldsack (Submission 2) raised concerns regarding the preservation of heritage in the activity centre and respect of history.

M and J Robinson (Submission 4) raised concerns that there was no acknowledgement in the Pakenham Structure Plan of aboriginal heritage.

Council explained that much of Pakenham's heritage was impacted by redevelopment before Council was able to apply heritage controls. Council did recently apply heritage overlays to heritage properties in Pakenham through Amendment C242 which was approved by the Minister for Planning on 30 August 2019.

The Panel acknowledges that Council has addressed post contact heritage through Amendment C242, but agrees with submitters that there should be some acknowledgement of the traditional owners of the land in the Structure Plan.

The Panel recommends:

Acknowledge the traditional owners of the land in the Structure Plan.

4.3 The boundary of the activity centre

(i) The issue

The Department of Transport (submission 14) submitted that the Railway Station and other key transport elements such as the railway should be included in the Pakenham Major Activity Centre boundary.

(ii) Submissions

The Department of Transport (submission 14) – submitted that no planning controls should be placed on VicTrack owned land including Bourke Park.

Council submitted that the railway land owned by VicTrack was not proposed to be rezoned to ACZ1 and will remain in the Public Use Zone (PUZ4). Bourke Park, also owned by VicTrack, is currently in the Public Park and Recreation Zone (PPRZ) and is not proposed to be rezoned to ACZ1 by this Amendment.

Council said it could amend the Structure Plan, UDF, and the ACZ Schedule 1 to depict the station and the rail line within the activity centre boundary, but that making this change would require about 20 maps from the two background documents and the ACZ schedule 1 to be removed, updated and reinserted, while providing no change to the planning scheme controls.

Council said that this change can also be addressed in the next review of the two background documents which will occur when details of the Level Crossing Removal Project plans are available.

(iii) Discussion

The Panel agrees with the Department of Transport that the railway station and other key transport elements are key components of the Activity Centre and should be included within the boundary.

It is difficult to agree from a planning perspective that a railway station that serves a Major Activity Centre should not be considered as part of that centre.

What was marked as the 'structure plan boundary' in the Structure Plan has become the 'activity centre boundary' in the ACZ, but these are not the same thing. It is not clear why the station was excluded from the Structure Plan but this exclusion should not be carried forward.

The critical map to update is in the ACZ schedule. There is no particular need to update the maps in the Structure Plan or UDF.

(iv) Recommendation

The Panel recommends that in the Activity Centre Zone Schedule:

Update the Framework Plan in the Activity Centre Zone to include the Railway Station.

4.4 The possibilities that the level crossing removal create

(i) The issue

Submissions raised issues about the potential of the level crossing removal project to transform the centre.

(ii) Submissions

David Young (submission 7) thought that the railway station should be moved to Precinct 5 and integrated into the retail precincts to give Pakenham a point of difference to other retail areas. Mr Young noted that the level crossing removal project will provide an opportunity to improve the road network and the draft plan builds on this.

The Department of Transport:

- raised concern about the unknown design, scope and impact of major projects in the boundary of the structure plan including:
 - level crossing removal of McGregor Road and Main Street
 - redesign and possible relocation of the Pakenham Station
 - changes to bus movements
 - changes to the overall movement network in the activity centre

- supported the Structure Plan key objectives relating to a fully integrated multi modal public transport interchange but noted that the bus interchange is isolated and needs to be redesigned to integrate with the core business area
- submitted that the Structure Plan be updated to provide flexibility for the development of the Pakenham Level Crossing Removal Project including the location of the rail line, Pakenham Station and future gateways
- did not support Section 4.2 Station Gateway of the UDF due to the likely redesign of the Pakenham Station.

Council considered that relocating the station was outside the scope of the Amendment.

Council acknowledged that DoT is seeking to improve public transport networks. The major Level Crossing Removal Project is supported by Council. Council's view was that the Structure Plan, the UDF, and the proposed ACZ in their current form present no impediment to the future Level Crossing Removal Project.

Council advised that meetings between Council and the Level Crossing Removal Project team had recently begun, with the intention of bringing forward delivery of the project approximately two years. Accurate timings for the project were still not at hand. Council submitted that when there is more certainty about the Level Crossing Removal Project and details of the final location of the bus interchange are identified, the Structure Plan and UDF will be updated with the next review of these documents.

Council submitted that changes to the Design Requirements of Section 4.2 Station Gateway of the UDF and to the Role and Function statement regarding the Station Entrance could be considered to provide for flexibility in relation to the future development of the station.

Council stated that the request for changes to the Structure Plan to provide flexibility for future major rail projects was reasonable and supported by Council, although given the current level of detail regarding the Level Crossing Removal Project is minimal, changes will likely be limited.

M and J Robinson (Submission 4) raised concerns about maintenance of the open drain at the Pakenham Railway Station saying Council and VicTrack should work together in relation to this issue.

Council advised that the area with the open drain is located in the Land Subject to Inundation Overlay and that addressing the drainage problems in this area will be an important issue for the Level Crossing Removal Project and the rail station upgrade.

Flower Street extension

JAK Investment Group generally supported the Precinct 5 map with the one exception:

The extension of Flower Street through the site to the extension of John Street is supported. The eastern leg of the Flowers Street extension, east of the John Street extension is in doubt and it is submitted that it should either be deleted or be downgraded to a possible future road link.

There are a few reasons for this uncertainty. The continuation of Flowers Street further east is not clear and its desirability and necessity is also questioned.

The Level Crossing Removal Authority are examining the railway station and the Main Street crossing a little further east and there is some chance that the railway station may be located adjacent to my client's land. In that instance, alternative interfaces other than a road may be appropriate.

Given the uncertainty of above matters, it is submitted that deletion or downgrading of the road in this location is desirable.

(iii) Discussion

The Panel agrees with Council that these major projects will have a significant impact on the activity centre, but that the unknown design and scope of the project should not delay changes to the planning scheme.

The Structure Plan and UDF are essentially silent regarding the Level Crossing Removal Project. The Panel believes that the documents would benefit from discussion of Council's expectations of outputs and outcomes from the project, but this is not necessary for the Amendment to proceed.

The Structure Plan and UDF would benefit from Council having informed itself, at least at the conceptual level, of the issues and opportunities associated with options for station location and rail over road or rail under road.

Given its strategic importance, the station curtilage, including Gateways 1 and 2 and Bourke Park, warrant a comprehensive design-led masterplan to ensure integrated outcomes for the form, function and amenity of the precinct. The current situation where the land is used as a park but owned by VicTrack is not sustainable in the long term. At the point VicTrack is clear that it no longer needs the land for transport purposes it may well seek to sell the land. This would be consistent with State government policies on public land ownership.

As it now stands significant changes are likely to the rail corridor, the station and Bourke Park and the planning for the centre is essentially silent on these issues.

The Panel accepts that until the level crossing removal works are specified planning for the centre will be uncertain, this includes the need for the extension of Flowers Street.

(iv) Recommendation

The Panel recommends that:

Council should revisit the planning for the centre once the government's intentions for the rail corridor, the station and Bourke Park are known.

4.5 Pedestrian and cycling connections and the public realm

(i) The issue

The Structure Plan refers to several transport and movement strategies such as new pedestrian and cycling routes, truncation of Main Street, Webster Road extension and various elements. Concerns were raised about a number of these elements.

Concerns were raised about pedestrian and cycling initiatives as well as proposals to improve the public realm.

(ii) Submissions

David Young (Submission 7) submitted that cycling and pedestrian infrastructure needs to be upgraded and updated for an increasing number of mobility scooters and electric wheelchairs. The Structure Plan should include more detail on improving this infrastructure.

DoT (Submission 14) raised concerns about the pedestrian and cycling only environment on Main Street by the creation of the 'Entertainment Plaza' gateway which implies the truncation of Main Street. It did not support the inclusion of buses to this environment for safety and reliability reasons. It considered that Council should undertake a comprehensive transport planning and modelling exercise to inform proposed changes to the movement network.

J Goldsack (Submission 2) raised concerns about the provision of art works, gardens, and shared use paths, as well as the need for attractive open space with seating, gardens, community gardens.

Council submitted that:

- Council will fund and deliver artworks through a separate program to enhance artwork across the Municipality. Artwork will also be provided through the Level Crossing Removal Project.
- There is a community garden at Living Learning Pakenham at 6B Henry Street.
- Additional shared use paths will be provided in line with Council's Pedestrian and Bicycle Strategy 2017 through the capital works program and, where possible, through new development approvals. Additional shared paths will also be provided as part of the Level Crossing Removal Project which includes redevelopment of the rail station.

Council advised that the Structure Plan and the Amendment have been developed with consideration of the most current information regarding transport movements and strategies in the area, as provided by the Pakenham Structure Plan Traffic Engineering Review 11 May 2018 by One Mile Grid Pty Ltd. Council advised that this document had been provided to the Level Crossing Removal Project Team to assist their planning of the project.

Council thought that it was likely that additional open space areas will be freed up as a result of the Level Crossing Removal Project. Council would seek that these areas are appropriately embellished with seating, landscaping and activity infrastructure if space allows.

(iii) Discussion

The precinct plans in the ACZ identify a number of new pedestrian links as well as active frontages. The Panel accepts that Council will improve cycling and pedestrian linkages over time.

The critical issue is the treatment of Main Street. The Structure Plan says:

Vehicular movements are significant along Main Street creating congestion in its current function as a 'through-road'. The truncation of Main Street intends to alleviate congestion by altering the operation of the road. This will be achieved through alternative road connections and infrastructure treatments creating a pedestrian focused 'destination' occurring at the time of the road closure.

In the ACZ this is reflected in the notation of 'Gateways/entry points–Entertainment Plaza' and a Precinct Objective of:

Create a pedestrian focused and prioritised Entertainment Plaza in the south east corner of the precinct which provides outdoor dining, civic facilities and space for community activities/festivals.

In response to questions from the Panel, Council advised that the focus of the Structure Plan and UDF were to guide development on private land, but not on public land. The Panel notes that one of the zone's five purposes is:

To create through good urban design an attractive, pleasant, walkable, safe and stimulating environment.

The Panel considers that, in addition to the included 'Gateway Projects', the Structure Plan and the UDF would be stronger if they referred to planned or projected public realm improvements in the activity centre to better address the pedestrian environment purpose of the zone.

Council advised that they have commenced consultation with the Level Crossing Removal Authority regarding the removal of the Main St level crossing which has an anticipated reduced time frame of approximately two years. Whilst the nature of the new infrastructure is not yet determined, the project will, clearly, have a major impact on the form, function, appearance and amenity of the immediate rail corridor and its abutting land uses and including the wider activity centre.

The Panel shares DoT's concern regarding the proposed treatment of Main Street. Pedestrian mall treatments in locations such as this are not always successful and can have unintended consequences that contribute to sub-optimal outcomes for adjacent properties, businesses and the spaces themselves, particularly outside normal business hours. The level crossing removal project may present an option to explore how the traffic function of Main Street can be decreased while still maintaining some traffic access in a pedestrian friendly street.

When there is more certainty about the Level Crossing Removal Project and full traffic modelling is undertaken, the implications for the structure plan area should be considered and any necessary updates be made, such as possibly deleting the truncation of Main Street.

(iv) Conclusion

The Panel has previously recommended that Council should revisit the planning for the centre once the government's intentions for the rail corridor, the station and Bourke Park are known. Part of this exercise should be to review the truncation of Main Street.

4.6 Property for acquisition

The *Pakenham Structure Plan 2017*, which is currently incorporated in the Cardinia Planning Scheme, identifies an orbital road (essentially the north-eastward extension of Stephenson Street to Henry Street) which, if it proceeded, would require the acquisition of several properties including the property at 24 James Street.

M and J Robinson (Submission 4), owners of 24 James Street, sought more clarity about the removal of the proposal for an orbital road.

Council advised that the initial *Pakenham Structure Plan 2017* identified the property for acquisition. The updated Structure Plan no longer requires the property for a road connection.

The Structure Plan reviewed the need for this orbital road and concluded the benefit would not outweigh the costs involved and therefore removed the road from the Structure Plan.

Council advised that it had sent letters to all affected land owners to explain the change.

4.7 Making railway as of right

DoT said that 'Railway' should be made a Section 1 (permit not required) use within the schedule to the Activity Centre Zone and that an additional exemption for building and works associated with a railway is added to subclause 4.3 of the schedule to ACZ.

Clauses 4.1 and 4.3 the ACZ already provide exemptions for 'use' and 'buildings and works' that are carried out by, or on behalf of, the public land manager.

Council submitted:

Given the exemptions already provided and VicTrack does not own land within the ACZ area, including Railway as a Section 1 Use seems superfluous but is willing to include if the Panel deems it necessary.

It is not clear that this exemption is needed but it is not appropriate to require a permit to use land for a railway. Including it as a Section 1 use would provide clarity.

The Panel recommends that in the Activity Centre Zone Schedule:

Include Railway as a Section 1 use.

4.8 Precinct 3 uses

(i) The issue

Concerns were raised regarding the potential impact of development in Precinct 3 on the Princes Highway and adjoining properties.

(ii) Submissions

Council submitted that the Princes Highway, as a high traffic volume arterial road, creates a specific urban environment that, amongst other functions, provides significantly increased opportunities for access and visibility than a standard residential street. These attributes resulted in the decision to develop a separate precinct to guide the development of land that directly interfaces with the highway to address this environment with Precinct 3 seeking a mixed use outcome with higher density residential and the types of commercial uses limited to child care centres, medical centres and the like.

R Myslinska and R Polonski (Submission 6) were concerned about the potential impact of development in Precinct 3 on their residential property in Precinct 7. They submitted that the proposed Precinct 3 redevelopment to a mix of commercial (child care and medical) and residential is inappropriate for the following reasons:

- The lots facing Princes Highway are separated from the main thoroughfare by a landscaped outer separator reserve and service road and derive no particular benefit from the highway frontage.
- There is a connectedness and homogeneity with the established residential area which extends from the highway south to the township core.
- It is not appropriate to provide for the creation of a ribbon of commercial development along this service road frontage which bears no relationship with or connectivity to the core of the Pakenham township commercial/business area.
- Properties in Precinct 3 should be integrated with and be subject to the same development controls as the abutting residential areas to the south.

VicRoads (Submission 13) was concerned that the Objectives of Precinct 3 include complementary residential uses such as aged care, medical and health related services, child care centres, and offices, and that these activities will generate higher numbers of vehicle movements than the existing residential properties. Although all properties gain access via the service lane, the service lane is still part of the Road Zone Category 1.

VicRoads submitted that proposals for minor intensification such as dual-occupancy developments on an existing single residential site are unlikely to cause significant impact on the arterial road because of the service lane access. More significant development such as offices, medical centres, child care and aged care facilities may have impacts on the through-lanes of Princes Highway even if it does not result in physical alteration of access due to the limited vehicle deceleration opportunities at the existing entry points to the service lane. VicRoads reminded Council to have regard to these considerations as they exercise their discretion in relation to the proposed notice and review requirements under Clause 37.08-7 Activity Centre Zone) as well as Clause 52.29 (Land adjacent to a Road Zone Category 1).

Council supported including additional specific guidelines/requirements relating to traffic movement impacts on the Princes Highway service road in Precinct 3, such as requiring the submission of an empirical traffic impact assessment that addresses any specific matters as identified by VicRoads. It said that changes can be made to the ACZ schedule at:

- Clause 6.0 – Application Requirements
- Clause 8.0 – Decision Guidelines under the heading of ‘Transport and Movement’.

Council noted that Clause 7.0 – ‘Notice and Review’ does not exempt development applications in Precinct 3 and 7 from third party notice and review and it is normal practice to refer any application fronting an arterial road in a Road Zone Category 1 to VicRoads and to heed the advice provided, even when it is not a statutory referral.

(iii) Discussion

The Panel agrees with Council that the Princes Highway creates a specific urban environment that provides greater opportunities for access and visibility than a standard residential street. The Panel thinks that there is merit in providing for a mixed use outcome with higher density residential and commercial uses limited to child care centres, medical centres and the like in Precinct 3 as part of the broader activity mix in the area.

In respect of traffic access, the Panel notes that Clause 66.03 makes the Roads Corporation a Determining referral authority for an application under Clause 52.29 for:

An application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or an arterial road under the Road Management Act 2004, land owned by the Roads Corporation for the purpose of a road, or land in a [Public Acquisition Overlay] if the Roads Corporation is the acquiring authority for the land, subject to exemptions specified in the clause.

The Panel does not support the requirement for an additional traffic assessment. This can be determined on a case by case basis depending on the application.

The Panel observes that ensuring adequate access ought to be considered before an area is identified for intensification or land use change. Having said this the presence of the service road should mean that range of uses can be accommodated, but this is something that may need to be re-examined in the future. This re-examination ought to assess the overall traffic

capacity for the service land and its corresponding intersections with the through lanes to guide a more informed strategic response to land with a service land frontage.

(iv) Conclusion

The Panel concludes:

- additional provisions requiring traffic assessments in Precinct 3 in the Activity Centre Zone are not warranted.

4.9 The interface of Precinct 3 with Precinct 7

(i) The issue

Related to the issues discussed in the previous Chapter, R Myslinska and R Polonski (Submission 6) raised concerns about Precinct 3 – Princes Highway saying that it should be included in Precinct 7 Residential, and that the properties along Princes Highway are not suitable for higher density.

(ii) Submissions

R Myslinska and R Polonski raised concern about the amenity impacts to properties on the boundary (particularly at the rear) of Precinct 3 and Precinct 7, including overlooking concerns and overdevelopment, and stating there is no interface treatment between rear properties in Precinct 7 which adjoins Precinct 3.

Council submitted that Clause 4.4 Design and development in the ACZ, under the heading Dwelling requirements, sets out requirements for multi dwelling developments to provide sympathetic treatments to adjoining residential precincts in line with the requirements of Clause 55. In addition, all apartment developments are subject to the provisions of Clause 58 Apartment Developments.

Clause 4.4, under the heading ‘Commercial and mixed use requirements and guidelines’, sets out requirements for commercial and mixed use developments that interface with Precinct 7:

New buildings adjoining a residential property or Precinct 7 must respect the existing or preferred urban context and respond to the features of the site. Buildings should be set back from side and rear boundaries, and other buildings within the site to:

- Ensure adequate daylight into new habitable room windows.
- Avoid direct views into habitable room windows and private open space of new and existing dwellings.
- Developments should avoid relying on screening to reduce views.
- Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.

Council proposed one change under the heading ‘Commercial and mixed use requirements and guidelines’, at dot point 1, subpoint 3, to read:

- Minimise casting shadows on public space and open space and private open spaces.

Council considered that the requirements of the proposed ACZ1 and Clause 55 will adequately address the interface between Precincts 3 and 7.

R Myslinska and R Polonski pointed out that:

... there are many potential forms of development which are not subject to the requirements of Clause 55 (for example, Offices, Apartments, Residential Aged Care, Medical Centre/Hospital), many of which are to be permitted 'as of right' and which have no height restriction other than a 'preferred' height provision.

(iii) Discussion

The Panel agrees that there is the potential for unacceptable overshadowing of residential open space from development in Precinct 3 onto residential properties in Precinct 7.

The ACZ parent provision requires that an application to construct a building or construct or carry out works must be accompanied by:

Shadow diagrams based on the equinox shown for existing conditions and the proposed development.

The Panel supports the reference to overshadowing in the ACZ but thinks that it needs to sit within the dot point dealing with other private amenity impacts. More detail is warranted for this regarding whether it refers to all private open spaces, as well as the dates and times of shadow, for example, at the equinox between the hours of 10.00am and 2.00pm. The Panel thinks the best way to address these issues is to refer to Standard B21 of Clause 55.04-5 'Overshadowing open space'.

The ACZ schedule includes:

An application to construct a building or carry out works 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 if:

- The application is in Precinct 3 or 7, and/or
- The application exceeds the precinct requirements including preferred building heights or preferred building setbacks contained within Clause 5 of this schedule.

This means that third party rights remain for applications in Precinct 3.

(iv) Recommendations

The Panel recommends that in the Activity Centre Zone Schedule

Include an additional requirement for new buildings adjoining a residential property or Precinct 7 as follows:

- **Achieve Standard B21 of Clause 55.04-5 'Overshadowing open space'.**

The changes that would give effect to the Panel's recommendations are set out below.

New buildings adjoining a residential property or Precinct 7 must respect the existing or preferred urban context and respond to the features of the site. Buildings should be set back from side and rear boundaries, and other buildings within the site to:

- Ensure adequate daylight into new habitable room windows.
- Avoid direct views into habitable room windows and private open space of new and existing dwellings.
- Developments should avoid relying on screening to reduce views.
- [Achieve Standard B21 of Clause 55.04-5 'Overshadowing open space'](#).
- Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.

4.10 Integrating Precincts 6, 5 and 1

(i) The issue

David Young (Submission 7) raised concern that Precincts 6, 5 and part of 1 operate as silos and should be integrated to increase their overall value, stating that better integration between central precincts would improve Pakenham.

(ii) Submissions

Mr Young submitted:

Council advised that the Precincts have been identified separately as they provide different formats for retail delivery to the activity centre and have different opportunities for future development. While these differences are recognised through the provision of the separate precincts, the desire for these precincts to integrate through future development is a key objective.

Mr Young also thought that there should be a clear line of sight between the separate precincts and welcoming pedestrian access between the precincts.

Council submitted that the requirements set out in the proposed ACZ and the UDF will provide for appropriate interface treatments between precincts.

In the UDF the role and function for Precinct 5 is described as:

A continuation of retail and commercial activity along John Street linking in to the Retail Core Precinct providing a mixture of retail, commercial and high density residential development.

The role and function for Precinct 6 is described as:

Primarily an infill development opportunity to further activate Treloar Lane, provide additional car parking for the activity centre and link to the Retail Core Precinct.

Council submitted that the role and function described by the Structure Plan and UDF for each of these precincts are reflected in the Precinct objectives and Precinct requirements contained in the ACZ at Clause 5.5 and 5.6.

(iii) Discussion

The Panel agrees with Mr Young and Council's responses that further attention should be given to the integration of the activity centre through future public as well as private development as a key outcome of the Structure Plan. The Panel sees the integration of the activity centre precincts as a key challenge for Council going forward.

That said, this is not necessarily something that can be mandated in the ACZ. Rather, it is something that Council will need to work through with private developers and in its own capital works program. Council will need to be responsive to developments as they arise with an eye towards the future creation of a more coherent and integrated activity centre.

(iv) Conclusion

As noted previously the Structure Plan and UDF would benefit from inclusion of planned public realm improvement projects. This is not, however, something that needs to be addressed in the ACZ schedule.

4.11 Built form requirements and guidelines

(i) The issue

Concerns were raised over the preferred building heights.

JAK Investment Group Pty Ltd (Submission 19) submitted that a number of the requirements were overly prescriptive and do not address or allow for variation to site conditions, orientation of allotments or development potential of each precinct.

(ii) What the ACZ says

The ACZ sets out preferred heights, which are given effect by the following text:

Building height requirement

Buildings and works should not exceed the preferred heights specified in the precinct provisions at Clause 5 of this schedule. This does not apply to service equipment including plant rooms, lift overruns, solar collectors and other such equipment provided the following criteria are met:

- No more than 50% of the roof area is occupied by the equipment.
- The equipment is located in a position on the roof so as to minimise additional overshadowing of neighbouring properties and public spaces.
- The equipment is designed, screened and finished in a non-reflective material and of a colour to the satisfaction of the responsible authority.

Building height guidelines

Buildings and works which exceed the preferred building height specified in Clause 5 of this schedule must:

- provide an environmentally sustainable design which incorporates energy, water, waste and renewable technologies;
- provide affordable housing within the development;
- reduce visual impact by transitioning height to adjoining properties, public realm and streetscape;
- provide a maximum Street Wall Height of 15 metres;
- design the upper levels of buildings to be setback and highly articulated including a variety of floor levels and facades;
- provide sufficient solar penetration throughout the development;
- not adversely impact key public spaces, pedestrian routes and adjoining properties with overshadowing as measured on 21 March/September (Equinox) between 10.30am and 2.00pm; and
- be located at a designated gateway, as shown in the Pakenham Major Activity Centre Framework Plan in Clause 1, or be a significant consolidated site.

A development below the preferred building height which is on a site large enough to accommodate substantially greater development should demonstrate that structurally it can accommodate a larger building.

(iii) Submissions

Building height

David Young (Submission 7) supported six-storey developments, submitting that higher buildings would have the effect of reducing the visual impact of a possible future skyrail in Pakenham. However he raised concern that if the level crossing removal is a skyrail, upper

floors should be set back and sensitively designed to ensure a not so visually intrusive impression.

Joan Templar (Submission 3) also pointed out the benefits of higher built form:

Having seen the damage bush fires can do, why keep building outwards. I am a great believer of building upwards, so more than four floors high is fine by me. ... in Europe the edges of towns do not use up good farming lands. Why do we allow this to happen in Australia?

LJL Group Pty Ltd (Submission 8) objected to the height limit of 14 metres imposed on Precinct 4 – East Commercial and Mixed Use, particularly the area opposite Bourke Park. It requested the removal of the general height limit restriction, suggesting the height limit be determined by individual assessment by the Council's planning department. It stated that strict compliance with the building height will slow overall development and owners will not achieve the expected returns from developments.

LJL Group Pty Ltd pointed out that a development at 48 James Street Pakenham was recently approved for a 6 storey building with basement car park and is 18 metres in height – 4 metres over the general planning restriction.

JAK Investment Group Pty Ltd (JAK) (Submission 19) is purchasing 65,000 square metres of land, and owns about half of the land south of Main Street including all of the land in Precinct 5. Existing improvements on the land include a Coles supermarket, Target and over 750 car parks.

JAK objected to the preferred height limit of 15 metres (4 storeys) in Precincts 1 and 5 which are identified as key development sites.

JAK also queried why there was such a narrow range of preferred heights.

Precinct 5 is listed as having a preferred building height of 15 metres. The other precincts range between 13.5 and 15 metres. It is unclear as to why such a tight height range has been adopted across such a large activity centre.

Whilst recognising that these limits are preferred, it is submitted that a wider range of heights could have been employed to reflect that the different precincts are capable of different outcomes.

Given the substantial area of land owned by my client, its abuttal to the railway line and proximity to the existing station, it is submitted that the height limit in Precinct 5 should be 20 metres.

Council submitted that the proposed ACZ allows consideration of developments higher than 4 storeys, requiring a sensitive design with upper floors setback.

R Myslinska and R Polonski (Submission 6) raised concerns that Neighbourhood character is currently one and two storeys and there is no justification for the higher density development that is proposed.

Council submitted that the ACZ identifies a preferred height limit of 14 metres for Precinct 4. It is not a mandatory height limit. While the ACZ indicates preference that developments higher than four storeys are located at a designated gateway or on a significant consolidated site, other sites can be considered if the design is appropriate and it generally satisfies the objectives, requirements, and guidelines of the zone, and the outcomes sought by the Structure Plan and UDF.

Council advised that although the development application for a six-storey development at 48 James Street (precinct 2) occurred prior to the exhibition of the Amendment, the draft ACZ schedule was considered as part of the assessment of the planning application, as a 'seriously entertained document'.

In respect of residential character Council submitted that the character of the centre is expected to change over time. Pakenham is designated by Plan Melbourne as a Major Activity Centre in close proximity to a transport hub, a railway station and major arterial roads. Policy direction from the State government is for Pakenham to continue its transition from a town centre to a higher density Major Activity Centre with employment, services and housing.

Building height guidelines

JAK believed that the requirements as drafted will substantially impact on the built form outcomes possible for any redevelopment and will limit the potential to deliver the broader strategic objectives for the Activity Centre:

... under the heading of Building height guidelines it is submitted that the requirements should be met rather than must be met. It is my understanding that guidelines should not be definitive and therefore the use of the word must is improper in this instance. It is submitted that the word must be replaced with the word should.

JAK was of the view that:

... the second dot point (provide affordable housing within the development) should be amended as there will be situations where buildings that exceed the height limits will not contain residential development. It is recommended that it be amended to read *provide affordable housing within residential developments*.

Council submitted that it was not clear exactly which requirements the JAK was referring to. However Council acknowledged that the heading 'Building height guidelines' under Clause 4.4 Design and Development, and the word 'must' rather than 'should', creates confusion about the preferred height being mandatory. Also, the requirement for affordable housing should state that it applies only to residential and mixed use developments. Council proposed amending the ACZ Schedule 1 to remove this confusion by:

- amending the heading to 'Buildings above or below the preferred height guidelines'
- amending the last two dot-points under this heading to 'shoulds' rather than 'musts'
- amending dot-point 2 to make clear that this requirement applies to residential and mixed use developments only.

(iv) Discussion

Building height

The Panel agrees that the ACZ sets out a narrow range of preferred heights:

- 13.5 metres: Precinct 3 Princes Highway and Precinct 7 Residential
- 14 metres: Precinct 2 West Commercial and Mixed Use
- 15 metres: the Core retail, East Commercial and Mixed Use and the precincts containing the 'standalone malls': Pakenham Place and Marketplace.

The activity centre is designated by Plan Melbourne as a Major Activity Centre. It contains a transport hub, a railway station and major arterial roads. The activity centres will continue its transition from a town centre to a higher density Major Activity Centre with employment, services and housing close to a significant rail station.

A fundamental issue is how much restriction on the development in a Major Activity Centre is appropriate.

Plan Melbourne identifies 121 existing and future Major Activity Centres across Melbourne. Major Activity Centres are places that provide a suburban focal point for services, employment, housing, public transport and social interaction. They have different attributes and provide different functions, with some serving larger subregional catchments.

The critical issue is whether a four storey height limit is appropriate for a Major Activity Centre. Certainly, there will be parts of activity centres with sensitive interfaces where such limits are applicable. The issue is whether such a limit ought to apply in precincts that do not have a sensitive interface. In answering this question, it is important to consider what future character for the centre might be appropriate, rather than simply reflect on the existing character.

The UDF specifies a maximum of four storeys for Precinct 5 (p.29, 3.5.1, para c), despite identifying it with potential for “*significant redevelopment*”. It is not clear how this height, or any of the heights in the UDF, were derived. At the Hearing, the Panel asked how the heights were derived. The Panel understands that while there was consensus with DELWP and Council on what the appropriate heights should be, no formal analysis was presented to the Panel.

The Panel agrees with Mr Young and Ms Templar that the activity centre is capable of accommodating buildings higher than four storeys in certain locations due to the nature of adjacent land uses and the ability to limit off-site impacts through careful building design.

The Panel was told that a permit had recently been granted for a six-storey development in an area with a preferred height of four storeys – this challenges the basis of the proposed controls.

The Panel agrees that the intended separation between rail corridor and built form should enable development of taller buildings in adjacent to the rail corridor with appropriate interface design.

The impact of Level Crossing Removal Projects across Melbourne has enabled the re-imagination and restructuring of Activity Centres, which will be expected for Pakenham.

Given that the ACZ envisages only a narrow band of preferred heights from 13.5 metres to 15 metres the Panel believes it would be more appropriate to remove the preferred heights and trigger the building height guidelines for any building over 14 metres. The Panel accepts that this opens the door to higher building forms. The Panel notes that JAK sought a preferred height limit of 20 metres and this can be taken as the expected level of developer interest at the current time. The Panel can see no policy reason why the planning controls should not accommodate this aspiration in the core of the activity centre.

In respect of the residential areas the Panel thinks there is less justification for a significant increase in height at this time. The purpose of the zone includes, “*to encourage a diversity of uses and the intensive development of the activity centre.*” The Panel agrees with Council that the character of the area will change, and that some limited increase in height is justified.

A maximum height of four storeys or 13.5 metres is proposed which is one storey, or 2.5 metres, higher than permitted under the existing General Residential Zone.

Use of ‘must’ or ‘should’

The parent provision of the ACZ states:

A permit may be granted to construct a building or construct or carry out works which is not in accordance with any design and development requirement in the schedule to this zone unless the schedule to this zone specifies otherwise.

While the use of ‘must’ to convey a mandatory requirement and ‘should’ for a discretionary requirement is good practice drafting in a schedule, it is not formally set out in the VPP.

The ACZ would be clearer if it said that a permit cannot be granted to construct a building or construct or carry out works that are not in accordance with requirement expressed with the term ‘must’.

The Council proposed a number of changes to the schedule to give more discretion. The Panel agrees that more discretion is desirable for many of the guidelines. Where a mandatory requirement or guideline does not specify a clear measure it will be of little practical effect.

For these reasons the Panel considers that ‘must’ should be replaced with ‘should’ throughout the guidelines, except the guidelines in relation to residential development.

The Panel draws the distinction between prescriptive controls which set out a metric to be met and mandatory control which cannot be varied. Mandatory controls in schedules are often expressed using ‘must’ rather than ‘should’.

Council’s response to submissions is supported to the extent that it seeks to make mandatory control discretionary.

Building height guidelines

The Panel has a number of concerns with the guidelines for exceeding the preferred height:

- The reference to energy, water, waste and renewable energy technologies may imply the requirement for specific technology or appliances within the development rather than the broader requirement that the development be environmentally sustainable – this part of the dot-point should be deleted.
- The provision of affordable housing² is an important aspiration in the Victorian planning system but there has been no justification as to why it ought to be included in the activity centre for exceeding a height limit – further there is no indication of how much affordable housing ought to be provided. It is not clear that households with less than a “*moderate income*” are currently having trouble purchasing a house in Pakenham.
- Setting back the upper levels of buildings is an accepted technique to reduce the impact of taller buildings but it is not clear why the buildings need to be “*highly articulated*”. Further it is unclear why there should be a variety of floor levels and facades.

(v) Recommendations

The Panel recommends that in the Activity Centre Zone Schedule:

Replace all occurrences of ‘must’ with ‘should’ in:

² Affordable housing is defined in the *Planning and Environment Act*.

- Commercial and mixed use requirements and guidelines
- Building height guidelines
- Building setback guidelines
- Precinct guidelines.

Remove the preferred height limits from Precincts 1, 2, 4, 5, and 6, and the Building height requirement relation to preferred heights.

Include 'Buildings and works should not exceed 13.5 metres' in the guidelines in Precincts 3 and 7.

Simplify the 'Building height guidelines' to refer to a height of 14 metres to trigger a consideration of the building height guidelines.

Remove the guidelines for taller buildings relating to:

- energy, water, waste and renewable technologies
- affordable housing
- the upper levels of buildings to be highly articulated including a variety of floor levels and facades
- a designated gateway, as shown in the Pakenham Major Activity Centre Framework Plan in Clause 1, or be a significant consolidated site.

Revise the exemption for service equipment including plant rooms and the like to refer the building height guidelines and move it to after the guidelines.

The changes that would give effect to the Panel's recommendations are set out below.

Building height guidelines

Buildings and works which exceed ~~the preferred building height specified in Clause 5 of this schedule~~ 14 metres ~~must~~ should:

- ~~provide an~~ Be environmentally sustainable ~~design which incorporates energy, water, waste and renewable technologies;~~
- ~~provide affordable housing within the development;~~
- Reduce visual impact by transitioning height to adjoining properties, public realm and streetscape;
- Provide a maximum Street Wall Height of 15 metres;
- ~~design~~ Setback the upper levels of buildings ~~to be setback and highly articulated including a variety of floor levels and facades;~~
- Provide sufficient solar penetration throughout the development;
- Not adversely impact key public spaces, pedestrian routes and adjoining properties with overshadowing as measured on 21 March/September (Equinox) between 10.30am and 2.00pm; ~~and~~
- ~~be located at a designated gateway, as shown in the Pakenham Major Activity Centre Framework Plan in Clause 1, or be a significant consolidated site.~~

A development ~~below the preferred building~~ less than 14 metres in height ~~which is~~ on a site large enough to accommodate substantially ~~greater~~ taller development should be constructed ~~demonstrate that structurally it can~~ to accommodate a larger conversion to a taller building.

Building height requirement

~~Buildings and works should not exceed the preferred heights specified in the precinct provisions at Clause 5 of this schedule.~~ The building height guidelines ~~This does do~~ not

apply to service equipment including plant rooms, lift overruns, solar collectors and other such equipment provided the following criteria are met:

- No more than 50% of the roof area is occupied by the equipment.
- The equipment is located in a position on the roof so as to minimise additional overshadowing of neighbouring properties and public spaces.
- The equipment is designed, screened and finished in a non-reflective material and of a colour to the satisfaction of the responsible authority.

4.12 Rail interface

(i) The issue

DoT (Submission 14) raised concern about Precincts interfacing with the rail and road corridors which have potential for higher density development, suggesting that noise and visual amenity controls should be included for these precincts.

(ii) Evidence and submissions

Council supported including clearer direction to address noise impacts emanating from road and rail corridors on future developments, such as requiring the submission of an Acoustic Report.

Council noted that the proposed ACZ1 proposes the extension of Flower Street which runs parallel to the rail corridor. If this objective is met no property boundary in the Activity Centre, with the one exception of the Pakenham Hotel site, will directly abut the rail corridor. A road reserve between the rail corridor and properties will provide a separation between built form and the railway.

(iii) Discussion

The Panel considers that the Flower Street extension should enable adequate separation between the rail line and future development, creating an interface not uncommon in a Melbourne context.

The inclusion of a provision for an acoustic report for sensitive uses such as dwellings (presumably apartments) would create repetition given the requirements already included for apartment developments in Clause 58.04-3 Noise Impacts Objectives. The *Urban Design Guidelines for Victoria* also address this in 4.4 Rail Corridor Environs – specifically *Objective 4.4.2- To enhance the amenity and safety for adjacent uses in the railway corridor environs*.

The Panel therefore does not support including a requirement to provide an acoustic report in the ACZ1.

(iv) Conclusion

No change is required to address noise issues from the railway.

Appendix A Submitters to the Amendment

No.	Submitter
1	Amanda Hutchings
2	Jennifer Goldsack
3	Joan Templar
4	Michael & Jenny Robinson
5	Glynis Ramsay
6	Ms Myslinska and Mr Polonski
7	David Young
8	LJL Group
9	Cardinia Ratepayers and Residents Association
10	Kathleen Reimert
11	South East Water
12	Melbourne Water
13	VicRoads
14	Department of Transport
15	Victorian Planning Authority
16	Victorian School Buildings Authority (Department of Education)
17	Environmental Protection Authority
18	Country Fire Authority
19	JAK Investment Group Pty Ltd

Planning and Environment Act 1987

CARDINIA PLANNING SCHEME

AMENDMENT C228card

EXPLANATORY REPORT

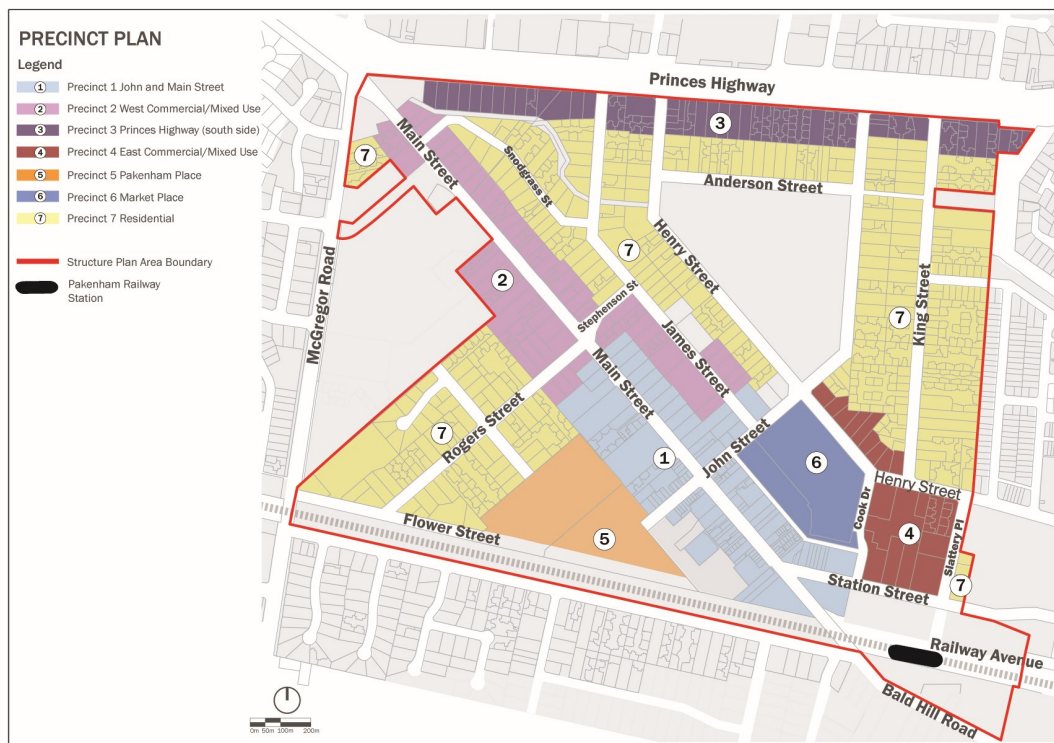
Who is the planning authority?

This amendment has been prepared by the Cardinia Shire Council the planning authority for this amendment.

The Amendment has been made at the request of Cardinia Shire Council.

Land affected by the Amendment

The Amendment applies to the Pakenham Major Activity Centre as identified in the map below.



A mapping reference table is contained in Attachment 1 to this Explanatory Report.

What the amendment does

The amendment proposes that the following changes are made to the Cardinia Planning Scheme:

- Amends Local Planning Policy at 21.03 and 21.04 of the Municipal Strategic Statement to update directions in relation to the Pakenham Major Activity Centre and to remove reference to the *Pakenham Activity Centre Incorporated Provisions, 20 March 2017* (revised May 2017) (expires 31 December 2019), the Pakenham Town Centre, and *Pakenham Structure Plan (2017)*.
- Inserts *Pakenham Major Activity Centre Structure Plan, 15 February 2021* and *Pakenham Major Activity Centre Urban Design Framework, 15 February 2021* to Clauses 21.03 and 21.04 as Reference Documents to the Cardinia Planning Scheme.

- Inserts Clause 37.08 Activity Centre Zone into the Cardinia Planning Scheme.
- Inserts a new Schedule 1 to Clause 37.08 Activity Centre Zone titled the “Pakenham Major Activity Centre”.
- Deletes Schedule 2 to Clause 43.04 Development Plan Overlay so the Activity Centre Zone Schedule 1 can guide development.
- Amends the Schedule to Clause 72.04 by deleting the *Pakenham Activity Centre Incorporated Provisions, 20 March 2017 (revised May 2017) (expires 30 June 2021)*.
- Amends Planning Scheme Zone Map Numbers 14, 15, 16 and 17 to apply the Activity Centre Zone and remove the Commercial 1 Zone, Mixed Use Zone and General Residential Zone from the Activity Centre.
- Amends Planning Scheme Map Number 14DPO and 15DPO to delete Clause 43.04 Development Plan Overlay Schedule 1 from previously proposed link road and deletes Development Plan Overlay Schedule 2.
- Amends Planning Scheme Map Numbers 14DCPO, 15DCPO and 17DCPO to delete the Development Contributions Plan Overlay Schedule 1 from Vic Track and other public land.

Strategic assessment of the Amendment

Why is the Amendment required?

The Amendment is required to give statutory effect to the objectives and strategies contained in the *Pakenham Major activity Centre Structure Plan 15 February 2021*, which guides the future land use and development in the Pakenham Major Activity Centre. Pakenham is identified as a Major Activity Centre in the Metropolitan Planning Strategy, *Plan Melbourne 2017-2050*. With this designation, it is expected that the activity centre will experience a significant amount of growth in the number of jobs and job diversity, in conjunction with an increase in housing density and diversity.

To accommodate this projected growth, Cardinia Shire Council refreshed the *Pakenham Structure Plan 2017* and has now adopted the *Pakenham Major Activity Centre Structure Plan, 15 February 2021* (Structure Plan) and the *Pakenham Major Activity Centre Urban Design Framework, 15 February 2021*. The Structure Plan provides a 20 year strategic vision for the activity centre with a strong focus on residential growth, developing the commercial areas and businesses in Main Street, and providing a safe and connected pedestrian friendly centre.

The *Pakenham Major Activity Centre Urban Design Framework, 15 February 2021* accompanies the Structure Plan to provide detailed guidance for future development in the activity centre, focusing on built form, interfaces, urban structure, and the public realm. The Urban Design Framework provides overarching principles and specific guidance to ensure new development that positively contributes to the functionality, amenity and vibrancy of the activity centre.

The Structure Plan and Practice Note has identified the Activity Centre Zone as the appropriate statutory tool to implement its strategic directions. Amendment C228 proposes to apply the Activity Centre Zone (ACZ1) to the Pakenham Major Activity Centre to guide residential and commercial development. The Activity Centre Zone has been drafted to encourage jobs and investment and provide greater clarity and direction for land use and development within the activity centre.

How does the Amendment implement the objectives of planning in Victoria?

The proposed Amendment implements the objectives of planning in Victoria by:

- 4(1)(a) Providing for the fair, orderly, economic, and sustainable use, and development of the land by facilitating growth in Pakenham, which has been identified as a Major Activity Centre.
- 4(1)(c) Securing a pleasant, efficient, and safe working, living and recreation environment for all Victorians and visitors to Victoria by facilitating the redevelopment of the activity centre with access to a transport corridor, providing diverse housing, job opportunities, shopping and entertainment.
- 4(1)(f) Facilitating development in accordance with the above objectives.
- 4(1)(g) Balancing the present and future interests of all Victorians by ensuring a mix of uses is provided within the activity centre which have access to public transport.

How does the Amendment address any environmental, social and economic effects?**Environment**

The Amendment will give statutory effect to the *Pakenham Major Activity Centre Structure Plan, 15 February 2021* which considers environmental impacts and provides solutions via Ecological Sustainable Design principles, improving green spaces including greening the street environment and water sensitive urban design to respond to the ever increasing urban heat island effect.

The amendment will assist in improving the built environment by ensuring integrated development that incorporates high quality design, energy efficiency, public transport, and encourages pedestrian and cycling activities.

As per the requirements of Ministerial Direction 1 and 19 (below), written advice from the Environmental Protection Authority (EPA) was sought for a specific site that was identified as having potential environmental impacts. The site was identified as having a potential 'medium' risk of potential contamination. However, the EPA indicated that the site did not have the use history which would require the application of an Environmental Audit Overlay. To identify and address any potential risks an application requirement (a Preliminary Site Assessment) and a staged process within the decision guideline (to implement any recommendations from a Preliminary Site Assessment and/or any possible Environmental Audit) has been included in the Activity Centre Zone Schedule 1 for the site.

Social

The amendment is expected to have a positive economic effect on the activity centre by improving the range of commercial, employment, residential and community services, and the public realm.

The *Pakenham Major Activity Centre Urban Design Framework 15 February 2021* which guides the built form and design for the activity centre supports passive surveillance and interaction with the street, providing a safer and more active environment.

Economic

The amendment will assist in promoting economic growth by stimulating private and public investment in the Pakenham Major Activity Centre. The redevelopment of key development sites within the activity centre can provide a range of new employment opportunities in commercial, retail and offices. The increased residential density surrounding the activity centre has the potential to support the commercial and retail offering of the centre by focusing infrastructure around a transport hub.

Does the Amendment address relevant bushfire risk?

The land within and surrounding the Amendment area is not subject to bushfire risk. The Amendment does not impact on existing bushfire controls and will not result in any increase to the risk of life, property, community infrastructure or the natural environment from bushfire.

Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is considered to be consistent with:

- Ministerial Direction - *The Form and Content of Planning Schemes* – under section 7(5) of the Planning and Environment Act 1987.
- Ministerial Direction 1 – Potentially Contaminated Land – which seeks a referral response to potentially contaminated land and includes preliminary site assessment or an environmental audit before a sensitive use commences or the construction or carrying out buildings and works in association with a sensitive use commencing.
- Ministerial Direction 9 – Metropolitan Planning Strategy – which seeks to ensure that planning scheme amendments have regard to the Metropolitan Planning Strategy, *Plan Melbourne 2017-2050*.
- Ministerial Direction 11 – Strategic Assessment of Amendments – which seeks to ensure comprehensive strategic assessment of planning scheme amendments.

- Ministerial Direction 19 – information requirement for amendments that may result in impacts on the environment, amenity and human health – which seeks the views of the Environment Protection Authority in preparation of planning scheme amendments that could result in use or development of land that may result in significant impacts on the environment, amenity and human health due to pollution and waste.

How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?

The amendment will support the relevant objectives of the Planning Policy Framework (PPF).

Particularly, the amendment will support the following State planning objectives:

Clause 11 Settlement

The amendment addresses Clause 11.03-1S (Activity Centres) by encouraging the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community. This is consistent with the strategies which outline that Major Activity Centres that seek to support Melbourne's Major Activity Centres. It concentrates higher density housing and employment opportunities with access to services and public transport.

Clause 15 Built Environment and Heritage

The amendment addresses Clause 15.01-1S (Urban Design) and Clause 15.01-2S (Building Design) by updating the *Pakenham Town Centre Urban Design Framework 2004* and replacing it with the *Pakenham Major Activity Centre Urban Design Framework, 15 February 2021*. The Framework encourages high quality architecture and positive urban design outcomes focusing on interfaces, built form, environment, the public realm and changing neighbourhood character. The Framework provides guidance for new development within the activity centre.

Clause 16 Housing

The amendment addresses Clause 16.01-3S (Housing Diversity) which increases residential density in the activity centre which will support the provision of a diverse range of housing.

Clause 17 Economic Development

The amendment addresses Clause 17.01-1S (Diversified Economy) and Clause 17.02-1S (Business) by providing for a range of opportunities for commercial – including retail, entertainment, office and other commercial facilities - and business growth and provides a framework for the location and management of growth.

Clause 18 Transport

The amendment addresses Clause 18.01-1S (Land use and transport planning) and Clause 18.02-2S (Public Transport) by encouraging and facilitating growth, including increased residential density and development within the Pakenham Major Activity Centre which is well serviced and in close proximity to public transport.

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

Clause 21.03 Settlement and Housing

The amendment supports the maximisation of development of high density quality housing with the Pakenham Major Activity Centre.

Clause 21.04 Economic Development

The amendment supports employment and jobs within the Pakenham Major Activity Centre by expanding and encouraging a diverse range of commercial uses and services within the activity centre.

Clause 21.06 Particular Uses and Development

The amendment supports good design outcomes ensuring future development is site and context responsive, providing a strong character and identity for the Pakenham Major Activity Centre by introducing the *Pakenham Major Activity Centre Urban Design Framework, 15 February 2021*.

Does the Amendment make proper use of the Victoria Planning Provisions?

The amendment makes proper use of the Victorian Planning Provisions (VPPs) by applying the ACZ to the Pakenham Major Activity Centre, which is consistent with State policies.

The amendment has been prepared in accordance with Planning Practice Note 56 Activity Centre Zone (PPN56). The adopted *Pakenham Major Activity Centre Structure Plan, 15 February 2021* was prepared in accordance with the requirements of Planning Practice Note 58 Structure Planning for Activity Centres (PPN58). As well as Practice Note 60 Height and Setback Controls for Activity Centres, which guided the *Pakenham Major Activity Centre Urban Design Framework, 15 February 2021* providing preferred built form outcomes.

The proposed ACZ1 includes objectives and development provisions to facilitate an intensification of the residential areas, support the commercial and economic development, and making optimum use of facilities and public transport services in the activity centre.

How does the Amendment address the views of any relevant agency?

The views of the relevant agencies were sought during preliminary referrals and during exhibition of the Amendment.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The amendment complies with the requirement of the Transport Integration Act 2010 by allowing for intensified development in an area which is well serviced by public transport.

Resource and administrative costs

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment is not expected to create added administrative costs or resourcing and has the potential to reduce the administrative costs through clarification of planning scheme provisions.

ATTACHMENT 1 - Mapping reference table

Location	Land /Area Affected	Mapping Reference
Pakenham	Pakenham Major Activity Centre	14, 15, 16, 17
Pakenham	Land bounded by Princes Highway, McGregor Road, Pakenham Railway Line and the former Pakenham Racecourse residential development or Comprehensive Development Zone land.	Cardinia C228 001znMaps14_15_16_17 Exhibition
Main Street Pakenham marked as McGregor Reserve	Land adjoining Dame Pattie Avenue and 13 Main Street Pakenham.	Cardinia 228 022d-dpoMaps14_15 Exhibition
50-54 John Street Pakenham	Land bounded by Treloar Lane, Cook Drive, Henry Street and John Street.	
Railway Avenue	VicTrack land including Bourke Park, northern Station car park and the Railway line along Railway Avenue.	Cardinia C228d-dcpoMaps15_17 Exhibition

*Planning and Environment Act 1987***CARDINIA PLANNING SCHEME****AMENDMENT C228card****INSTRUCTION SHEET**

The planning authority for this amendment is the Cardinia Shire Council.

The Cardinia Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 3 attached maps sheets.

Zoning Maps

1. Amends Planning Scheme Map Nos. 14, 15 and 17 in the manner shown on the 1 attached map marked "Cardinia Planning Scheme, Amendment C228".

Overlay Maps

2. Amend Planning Scheme Map Nos. 14DPO and 15 DPO in the manner shown on the 1 attached map marked "Cardinia Planning Scheme, Amendment C228".
3. Amend Planning Scheme Map Nos. 14DCPO, 15DCPO and 17DCPO in the manner shown on the 1 attached map marked "Cardinia Planning Scheme, Amendment C228".

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

4. In Local Planning Policy Framework – replace Clause 21.03 with a new Clause 21.03 in the form of the attached document.
5. In Local Planning Policy Framework – replace Clause 21.04 with a new Clause 21.04 in the form of the attached document.

~~6. In Local Planning Policy Framework – replace Clause 21.06 with a new Clause 21.06 in the form of the attached document.~~

~~7.6.~~ In Zones- insert Clause 37.08 in the form of the attached document.

~~8.7.~~ In Zones –Clause 37.08, insert a new Schedule 1 in the form of the attached document.

~~9.8.~~ In Overlays – Clause 43.04, delete Schedule 2.

~~10.9.~~ In Operational Provisions – Clause 72.04, replace the Schedule with a new Schedule in the form of the attached document.

End of document

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7. In Zones –Clause 37.08, insert a new Schedule 1 in the form of the attached document.
8. In Overlays – Clause 43.04, delete Schedule 2.
9. In Operational Provisions – Clause 72.04, replace the Schedule with a new Schedule in the form of the attached document.

End of document

CARDINIA PLANNING SCHEME

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Proposed C228**21.03-1**20/11/2020
C250card**SETTLEMENT AND HOUSING****Housing****Overview**

Housing within the Cardinia Shire is currently dominated by detached dwellings in both urban and rural areas. The urban area includes the Urban Established Area and the Urban Growth Area, while the rural area comprises Townships and rural-residential development..

The urban area in the Cardinia Shire will continue to attract predominantly young families into the foreseeable future. However, as the housing market progressively matures and the needs of households change there will be increasing demand for more diverse forms of housing.

Key issues

- Providing for a diversity of housing types and densities, including increased housing density around activity centres.
- Balancing diversity of housing choices in rural townships while ensuring consistency with the character of the township.
- Recognising the need for affordability and availability of housing choice for different income levels in both the rental and purchaser markets.
- Recognising the demand for specialist design housing including housing for the aged, people with a disability or mobility issues.
- Identifying the demand for social and community housing.
- Providing opportunity for development of 'Affordable Housing'.

Objective 1

To encourage a diversity in housing to meet the needs of existing and future residents.

Strategies

- Ensure that future housing growth is effectively managed to maintain and enhance the qualities of the municipality.
- Encourage a range of lot sizes and housing types in new developments that satisfy the needs and aspirations of the community.
- Encourage an increase in densities that has a high standard of urban design, timely provision of infrastructure and is consistent with the existing and/or preferred neighbourhood character.
- Encourage medium density housing to be located within or at the interface of activity centres and overlooking local and linear open space.
- Ensure residential development and subdivisions are designed to be responsive to existing urban character.
- Ensure that new development is located within a safe, attractive and well planned environment that allows residents to maximise opportunities to undertake physical activity.

Objective 2

To encourage the provision of housing to cater for groups within the community with specific housing requirements.

Strategies

- Encourage the development of a diverse, flexible, adaptable range of housing types and tenures.

CARDINIA PLANNING SCHEME

- Encourage the establishment of social and community housing in townships and areas within the urban growth boundary with good access to public transport and services.
- Encourage and facilitate the development of ‘Affordable Housing’ as set out in the *Planning and Environment Act 1987*, in townships and within the urban growth boundary with good access to public transport and services.
- Encourage the development of appropriately located and designed accommodation for the aged including options for ageing in place.
- Encourage development that supports adaptive housing, in appropriate locations.

Implementation

The strategies in relation to housing will be implemented through the planning scheme by:

Use of policy and exercise of discretion

- When assessing new developments and residential subdivisions use the Healthy by Design (January 2017) checklist, as appropriate.

Application of zones and overlays

- Applying the Comprehensive Development Zone to substantial development sites with a mix of uses.
- Applying the Low Density Residential Zone to land located within the urban growth boundary, and within townships where bushfire exposure is not higher than 12.5 kw/sqm and development can be adequately serviced.

Further strategic work

- Progressively rezoning land for residential purposes in accordance with township strategies.
- Reviewing the application of the Comprehensive Development Zone and rezoning to standard zones when development is complete.
- Further develop the draft Childcare Centre Policy as a local policy to also include all non-residential uses in residential areas.

Reference documents

Casey-Cardinia Growth Area Framework Plan, 2006

Southern Regional Housing Statement, Southern Regional Housing Working Group, April 2006

Housing Strategy 2013 – 2018, Strategic Action Plan, December 2013

Healthy by Design, January 2017, (Cardinia Shire)

21.03-2

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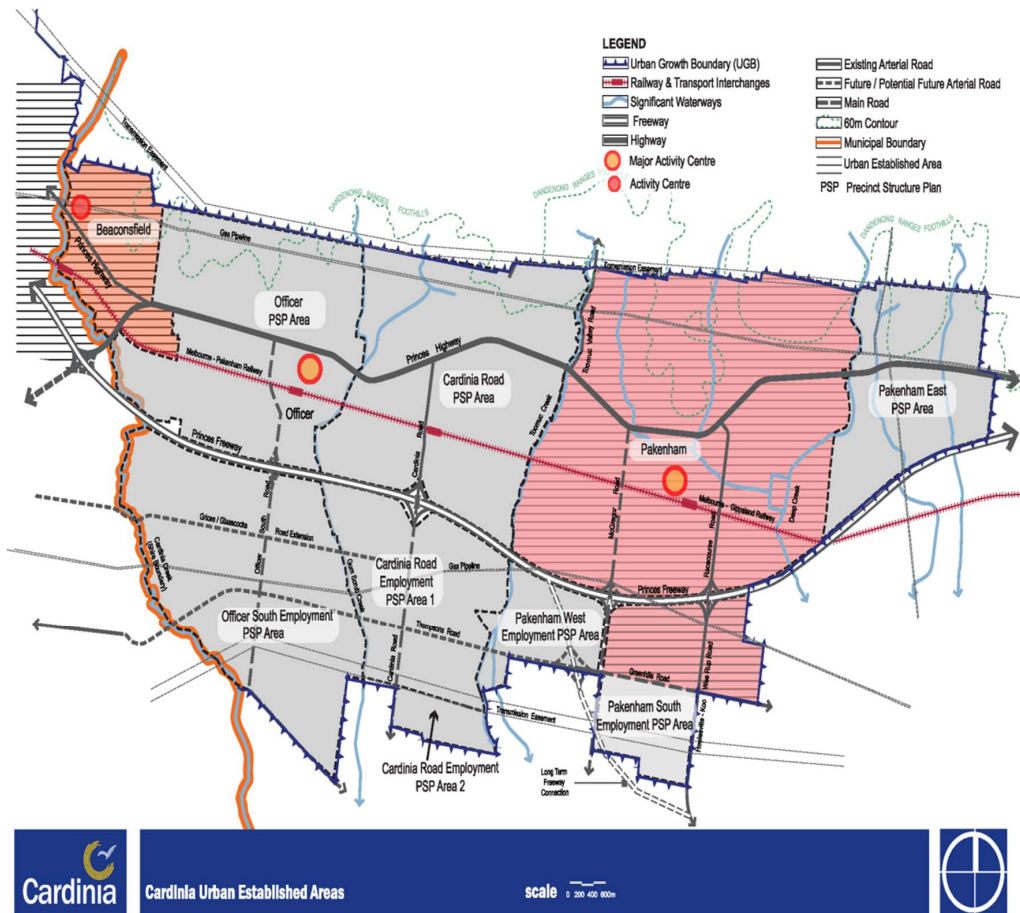
Urban Established Area - Beaconsfield and Pakenham

Part of the Cardinia Shire, between Beaconsfield and Pakenham East, is located within the Casey-Cardinia Growth Area for metropolitan Melbourne, and has been recognised as part of a metropolitan growth corridor since 1971.

The Cardinia Shire urban area is divided into ten precincts. The Beaconsfield and Pakenham precincts represent the Urban Established Area of the Shire, as shown in Figure 1.

CARDINIA PLANNING SCHEME

Figure 1: Cardinia Urban Established Area



Key issues

Key elements of the Urban Established Area includes:

- Land for residential purposes in Beaconsfield, and generally north of the Princes Freeway in Pakenham.
- Land for employment purposes in Beaconsfield Activity Centre, and in Pakenham Major Activity Centre land north of Greenhills Road.
- A Major Activity Centre at Pakenham.
- A Large Neighbourhood Activity Centre at Beaconsfield.
- Open space corridors along Toomuc Creek and Deep Creek.
- An arterial road network including the Princes Freeway (Pakenham Bypass), Princes Highway, Beaconsfield-Emerald Road, McGregor Road, Greenhills Road, Healesville-Koo Wee Rup Road, and Racecourse Road.
- A principal public transport network comprising railway stations at Beaconsfield and Pakenham along the Gippsland Railway Line, and a regional bus route along the Princes Highway to the Pakenham ~~Town Centre~~ Major Activity Centre.

Key principles for development include:

- To coordinate the appropriate staging and development of land.
- To ensure greater diversity of housing types and size.

CARDINIA PLANNING SCHEME

- To increase ‘Affordable Housing’ for very low, low and moderate income households.
- To attract commercial investment and create diverse employment opportunities.
- To create vibrant well serviced activity centres.
- To provide sustainable transport networks.
- To ensure that urban areas are well serviced by utility infrastructure.
- To deliver accessible community facilities and infrastructure.
- To deliver arts and cultural facilities.
- To create multi use, linked open space networks.
- To increase environmental sustainability.
- To achieve good urban design outcomes with a strong urban character.
- To ensure the development of new infrastructure supports and encourages an active lifestyle.

Objective

To create a functional, attractive, safe and sustainable urban environment for the existing and future community of the Urban Established Area.

Strategies

- Provide for the development in the Urban Established Area in accordance with approved Development Plans, Structure Plans, Urban Design Frameworks, and Incorporated Provisions.
- Provide for Infrastructure Contributions or Development Contributions, as appropriate, to fund physical and community infrastructure associated with urban development.
- Protect areas of future urban development from inappropriate subdivision and development that limits the future orderly and efficient development of the land for urban purposes.
- Provide a distinct character and identity for urban areas through retention of existing vegetation, respect for topography, appropriate streetscaping and provision of adequate open space.

Implementation

The strategies in relation to the Urban Established Areas will be implemented through the planning scheme by:

Use of policy and exercise of discretion

- When deciding on applications for use and development within the Urban Established Areas, considering, as appropriate:
 - *Healthy by Design checklist, January 2017.*

Application of zones and overlays

- Applying the Comprehensive Development Zone to substantial redevelopment sites with a mix of uses.
- Applying the Development Contributions Plan Overlay (DCPO), as appropriate, to areas with approved Infrastructure Contributions Plans or Development Contributions Plans to facilitate timely provision of infrastructure.

Further strategic work

- Implement the actions identified in the *Pakenham [Major Activity Centre Structure Plan, 15 February 2021](#).*
- Investigate a policy or development plan to appropriately manage subdivision, infrastructure provision, and development within Ryan Road area in Pakenham.

CARDINIA PLANNING SCHEME

Reference documents

- Casey-Cardinia Growth Area Framework Plan, 2006*
- Housing Strategy 2013 – 2018, Strategic Action Plan, December 2013*
- Healthy by Design, January 2017 (Cardinia Shire)*
- Beaconsfield Structure Plan, (December 2013), expires 31 December 2021*
- Pakenham Township Development Contributions Plan, September 1997 (Amended June 2017)*
- Pakenham Major Activity Centre Structure Plan, March 2017 15 February 2021*
- Pakenham Major Activity Centre Urban Design Framework, 15 February 2021*
- Former Pakenham Racecourse Comprehensive Development Plan, February 2010*
- Arts and Cultural Facilities Feasibility Study, June 2015 (Cardinia Shire)*

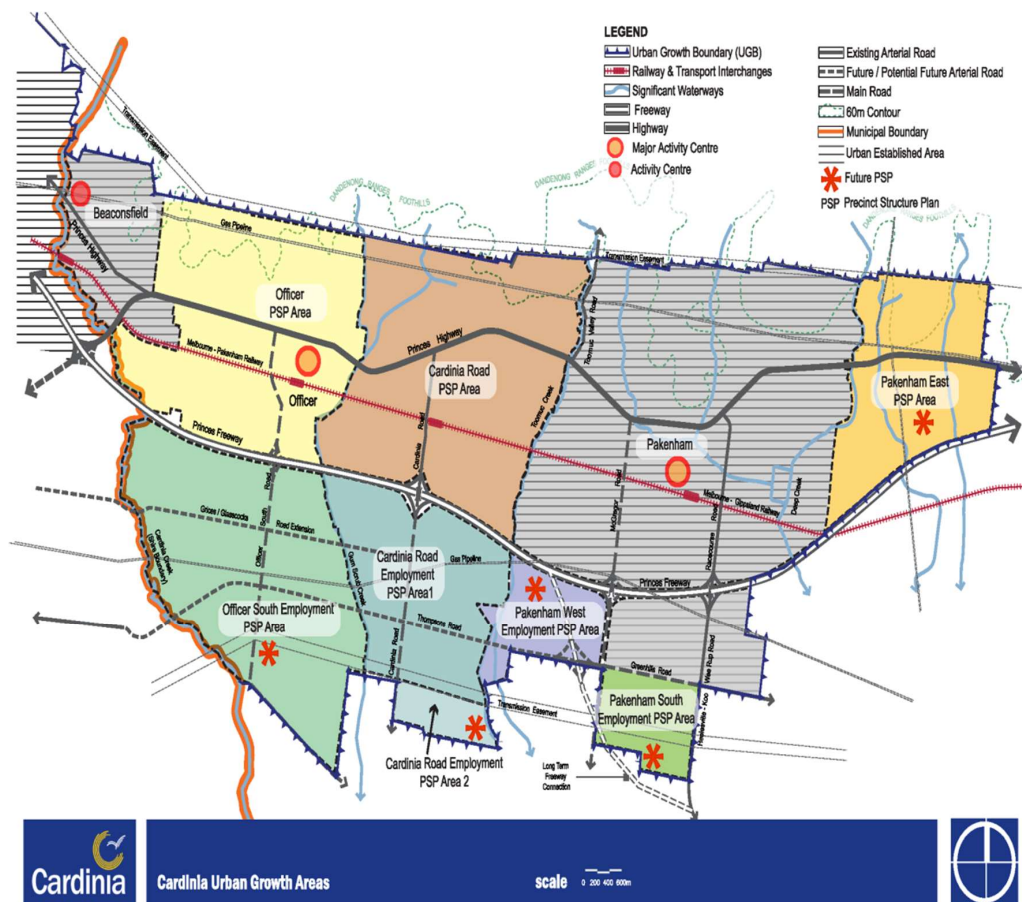
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Urban Growth Area

Overview

Within the Cardinia urban area, there are eight precincts that make up the Urban Growth Area of the Shire as shown in Figure 2.

Figure 2: Cardinia Urban Growth Area



Key issues

Key elements of the Casey-Cardinia Growth Area Framework Plan, 2006 in relation to the Cardinia Urban Growth Area include:

CARDINIA PLANNING SCHEME

- An urban growth boundary generally defined by the electricity transmission line easement to the north, Mount Ararat North Road and Mount Ararat South Road to the east, and generally the electricity transmission line easement and Koo Wee Rup Flood Protection District to the south.
- Land for urban residential purposes north of the Princes Freeway (Pakenham Bypass).
- A major employment corridor (Pakenham-Officer State-significant Industrial Precinct) of approximately 2,500 hectares south of the Princes Freeway (Pakenham Bypass).
- A Major Activity Centre at Officer.
- Large Neighbourhood Activity Centres at Lakeside Boulevard and Lakeside Square.
- Open space corridors along Cardinia Creek, Gum Scrub Creek, Toomuc Creek and Deep Creek, including regional parklands associated with Cardinia Creek.
- An arterial road network including the Pakenham Bypass (Princes Freeway), Princes Highway, Thompson Road to Greenhills Road connection, Beaconsfield Emerald Road, O'Sheas Road connection, Officer South Road, Cardinia Road, Pakenham Road, McGregor Road and Koo Wee Rup Road.
- A principal public transport network comprising railway stations at Beaconsfield, Officer, Cardinia Road and Pakenham along the Gippsland Railway Line, and a regional bus route along the Princes Highway to the Pakenham Town Centre.

Key principles for the development of precincts include:

- To coordinate the appropriate staging and development of land.
- To ensure greater housing choice, diversity and affordability.
- To increase 'Affordable Housing' for very low, low and moderate income households.
- To attract commercial investment and create diverse employment opportunities.
- To create vibrant well serviced activity centres.
- To provide sustainable transport networks.
- To ensure that urban areas are well serviced by utility infrastructure.
- To deliver accessible community facilities and infrastructure.
- To deliver arts and cultural facilities.
- To create multi use, linked open space networks.
- To increase environmental sustainability.
- To achieve good urban design outcomes with a strong urban character.
- To ensure the development of new infrastructure supports and encourages an active lifestyle.

Objectives

To create a functional, attractive, safe and sustainable urban environment for the existing and future community of the Urban Growth Area.

To provide for development of Precinct Structure Plans in accordance with the South East Growth Corridor Plan.

Strategies

- Provide for the staging of development in the Urban Growth Area in accordance with the following table:

CARDINIA PLANNING SCHEME

Location	Staging
Cardinia Road Precinct Structure Plan	Short to medium term
Officer Precinct Structure Plan	Short to medium term
Pakenham East Precinct Structure Plan	Medium term
Pakenham South Employment Precinct Structure Plan	Short to medium term
Pakenham West Employment Precinct Structure Plan	Long term
Cardinia Road Employment Precinct Structure Plan Area 1	Short to medium term
Officer South Employment Precinct Structure Plan	Medium to long term
Cardinia Road Employment Precinct Structure Plan Area 2	Review the option of potential development in this area in the long term

(Base year 2018: short term – 0 to 5 years, medium term – 5 to 15 years, long term - 15 years +)

- Provide for development in the Urban Growth Area in accordance with approved Precinct Structure Plans.
- Provide for infrastructure contributions or development contributions, as appropriate, to fund physical and community infrastructure associated with urban development.
- Protect areas of future urban development from inappropriate subdivision and development that limits the future orderly and efficient development of the land for urban purposes.
- Provide a distinct character and identity for urban areas through retention of existing vegetation, respect for topography, appropriate streetscaping and provision of adequate open space.

Application of zones and overlays

- Applying the Infrastructure Contributions Overlay (ICO), or Development Contributions Plan Overlay (DCPO), as appropriate, to areas with approved Infrastructure Contributions Plans or Development Contributions Plans to facilitate timely provision of infrastructure.
- Applying the Comprehensive Development Zone to substantial redevelopment sites with a mix of uses.

Further strategic work

- Progressively prepare detailed Precinct Structure Plans, Activity Centre Structure Plans and Infrastructure Contribution Plans for precincts within the Urban Growth Area.

Reference documents

Casey-Cardinia Growth Area Framework Plan, 2006

Cardinia Road Precinct Structure Plan, September 2008

Cardinia Road Precinct Development Contributions Plan, September 2008 (Revision 1.4 2017)

Cardinia Road Employment Precinct Structure Plan, September 2010

Officer Precinct Structure Plan, September 2011

Officer Development Contributions Plan, 2011 (Amended June 2017)

Pakenham West Comprehensive Development Plan, 1 September 2005

Housing Strategy 2013-2018, Strategic Action Plan December 2013

Arts and Cultural Facilities Feasibility Study, 2015

CARDINIA PLANNING SCHEME

21.03-420/11/2020
C250card**Rural townships**

The Cardinia Shire covers an area of 1,280 square kilometres with the pattern of settlement primarily focused in the Urban Established Area, Urban Growth Area and townships ranging from large rural townships to rural localities as shown in the table below.

Large rural townships	Small rural townships	Rural localities
Emerald	Avonsleigh	Tynong North
Gembrook	Clematis	Tonimbuk
Cockatoo	Bayles	Pakenham South
Upper Beaconsfield	Cardinia	Pakenham Upper
Garfield	Maryknoll	Iona
Bunyip	Tynong	Cora Lynn
Koo Wee Rup		Catani
Lang Lang		Heath Hill
Nar Nar Goon		Caldermeade
		Monomeith
		Dewhurst
		Modella
		Yannathan
		Guys Hill
		Nangana

Key issues

- Retaining and enhancing the existing rural township character.
- Setting clear limits for development for the townships.
- Acknowledging that the capacity for growth varies depending on the environmental and infrastructure capacities of each of the towns.
- Designing with regard to the surrounding unique characteristics of the townships.
- To deliver arts and cultural facilities.

Objective 1

To provide for the sustainable development of townships in the municipality having regard to environmental and servicing constraints.

Strategies

- Provide sewage treatment and stormwater management systems to minimise the impact of existing township development on the environment, and to enable development to occur in townships in accordance with strategy plans.

Objective 2

To maintain and enhance the distinct character and environmental qualities of each of the townships.

CARDINIA PLANNING SCHEME**Strategies**

- Ensure that the siting and design of new buildings and works complement the rural character of the township, and does not dominate the landscape or surrounding built form character.
- Maintain the current diverse range of lot sizes in the hills towns as an intrinsic part of their character.
- Protect the natural environment and character of the area, particularly areas of remnant vegetation in the hills townships.
- Maintain and promote the overall historic character within each township.
- Encourage new development to include works that enhance the environment including the protection of waterways and remnant vegetation, weed control and revegetation.

Objective 3

To create sustainable and functional townships that support a range of commercial, retail, community and recreational facilities and services.

Strategies

- Limit residential development, including rural residential subdivision, in the hills towns (Emerald, Gembrook, Cockatoo, Upper Beaconsfield, Clematis, Avonsleigh, and Maryknoll) unless provided for by the township strategies or the development results in significant environmental or community benefits.
- Recognise Emerald in the northern part of the municipality and Koo Wee Rup in the southern part of the municipality as a focus for higher order commercial and community facilities and services.

Implementation**Use of policy and exercise of discretion**

- When assessing new developments and residential subdivisions use the *Healthy by Design checklist, January 2017*, as appropriate.

Application of zones and overlays

- Applying the Restructure Overlay to facilitate the restructuring of old and inappropriate subdivisions within rural townships.

Further strategic work

- Preparing a Design and Development Overlay to apply to land included in a Neighbourhood Residential Zone in Koo Wee Rup, Lang Lang and other townships.
- Preparing a Design and Development Overlay to apply to land included in a General Residential Zone in Garfield and Bunyip.
- In consultation with the local community, prepare a policy statement for all small rural townships that will establish a basis for future strategic planning decisions in each township.
- Preparing Township Strategies for large rural townships where one has not yet been prepared.
- Progressively undertake reviews of each Township Strategy.
- Investigate the sustainable development of towns within the green wedge, with a priority to investigate Nar Nar Goon, Tynong, Garfield and Bunyip.

Reference documents

Cardinia Township Character Assessment - Garfield, Bunyip, Koo Wee Rup and Lang Lang, November 2006

Bunyip Township Strategy, September 2009.

CARDINIA PLANNING SCHEME

Cockatoo Township Strategy, March 2008

Emerald District Strategy, June 2009.

Garfield Township Strategy, August 2002.

Koo Wee Rup Township Strategy, October 2015

Lang Lang Township Strategy, July 2009.

Upper Beaconsfield Township Strategy, July 2009

Healthy by Design, January 2017 (Cardinia Shire)

Arts and Cultural Facilities Feasibility Study, 2015 (Cardinia Shire)

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Rural residential and rural living development**Overview**

Rural residential development is defined as the development of single dwellings on lots of between 0.4 hectare and 2.0 hectares. Rural living is defined as residential development on lots between 2 hectares and 16 hectares. The *Land Capability Study of the Cardinia Shire, 1997* undertaken for the Cardinia Shire Council recognises that the indiscriminate development of land for small lot rural and rural residential purposes may result in extensive land and water degradation, loss of high quality agricultural land and unnecessarily high development and maintenance costs.

Key issues

- Integrating rural residential and rural living development with an urban area or township.
- Recognising that rural residential and rural living development impacts on the environmental characteristics and constraints of the area.
- Recognising the impact of rural residential and rural living development encroaching on agricultural land.

Objective 1

To recognise the demand for rural residential and rural living development, and to provide for this development where it is closely integrated with an existing township or urban area.

Strategies

- Ensure that rural residential and rural living development is appropriately located to minimise its impact on surrounding agricultural land.
- Encourage rural residential development within existing urban areas and townships.

Objective 2

To ensure development reflects a high quality of design and does not result in environmental degradation.

Strategies

- Ensure subdivisions and developments are designed to take into account the constraints of the area and limit detrimental impacts to the surrounding environment.
- Ensure that rural residential and rural living development on land affected by environmental hazards and constraints is undertaken in a manner which prevents environmental degradation and minimises any risk from hazards.

CARDINIA PLANNING SCHEME

- Ensure that any proposal for rural residential and rural living development is assessed in relation to its ability to contain all wastewater within the site.
- Ensure that proposed development will not increase and will adequately control pest plants and pest animals on site.

Implementation

Further work

- Rezoning Rural Living Zones within the Urban Growth Boundary to a residential zone.

Reference documents

Land Capability Study of the Cardinia Shire, 1997

PPN37 – Rural Residential Development, June 2015

CARDINIA PLANNING SCHEME

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SETTLEMENT AND HOUSING**Housing****Overview**

Housing within the Cardinia Shire is currently dominated by detached dwellings in both urban and rural areas. The urban area includes the Urban Established Area and the Urban Growth Area, while the rural area comprises Townships and rural-residential development.

The urban area in the Cardinia Shire will continue to attract predominantly young families into the foreseeable future. However, as the housing market progressively matures and the needs of households change there will be increasing demand for more diverse forms of housing.

Key issues

- Providing for a diversity of housing types and densities, including increased housing density around activity centres.
- Balancing diversity of housing choices in rural townships while ensuring consistency with the character of the township.
- Recognising the need for affordability and availability of housing choice for different income levels in both the rental and purchaser markets.
- Recognising the demand for specialist design housing including housing for the aged, people with a disability or mobility issues.
- Identifying the demand for social and community housing.
- Providing opportunity for development of 'Affordable Housing'.

Objective 1

To encourage a diversity in housing to meet the needs of existing and future residents.

Strategies

- Ensure that future housing growth is effectively managed to maintain and enhance the qualities of the municipality.
- Encourage a range of lot sizes and housing types in new developments that satisfy the needs and aspirations of the community.
- Encourage an increase in densities that has a high standard of urban design, timely provision of infrastructure and is consistent with the existing and/or preferred neighbourhood character.
- Encourage medium density housing to be located within or at the interface of activity centres and overlooking local and linear open space.
- Ensure residential development and subdivisions are designed to be responsive to existing urban character.
- Ensure that new development is located within a safe, attractive and well planned environment that allows residents to maximise opportunities to undertake physical activity.

Objective 2

To encourage the provision of housing to cater for groups within the community with specific housing requirements.

Strategies

- Encourage the development of a diverse, flexible, adaptable range of housing types and tenures.

CARDINIA PLANNING SCHEME

- Encourage the establishment of social and community housing in townships and areas within the urban growth boundary with good access to public transport and services.
- Encourage and facilitate the development of ‘Affordable Housing’ as set out in the *Planning and Environment Act 1987*, in townships and within the urban growth boundary with good access to public transport and services.
- Encourage the development of appropriately located and designed accommodation for the aged including options for ageing in place.
- Encourage development that supports adaptive housing, in appropriate locations.

Implementation

The strategies in relation to housing will be implemented through the planning scheme by:

Use of policy and exercise of discretion

- When assessing new developments and residential subdivisions use the Healthy by Design (January 2017) checklist, as appropriate.

Application of zones and overlays

- Applying the Comprehensive Development Zone to substantial development sites with a mix of uses.
- Applying the Low Density Residential Zone to land located within the urban growth boundary, and within townships where bushfire exposure is not higher than 12.5 kw/sqm and development can be adequately serviced.

Further strategic work

- Progressively rezoning land for residential purposes in accordance with township strategies.
- Reviewing the application of the Comprehensive Development Zone and rezoning to standard zones when development is complete.
- Further develop the draft Childcare Centre Policy as a local policy to also include all non-residential uses in residential areas.

Reference documents

Casey-Cardinia Growth Area Framework Plan, 2006

Southern Regional Housing Statement, Southern Regional Housing Working Group, April 2006

Housing Strategy 2013 – 2018, Strategic Action Plan, December 2013

Healthy by Design, January 2017; (Cardinia Shire)

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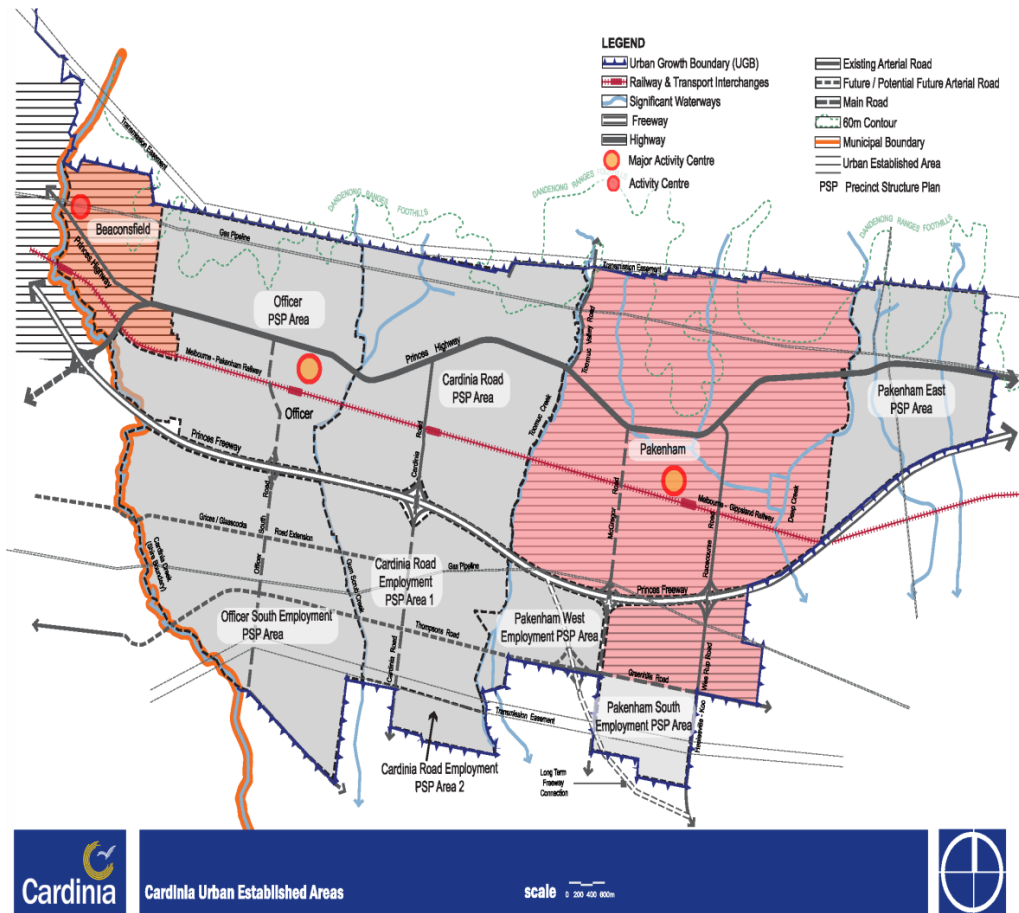
Urban Established Area - Beaconsfield and Pakenham

Part of the Cardinia Shire, between Beaconsfield and Pakenham East, is located within the Casey-Cardinia Growth Area for metropolitan Melbourne, and has been recognised as part of a metropolitan growth corridor since 1971.

The Cardinia Shire urban area is divided into ten precincts. The Beaconsfield and Pakenham precincts represent the Urban Established Area of the Shire, as shown in Figure 1.

CARDINIA PLANNING SCHEME

Figure 1: Cardinia Urban Established Area



Key issues

Key elements of the Urban Established Area includes:

- Land for residential purposes in Beaconsfield, and generally north of the Princes Freeway in Pakenham.
- Land for employment purposes in Beaconsfield Activity Centre, and in Pakenham Major Activity Centre land north of Greenhills Road.
- A Major Activity Centre at Pakenham.
- A Large Neighbourhood Activity Centre at Beaconsfield.
- Open space corridors along Toomuc Creek and Deep Creek.
- An arterial road network including the Princes Freeway (Pakenham Bypass), Princes Highway, Beaconsfield-Emerald Road, McGregor Road, Greenhills Road, Healesville-Koo Wee Rup Road, and Racecourse Road.
- A principal public transport network comprising railway stations at Beaconsfield and Pakenham along the Gippsland Railway Line, and a regional bus route along the Princes Highway to the Pakenham Major Activity Centre.

Key principles for development include:

- To coordinate the appropriate staging and development of land.
- To ensure greater diversity of housing types and size.

CARDINIA PLANNING SCHEME

- To increase ‘Affordable Housing’ for very low, low and moderate income households.
- To attract commercial investment and create diverse employment opportunities.
- To create vibrant well serviced activity centres.
- To provide sustainable transport networks.
- To ensure that urban areas are well serviced by utility infrastructure.
- To deliver accessible community facilities and infrastructure.
- To deliver arts and cultural facilities.
- To create multi use, linked open space networks.
- To increase environmental sustainability.
- To achieve good urban design outcomes with a strong urban character.
- To ensure the development of new infrastructure supports and encourages an active lifestyle.

Objective

To create a functional, attractive, safe and sustainable urban environment for the existing and future community of the Urban Established Area.

Strategies

- Provide for the development in the Urban Established Area in accordance with approved Development Plans, Structure Plans, Urban Design Frameworks, and Incorporated Provisions.
- Provide for Infrastructure Contributions or Development Contributions, as appropriate, to fund physical and community infrastructure associated with urban development.
- Protect areas of future urban development from inappropriate subdivision and development that limits the future orderly and efficient development of the land for urban purposes.
- Provide a distinct character and identity for urban areas through retention of existing vegetation, respect for topography, appropriate streetscaping and provision of adequate open space.

Implementation

The strategies in relation to the Urban Established Areas will be implemented through the planning scheme by:

Use of policy and exercise of discretion

- When deciding on applications for use and development within the Urban Established Areas, considering, as appropriate:
 - *Healthy by Design checklist, January 2017.*

Application of zones and overlays

- Applying the Comprehensive Development Zone to substantial redevelopment sites with a mix of uses.
- Applying the Development Contributions Plan Overlay (DCPO), as appropriate, to areas with approved Infrastructure Contributions Plans or Development Contributions Plans to facilitate timely provision of infrastructure.

Further strategic work

- Implement the actions identified in the *Pakenham Major Activity Centre Structure Plan, 15 February 2021.*
- Investigate a policy or development plan to appropriately manage subdivision, infrastructure provision, and development within Ryan Road area in Pakenham.

CARDINIA PLANNING SCHEME

Reference documents

- Casey-Cardinia Growth Area Framework Plan, 2006*
- Housing Strategy 2013 – 2018, Strategic Action Plan, December 2013*
- Healthy by Design, January 2017 (Cardinia Shire)*
- Beaconsfield Structure Plan, (December 2013), expires 31 December 2021*
- Pakenham Township Development Contributions Plan, September 1997 (Amended June 2017)*
- Pakenham Major Activity Centre Structure Plan, 15 February 2021*
- Pakenham Major Activity Centre Urban Design Framework, 15 February 2021*
- Former Pakenham Racecourse Comprehensive Development Plan, February 2010*
- Arts and Cultural Facilities Feasibility Study, June 2015 (Cardinia Shire)*

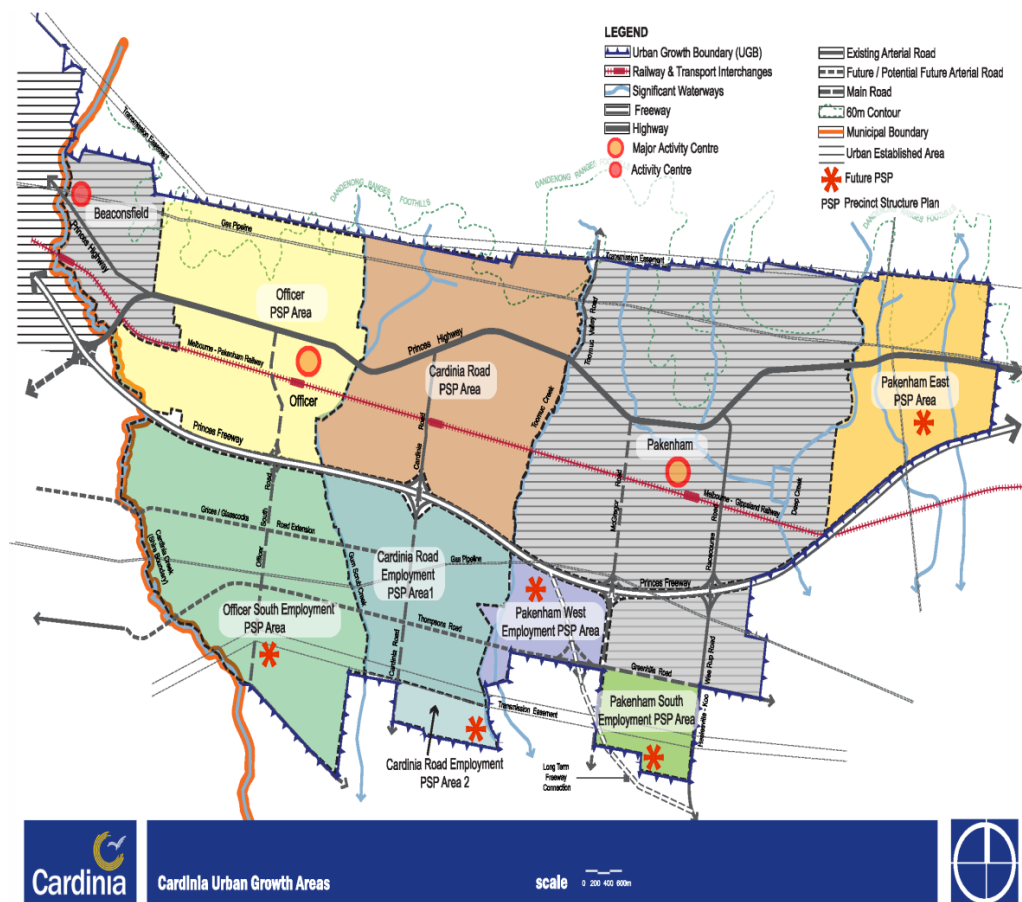
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Urban Growth Area

Overview

Within the Cardinia urban area, there are eight precincts that make up the Urban Growth Area of the Shire as shown in Figure 2.

Figure 2: Cardinia Urban Growth Area



Key issues

Key elements of the Casey-Cardinia Growth Area Framework Plan, 2006 in relation to the Cardinia Urban Growth Area include:

CARDINIA PLANNING SCHEME

- An urban growth boundary generally defined by the electricity transmission line easement to the north, Mount Ararat North Road and Mount Ararat South Road to the east, and generally the electricity transmission line easement and Koo Wee Rup Flood Protection District to the south.
- Land for urban residential purposes north of the Princes Freeway (Pakenham Bypass).
- A major employment corridor (Pakenham-Officer State-significant Industrial Precinct) of approximately 2,500 hectares south of the Princes Freeway (Pakenham Bypass).
- A Major Activity Centre at Officer.
- Large Neighbourhood Activity Centres at Lakeside Boulevard and Lakeside Square.
- Open space corridors along Cardinia Creek, Gum Scrub Creek, Toomuc Creek and Deep Creek, including regional parklands associated with Cardinia Creek.
- An arterial road network including the Pakenham Bypass (Princes Freeway), Princes Highway, Thompson Road to Greenhills Road connection, Beaconsfield Emerald Road, O'Sheas Road connection, Officer South Road, Cardinia Road, Pakenham Road, McGregor Road and Koo Wee Rup Road.
- A principal public transport network comprising railway stations at Beaconsfield, Officer, Cardinia Road and Pakenham along the Gippsland Railway Line, and a regional bus route along the Princes Highway to the Pakenham Town Centre.

Key principles for the development of precincts include:

- To coordinate the appropriate staging and development of land.
- To ensure greater housing choice, diversity and affordability.
- To increase 'Affordable Housing' for very low, low and moderate income households.
- To attract commercial investment and create diverse employment opportunities.
- To create vibrant well serviced activity centres.
- To provide sustainable transport networks.
- To ensure that urban areas are well serviced by utility infrastructure.
- To deliver accessible community facilities and infrastructure.
- To deliver arts and cultural facilities.
- To create multi use, linked open space networks.
- To increase environmental sustainability.
- To achieve good urban design outcomes with a strong urban character.
- To ensure the development of new infrastructure supports and encourages an active lifestyle.

Objectives

To create a functional, attractive, safe and sustainable urban environment for the existing and future community of the Urban Growth Area.

To provide for development of Precinct Structure Plans in accordance with the South East Growth Corridor Plan.

Strategies

- Provide for the staging of development in the Urban Growth Area in accordance with the following table:

CARDINIA PLANNING SCHEME

Location	Staging
Cardinia Road Precinct Structure Plan	Short to medium term
Officer Precinct Structure Plan	Short to medium term
Pakenham East Precinct Structure Plan	Medium term
Pakenham South Employment Precinct Structure Plan	Short to medium term
Pakenham West Employment Precinct Structure Plan	Long term
Cardinia Road Employment Precinct Structure Plan Area 1	Short to medium term
Officer South Employment Precinct Structure Plan	Medium to long term
Cardinia Road Employment Precinct Structure Plan Area 2	Review the option of potential development in this area in the long term

(Base year 2018: short term – 0 to 5 years, medium term – 5 to 15 years, long term - 15 years +)

- Provide for development in the Urban Growth Area in accordance with approved Precinct Structure Plans.
- Provide for infrastructure contributions or development contributions, as appropriate, to fund physical and community infrastructure associated with urban development.
- Protect areas of future urban development from inappropriate subdivision and development that limits the future orderly and efficient development of the land for urban purposes.
- Provide a distinct character and identity for urban areas through retention of existing vegetation, respect for topography, appropriate streetscaping and provision of adequate open space.

Application of zones and overlays

- Applying the Infrastructure Contributions Overlay (ICO), or Development Contributions Plan Overlay (DCPO), as appropriate, to areas with approved Infrastructure Contributions Plans or Development Contributions Plans to facilitate timely provision of infrastructure.
- Applying the Comprehensive Development Zone to substantial redevelopment sites with a mix of uses.

Further strategic work

- Progressively prepare detailed Precinct Structure Plans, Activity Centre Structure Plans and Infrastructure Contribution Plans for precincts within the Urban Growth Area.

Reference documents

Casey-Cardinia Growth Area Framework Plan, 2006

Cardinia Road Precinct Structure Plan, September 2008

Cardinia Road Precinct Development Contributions Plan, September 2008 (Revision 1.4 2017)

Cardinia Road Employment Precinct Structure Plan, September 2010

Officer Precinct Structure Plan, September 2011

Officer Development Contributions Plan, 2011 (Amended June 2017)

Pakenham West Comprehensive Development Plan, 1 September 2005

Housing Strategy 2013-2018, Strategic Action Plan December 2013

Arts and Cultural Facilities Feasibility Study, 2015

CARDINIA PLANNING SCHEME

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The Cardinia Shire covers an area of 1,280 square kilometres with the pattern of settlement primarily focused in the Urban Established Area, Urban Growth Area and townships ranging from large rural townships to rural localities as shown in the table below.

Large rural townships	Small rural townships	Rural localities
Emerald	Avonsleigh	Tynong North
Gembrook	Clematis	Tonimbuk
Cockatoo	Bayles	Pakenham South
Upper Beaconsfield	Cardinia	Pakenham Upper
Garfield	Maryknoll	Iona
Bunyip	Tynong	Cora Lynn
Koo Wee Rup		Catani
Lang Lang		Heath Hill
Nar Nar Goon		Caldermeade
		Monomeith
		Dewhurst
		Modella
		Yannathan
		Guys Hill
		Nangana

Key issues

- Retaining and enhancing the existing rural township character.
- Setting clear limits for development for the townships.
- Acknowledging that the capacity for growth varies depending on the environmental and infrastructure capacities of each of the towns.
- Designing with regard to the surrounding unique characteristics of the townships.
- To deliver arts and cultural facilities.

Objective 1

To provide for the sustainable development of townships in the municipality having regard to environmental and servicing constraints.

Strategies

- Provide sewage treatment and stormwater management systems to minimise the impact of existing township development on the environment, and to enable development to occur in townships in accordance with strategy plans.

Objective 2

To maintain and enhance the distinct character and environmental qualities of each of the townships.

CARDINIA PLANNING SCHEME**Strategies**

- Ensure that the siting and design of new buildings and works complement the rural character of the township, and does not dominate the landscape or surrounding built form character.
- Maintain the current diverse range of lot sizes in the hills towns as an intrinsic part of their character.
- Protect the natural environment and character of the area, particularly areas of remnant vegetation in the hills townships.
- Maintain and promote the overall historic character within each township.
- Encourage new development to include works that enhance the environment including the protection of waterways and remnant vegetation, weed control and revegetation.

Objective 3

To create sustainable and functional townships that support a range of commercial, retail, community and recreational facilities and services.

Strategies

- Limit residential development, including rural residential subdivision, in the hills towns (Emerald, Gembrook, Cockatoo, Upper Beaconsfield, Clematis, Avonsleigh, and Maryknoll) unless provided for by the township strategies or the development results in significant environmental or community benefits.
- Recognise Emerald in the northern part of the municipality and Koo Wee Rup in the southern part of the municipality as a focus for higher order commercial and community facilities and services.

Implementation**Use of policy and exercise of discretion**

- When assessing new developments and residential subdivisions use the *Healthy by Design checklist, January 2017*, as appropriate.

Application of zones and overlays

- Applying the Restructure Overlay to facilitate the restructuring of old and inappropriate subdivisions within rural townships.

Further strategic work

- Preparing a Design and Development Overlay to apply to land included in a Neighbourhood Residential Zone in Koo Wee Rup, Lang Lang and other townships.
- Preparing a Design and Development Overlay to apply to land included in a General Residential Zone in Garfield and Bunyip.
- In consultation with the local community, prepare a policy statement for all small rural townships that will establish a basis for future strategic planning decisions in each township.
- Preparing Township Strategies for large rural townships where one has not yet been prepared.
- Progressively undertake reviews of each Township Strategy.
- Investigate the sustainable development of towns within the green wedge, with a priority to investigate Nar Nar Goon, Tynong, Garfield and Bunyip.

Reference documents

Cardinia Township Character Assessment - Garfield, Bunyip, Koo Wee Rup and Lang Lang, November 2006

Bunyip Township Strategy, September 2009.

CARDINIA PLANNING SCHEME

Cockatoo Township Strategy, March 2008

Emerald District Strategy, June 2009.

Garfield Township Strategy, August 2002.

Koo Wee Rup Township Strategy, October 2015

Lang Lang Township Strategy, July 2009.

Upper Beaconsfield Township Strategy, July 2009

Healthy by Design, January 2017 (Cardinia Shire)

Arts and Cultural Facilities Feasibility Study, 2015 (Cardinia Shire)

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Rural residential and rural living development**Overview**

Rural residential development is defined as the development of single dwellings on lots of between 0.4 hectare and 2.0 hectares. Rural living is defined as residential development on lots between 2 hectares and 16 hectares. The *Land Capability Study of the Cardinia Shire, 1997* undertaken for the Cardinia Shire Council recognises that the indiscriminate development of land for small lot rural and rural residential purposes may result in extensive land and water degradation, loss of high quality agricultural land and unnecessarily high development and maintenance costs.

Key issues

- Integrating rural residential and rural living development with an urban area or township.
- Recognising that rural residential and rural living development impacts on the environmental characteristics and constraints of the area.
- Recognising the impact of rural residential and rural living development encroaching on agricultural land.

Objective 1

To recognise the demand for rural residential and rural living development, and to provide for this development where it is closely integrated with an existing township or urban area.

Strategies

- Ensure that rural residential and rural living development is appropriately located to minimise its impact on surrounding agricultural land.
- Encourage rural residential development within existing urban areas and townships.

Objective 2

To ensure development reflects a high quality of design and does not result in environmental degradation.

Strategies

- Ensure subdivisions and developments are designed to take into account the constraints of the area and limit detrimental impacts to the surrounding environment.
- Ensure that rural residential and rural living development on land affected by environmental hazards and constraints is undertaken in a manner which prevents environmental degradation and minimises any risk from hazards.

CARDINIA PLANNING SCHEME

- Ensure that any proposal for rural residential and rural living development is assessed in relation to its ability to contain all wastewater within the site.
- Ensure that proposed development will not increase and will adequately control pest plants and pest animals on site.

Implementation

Further work

- Rezoning Rural Living Zones within the Urban Growth Boundary to a residential zone.

Reference documents

Land Capability Study of the Cardinia Shire, 1997

PPN37 – Rural Residential Development, June 2015

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ECONOMIC DEVELOPMENT

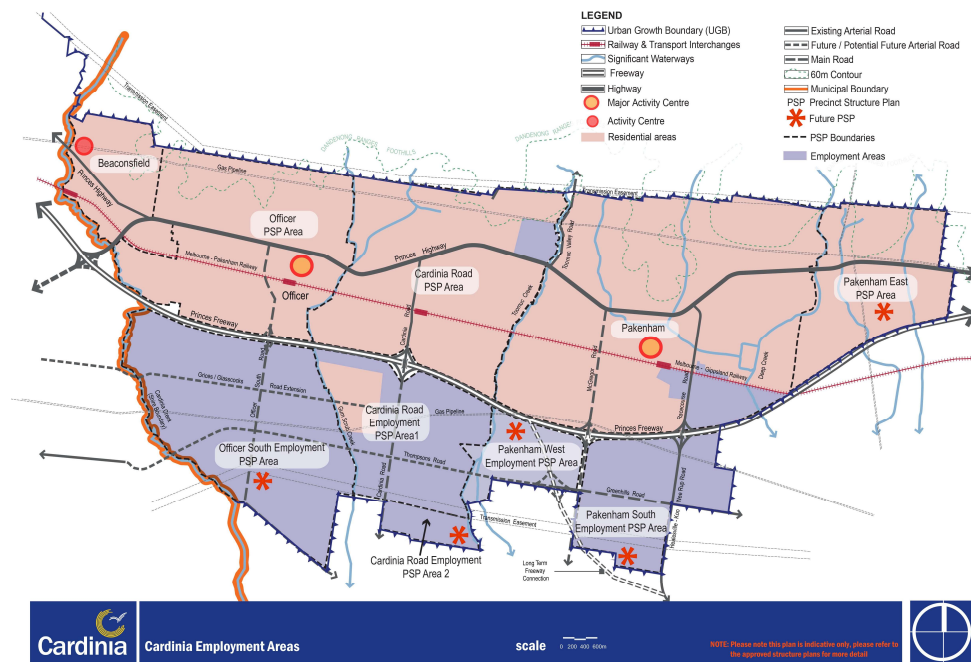
Employment

Overview

Economic development is critical to the overall well-being of the municipality, both in terms of providing employment opportunities for residents and in attracting commercial investment. The Casey-Cardinia Growth Area Framework Plan, 2006 identifies a large employment corridor of approximately 2,500 hectares to the south of the Princes Freeway (Pakenham Bypass) in Pakenham and Officer South as well as activity centres to assist in providing opportunities for local employment for the growing resident population in the area. *Plan Melbourne 2050* further identifies the employment corridor as the ‘Officer-Pakenham State-significant Industrial Precinct’ that will be a major provider of employment and business opportunities for residents of Cardinia Shire and Melbourne’s south-east region.

Employment land within Cardinia Shire’s urban area is shown in Figure 1.

Figure 1: Cardinia Employment Areas



Key issues

- Recognising the need for innovation, diversification and resilience within the local economy to improve and develop employment opportunities and a strong employment base within the municipality to meet the demands of the growing population.
- Recognising the importance of emerging technology and new types of employment into the future.
- Supporting the development and enhancement of economically sustainable businesses within the municipality including within rural townships.
- Staging and timing of the release of land for employment and providing for high quality urban design to encourage investment.
- Providing infrastructure to service future employment land.
- Improving access to employment areas by residents.

CARDINIA PLANNING SCHEME

- Acknowledging the high level of commuting by residents for employment to areas outside the municipality.
- Improving provision and access to higher education and skills development for residents.
- Providing additional east-west linkages to connect employment precinct with Melbourne's south-east.

Objective

To develop diverse local employment opportunities to meet the needs of a growing residential population.

Strategies**Employment opportunities**

- Assist in meeting local and regional employment needs in terms of the supply, type, quality and availability of employment land by facilitating appropriate development.
- Encourage development that provides a diverse mix of employment opportunities including for 'new economy' workers and people with business, professional and management skills.
- Encourage development that provides sufficient local jobs to meet the needs of the existing and future community.
- Retain and develop businesses in rural townships to ensure access to a range of commercial services is available to local residents and to provide for local employment.
- Provide the opportunity for people to work from home where the activity undertaken does not adversely impact on the amenity of the local area.

Infrastructure

- Provide appropriate and timely infrastructure including water, sewerage, drainage, and roads to support the development of employment land.
- Ensure a timely and adequate supply of serviceable land for business and industrial activities both within urban growth area and rural townships.
- Recognise the significant industrial and employment activity areas in Dandenong, Monash and Kingston as opportunities for employment and work with government agencies to improve transport access and connections to these major employment areas.
- Improve the telecommunication capacity within the municipality through broadband and fibre optic infrastructure.

Skills and education

- Advocate for access to education and training, especially for young people.
- Support the establishment of tertiary and vocational facilities with links to the local economy.

Reference documents

Casey-Cardinia Growth Area Framework Plan, 2006

South East Growth Corridor Plan, Growth Areas Authority, 2012

Regional Economic Strategy for Melbourne's South East 2009-2030, January 2009

Cardinia Shire Council, Creating the Future, Council Plan 2018, May 2018

Cardinia Shire's Liveability Plan 2017-29, September 2017

Casey Cardinia Region Economic Development Strategy 2016-17

Cardinia Employment Lands: Stage 1 Assessment Macropplan Australia Pty Ltd, 2007

Pakenham [Major Activity Centre Structure Plan, March 2017](#) 15 February 2021

[Pakenham Major Activity Centre Urban Design Framework, 15 February 2021](#)

CARDINIA PLANNING SCHEME

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Agriculture**Overview**

The annual gross value of agricultural production from the Port Phillip and Western Port Region is estimated at around \$1 billion which is 15 per cent of Victoria's annual gross value of agricultural production. The average gross value of agricultural production per hectare from the Port Phillip and Western Port Region's farms is the highest of any catchment management region in Victoria and is around four times greater than the State average. The general distribution of land capability for agriculture in Cardinia Shire is shown in Figure 2.

The Koo Wee Rup Swamp area contains a peaty clay soil which is recognised as being of high quality agricultural land of State significance. This area now produces 90% of Australia's asparagus crop and approximately 50% of this production is exported annually (Casey-Cardinia Agricultural Audit).

The Gembrook area in the northern part of the municipality has also been a significant producer of potatoes historically. This area has been affected by dieldrin contamination and the Potato Cyst Nematode (PCN) which places restrictions on cattle grazing and potato distribution. The Gembrook Rural Review addressed this issue and has identified a number of actions to maintain agriculture as a viable activity in the area.

Key issues

- Maintaining and protecting high value of agricultural land within the municipality.
- Protecting productive agricultural land from incompatible uses and inappropriate development and subdivision, including non-soil based farming on lands with high soil quality.
- Accessing sustainable water supplies for agricultural activities.
- Implementing the four key areas for action towards achieving the longer-term outcomes desired for Gembrook including; attracting new industries, companies and lifestyle investors to the area; assisting potato growers to make decisions about their future; enhancing environmental and landscape values; and building local support.
- Recognising the impact of intensive farming on surrounding uses.
- Developing Green Wedge Management Plans to fulfil statutory, strategic, environmental, economic and social requirements.

Objective

To maintain agriculture as a strong and sustainable economic activity within the municipality.

Strategies**Sustainability of agricultural land**

- Protect agricultural land, particularly areas of high quality soils, from the intrusion of urban uses, inappropriate development and fragmentation which would lead to a reduction in agricultural viability, the erosion of the right of farmers to farm land, and ultimately the loss of land from agricultural production.
- Discourage boundary realignments that create the opportunity for fragmentation of agricultural land and the creation of a concentration of residential uses outside the urban growth boundary and township boundaries.
- Discourage non-rural uses such as primary and secondary schools, and places of worship from locating on land zoned green wedge and encourage these types of uses to locate within existing townships and within the green wedge land that adjoins the UGB, subject to strategic justification.
- Recognise the importance of access to locally grown food for Cardinia Shire's residents.

CARDINIA PLANNING SCHEME

- Recognise the growing demand for food, both domestically and internationally, and capitalise on opportunities to export fresh produce and processed food products.
- Encourage the establishment of value added industries to process local agricultural produce.
- Ensure the use or development, including subdivision, of agricultural land takes into consideration land capability.
- Encourage the establishment of economically and environmentally sustainable farming practices.
- Encourage sustainable water supply to agricultural areas including the use of recycled water.

Agricultural use

- Discourage non-soil based uses (eg: poultry farms) being located on soils which are of high agricultural quality and, recognising the economic importance of such uses, encourage their location on land with a lesser soil quality.
- Encourage the establishment of alternative and innovative agricultural activities such as herb farming or small nurseries, particularly in areas where fragmented lot sizes limit opportunities for broadacre agricultural activities.

Access

- Ensure efficient transport access to agricultural areas by heavy vehicles with particular attention to road system improvements and the structural capacity of bridges.

Amenity

- Ensure that any agricultural development proposal is appropriately located in terms of buffer distances of surrounding uses.
- Provide for the establishment of intensive agricultural activities (eg: poultry farms and green houses) in a location and manner which minimises the impact on nearby residents and the environment.
- Encourage responsible land management to minimise environmental degradation by pest plants and animals.

Implementation**Further strategic work**

- Reviewing the planning framework for Gembrook to facilitate potential investment in more intensive agricultural enterprises.
- Reviewing the appropriateness of the Rural Conservation Zone within the municipality particularly land south of South Gippsland Highway.
- Preparing Green Wedge Management plans for the Northern Ranges Green Wedge and the Southern Ranges Green Wedge in conjunction with the relevant councils and government departments.
- Develop a local policy that addresses uses in the Green Wedge Zones that are required to be in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery, and sets out parameters of how these uses are to be established.
- Prepare a local policy to provide guidance on boundary realignments in green wedge areas, which also includes policy to ensure new dwellings are associated with an agricultural or horticultural use and not for a rural residential property or hobby farm.

Reference documents

Cardinia Shire Council, Creating the Future, Council Plan 2018, May 2018

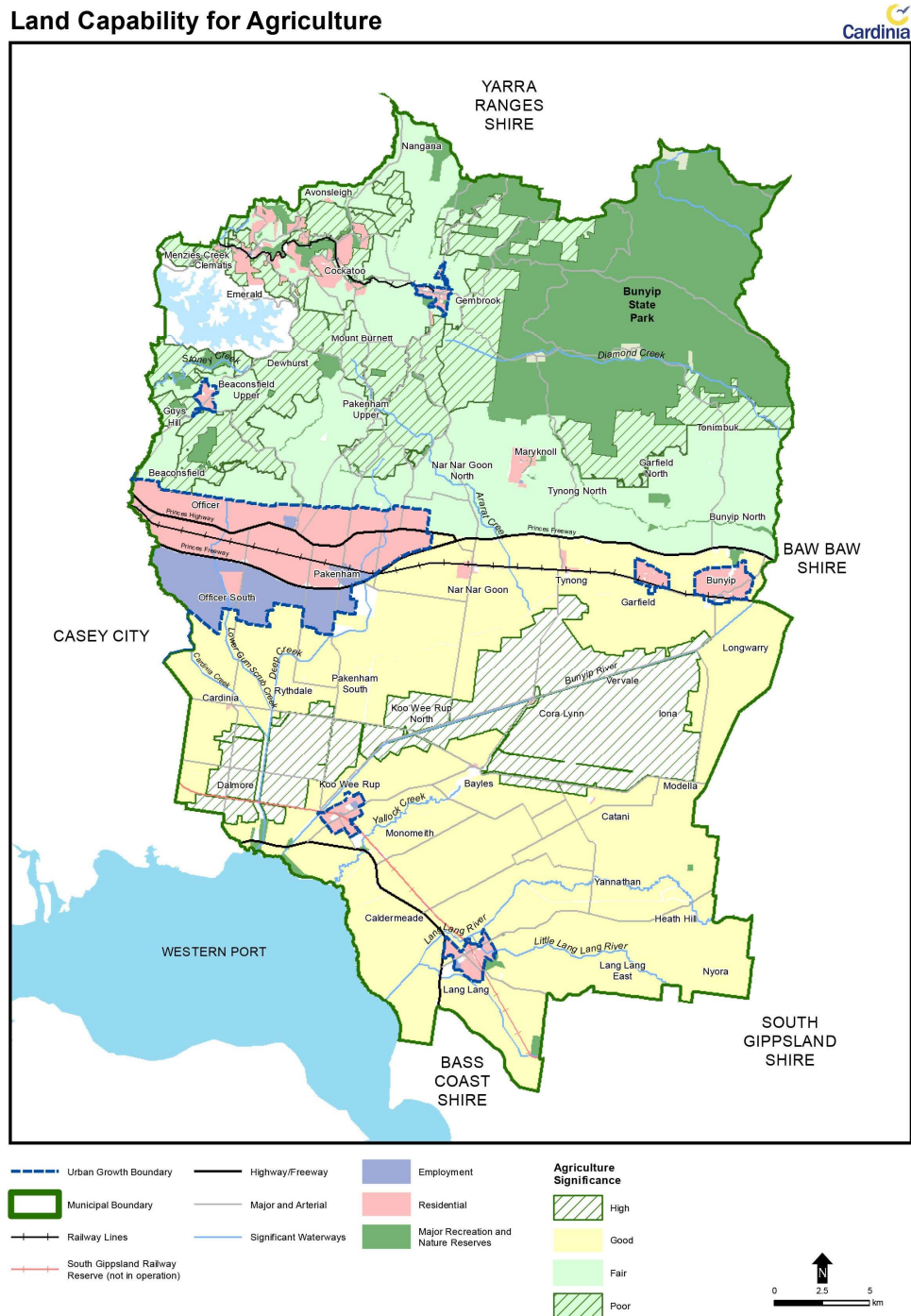
Cardinia Shire's Liveability Plan 2017-29, September 2017

Land Capability Study for the Shire of Cardinia, 1997

CARDINIA PLANNING SCHEME

Cardinia Western Port Green Wedge Management Plan, May 2017
Casey and Cardinia Regional Agricultural Audit and Action Framework, 2004
Gembrook Rural Review – Action Plan, 2004

Figure 2: Land Capability for Agriculture



CARDINIA PLANNING SCHEME

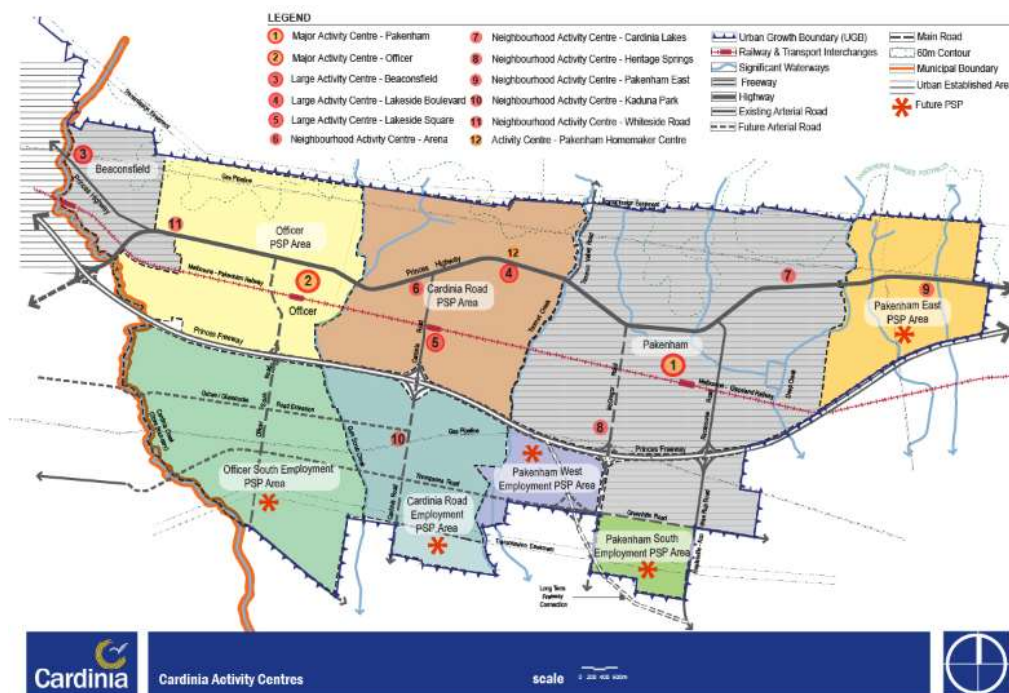
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Activity centres

Overview

Activity centres provide a range of retail, commercial, entertainment and community services activities integrated with housing in a location which is highly accessible by road, public transport, foot and bicycle. Activity centres are a focus for community activity and interaction in a location with a strong sense of place and urban character.

Officer and Pakenham are designated Major Activity Centres, and Beaconsfield, Lakeside Boulevard and Lakeside Square are designated as a large Neighbourhood Activity Centre within the urban growth boundary. Emerald in the north and Koo Wee Rup in the south of the municipality are larger township activity centres and there are smaller centres dispersed throughout the municipality.



Key issues

- Facilitating the creation and expansion of activity centres proportionate with population growth within the municipality.
- Recognising and developing the existing and future retail hierarchy of activity centres in the urban area.
- Facilitating development of retail, commercial, community, residential and entertainment activities within activity centres, to meet the needs of the existing and future community.
- Recognising the need for innovation, diversification and resilience to improve and develop employment opportunities and a strong employment base within the municipality.
- Recognising the importance of emerging technology and new types of employment into the future.
- Ensuring appropriate links between activity centres and surrounding residential communities.
- Controlling the orderly expansion and management of the Pakenham Activity Centre.

CARDINIA PLANNING SCHEME

- Managing the establishment of bulky goods retailing precincts.
- Developing and implementing urban design frameworks to facilitate high quality development within activity centres.

Objective

To establish a network of activity centres in the growth area creating opportunities for a range of activities including retail, commercial, community, residential and entertainment to meet the needs of the community.

Strategies**Activity centres**

- Develop structure plans for urban precincts and activity centres within the growth area with a focus on retail, commercial, community, entertainment and residential activities.
- Encourage higher order retail at Pakenham and Officer Major Activity Centres supported by high quality pedestrian access, public transport and urban design.

Design and location

- Encourage development that enhances and complements the identity of the activity centres and facilitates improved urban design outcomes.
- Optimise the provision of adequate, integrated, accessible and functional car parking as an integral part of activity centres.
- Encourage main street development as the standard form of retail development in activity centres.
- Encourage two story development along main streets of activity centres.

Bulky goods

- Facilitate the future establishment of associated commercial activities such as bulky goods retailing within the Pakenham Homemaker Precinct and facilitate its effective integration within the Lakeside activity centre.

Implementation**Application of zones and overlays**

- Applying Development Plan Overlays to areas of development to ensure appropriate development and design principles are employed.

Further strategic work

The strategies in relation to activity centres will be implemented through the planning scheme by:

Use of policy and exercise of discretion

- When deciding on applications for use or development within activity centres, considering, as appropriate:
 - Precinct Structure Plan.
 - Activity Centre Structure Plan
 - Urban Design Framework or urban design guideline.
 - Township Strategy.
- When developing Precinct Structure Plans, Activity Centre Structure Plans and Township Strategies, considering the role and function of activity centres.

Application of zones and overlays

- Applying a Commercial 1 Zone to encourage the intensive development of business centres for retailing and other complementary commercial, entertainment and community uses.

CARDINIA PLANNING SCHEME

- Applying a Commercial 1 Zone to encourage the development of offices and associated commercial uses.
- Applying a Commercial 2 Zone to encourage the development of a mix of bulky goods retailing and manufacturing industry and their associated business services.
- Applying a Mixed Use Zone to designate activity centres with a mixed use function and community activity clusters.
- Applying Development Plan Overlays to areas of development to ensure appropriate development and design principles are employed.

Further strategic work

- Developing car parking precinct plans and a local schedule for car parking provision in activity centres.
- Preparing Precinct Structure Plans for the urban growth area and Activity Centre Structure Plans or Urban Design Frameworks for existing and future activity centres.
- Investigating the possibility of establishing activity centres in the employment precincts to the south of Pakenham and Officer to provide employment related services and facilities.

Reference documents

Casey-Cardinia Growth Area Framework Plan, 2006

South East Growth Corridor Plan, Growth Areas Authority, 2012

Cardinia Shire Council, Creating the Future, Council Plan 2018, May 2018

Cardinia Shire's Liveability Plan 2017-29, September 2017

Beaconsfield Structure Plan, December 2013

Beaconsfield Structure Plan Background Paper, December 2013

Woods Street (North) Urban Design Guidelines, May 2013

Cardinia Urban Growth Area – Retail Review, March 2007

Pakenham ~~Major Activity Centre~~ Structure Plan, ~~March 2017~~ 15 February 2021

Pakenham ~~Town Centre~~ Major Activity Centre Urban Design Framework, ~~2004~~ 15 February 2021

Pakenham Homemaker Precinct Urban Design Framework, 2004

Pakenham Rail Station Urban Design Framework, 2005

Cockatoo Town Centre Urban Design Framework, 2004 (revised 2007)

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Industry**Overview**

The main industrial area within the municipality is established within Pakenham with smaller industrial precincts also located in Emerald, Maryknoll, Beaconsfield, Officer, Bunyip, Koo Wee Rup and Lang Lang. A number of existing industries add value to the process of agricultural production.

In the Casey-Cardinia Growth Area, 2,500 additional hectares have been set aside for employment uses, including industry and commerce. South East Industrial Business Park (located at the intersection of Bald Hill Road and Koo Wee Rup Road, Pakenham), will provide 167 hectares of industrial land to support more jobs to be created near Pakenham.

CARDINIA PLANNING SCHEME**Key issues**

- Enhancing the appearance and functionality of existing industrial areas and the design of future industrial development to create an attractive, functional and safe business environment.
- Providing for investment and development both for local businesses and larger industries.
- Facilitating the development of the Pakenham and Cardinia Road Employment Precincts.
- Facilitating linkages between industry and agricultural uses particularly in terms of transport networks.
- Locating future industry to ensure appropriate access from the transportation network.
- Recognising that future industry development will be increasingly linked to a range of knowledge-based services.
- Recognising the need for innovation, diversification and resilience to improve and develop employment opportunities and a strong employment base within the municipality.
- Recognising the importance of emerging technology and new types of employment into the future.

Objective

To develop manufacturing and service industries that provide services to local residents and businesses, support local employment and reflect a high standard of urban design.

Strategies**Subdivision**

- Encourage a range of lot sizes to meet the needs of different users, including the encouragement of larger lots for major developments on main or arterial roads.

Use

- Provide for limited retailing (restricted retail and trade supplies) in industrial areas along arterial roads provided the retailing activities do not conflict with nearby activity centres.
- Provide for office and research and development in association with industrial activities in appropriate locations.
- Encourage the establishment of industries which add value to local agricultural produce.
- Consider the establishment of rural industries in green wedges if they are directly related, or contribute, to agricultural production.
- Encourage the establishment of service industries in townships to meet the needs of local residents and to provide for local employment.

Design

- Encourage a high standard of building design that contributes to the overall streetscape character to create an attractive working environment.
- Ensure developments provide a functional layout in terms of access, carparking and loading.
- Ensure that development adjacent to arterial roads provides active frontages to the road network.

Infrastructure

- Ensure appropriate vehicle, bicycle and pedestrian access and parking is provided within industrial developments.
- Ensure appropriate services are provided for industrial development.

CARDINIA PLANNING SCHEME**Implementation****Future strategic work**

- Considering a local policy on Design Guidelines for Industrial Development or the application of a Design and Development Overlay to ensure appropriate development of existing and future industrial land, including the industrial land on Bald Hill Road and around Purton Road.
- Preparing structure plans for both the Pakenham West Employment Precinct and the Pakenham South Employment Precinct.
- Review the application of all industrial zones to identify land that is appropriate to rezone to the Commercial 2 Zone, Commercial 3 Zone, or Industrial 3 Zone to provide a buffer between heavy industrial areas and other areas, and allow for leisure and recreation uses to be located in these areas.
- Considering the application of a Commercial 2 Zone along some arterial roads where there is industrial development.

Reference documents

Casey-Cardinia Growth Area Framework Plan, 2006

South East Growth Corridor Plan, Growth Areas Authority, 2012

Regional Economic Strategy for Melbourne's South East, 2009-2030, January 2009

Cardinia Shire Council, Creating the Future, Council Plan 2018, May 2018

Cardinia Shire's Liveability Plan 2017-29, September 2017

Cardinia Employment Lands: Stage 1 Assessment Macroplan Australia Pty Ltd, March 2007

Design Guidelines for Industrial Development, 2000

~~Pakenham Structure Plan, March 2017~~

Tourism**Overview**

Tourism is defined as a multi-faceted industry which combines diverse activities including travel, leisure, recreation, entertainment, hospitality, business and conferences, and is supported by activities in a range of sectors including visitor attractions, visitor accommodation, retailing, transport and other services. Although Cardinia is not generally considered a tourist destination, the municipality offers opportunities for visitors to experience the area's boutique farm produce, arts and crafts, cultural and historic locations, and the natural environment.

Key issues

- Acknowledging that tourism is an important economic activity in the municipality.
- Recognising that Puffing Billy Tourist Railway is an asset of cultural, historic and economic significance and is a major attractor of tourists to the municipality.
- Recognising that Pakenham Racecourse at Tynong is a major horse racing and training facility that provides significant employment and economic benefits, both directly and indirectly, as a major attractor of visitors from adjoining regions.
- Recognising that Gumbuya World is a significant recreation facility that attracts increasing numbers of tourists from the region and provides positive economic benefits, including local employment.
- Recognising that the natural environment of Cardinia Shire is an asset that attracts visitors to the municipality.
- Protecting and enhancing the scenic and environmental values of the landscape in Cardinia, including the rural outlook from key tourist routes.

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CARDINIA PLANNING SCHEME

- Minimising the adverse impacts of development on the landscape and environment through appropriate scale and design.
- Linking with neighbouring tourism regions especially Yarra Ranges, South Gippsland and West Gippsland.
- Undertake a balanced approach between supporting new and growing businesses and protecting the Green Wedge environment and rural assets upon which the business is based.

Objective

To provide support for the maintenance and development of tourism related activities.

Strategies**Assets**

- Support further growth of the Puffing Billy Tourist Railway and associated facilities as a tourist attraction of State significance.
- Ensure that the visual corridor along the Puffing Billy Tourist Railway is protected from inappropriate development.
- Support further growth of Gumbuya World as a tourist attraction of regional significance.
- Support the Pakenham Racecourse and associated facilities as a tourist attraction of regional significance.
- Support and facilitate the development of Cultural Precincts for arts and cultural facilities aligned to Activity Centres and other community infrastructure in major townships and population areas.
- Promote the natural environment of Cardinia Shire while ensuring environmentally significant areas are respected and preserved.
- Protect areas of high scenic value and landscape quality, especially the rural outlook from key tourist routes.
- Support better linkages with both Dandenong Ranges and Gippsland tourism regions by establishing local tourism infrastructure and facilities to complement major regional attractions.

Activities

- Encourage the establishment of tourism activities in rural townships within the municipality through the establishment of activities including accommodation, restaurants, cafes, galleries, markets, and through undertaking streetscape improvements and upgrading public amenities.
- Develop Gembrook township as a major tourism destination based on a heritage theme and the scenic qualities of the area.
- Support the development of tourist accommodation within the municipality which does not adversely impact on the environment or affect the amenity of local residents.
- Ensure that tourism development is of a scale and design that is compatible with the locality and minimises adverse impacts on the environment.
- Recognise the importance of and opportunities for links between tourism and agriculture (eg: wineries, host farms and rural displays).
- Facilitate the development of complimentary facilities at golf courses including accommodation, conferencing and dining facilities where appropriate.
- Facilitate the development of recreational facilities and events that attract people into the municipality.

CARDINIA PLANNING SCHEME**Implementation****Application of zones and overlays**

- Including the Puffing Billy Railway land in a Public Use Zone to allow the operation of the railway as provided for under the Emerald Tourist Railway Act.
- Applying the Special Use Zone Schedule 2 (Recreation and Tourism) to areas to preserve and enhance the establishment of tourism and recreation facilities.
- Applying a Vegetation Protection Overlay, Significant Landscape Overlay and Environmental Significance Overlay to protect significant landscapes and areas of landscape quality generally.

Reference Documents

Casey Cardinia Visitation Strategy 2017-2020

Cardinia Shire Tourism Strategy, May 2013

Extractive industry

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Overview

In Cardinia Shire, there are areas identified as extractive industry interest areas, which significantly overlap with areas of high environmental and landscape values. These areas contain significant stone resources, being hard rock which is extracted primarily from the hills north of the Princes Highway, and sand resources in the Lang Lang area.

Key issues

- Protecting resources from development that may impact on the extraction of these resources.
- Acknowledging the potential amenity impacts of extractive industry operations including noise, dust, transport and blast vibration.
- Recognising that Lang Lang - Grantville area is expected to become the major source of concrete sand for the Melbourne supply area over the next 10 to 20 years as resources in the Heatherton- Dingley area are exhausted.
- Providing for the extraction of resources and rehabilitation of sites in a manner which minimises the impact on the environmental, economic and social values of the area.
- Providing for the rehabilitation of sites consistent with the expected end use/s of the site including detail of the proposed rehabilitation works.
- Appreciating the transport requirements of extractive industry operations.

Objective

To recognise and protect significant sand and stone resources in the municipality and allow the extraction of these resources if it can be demonstrated that the extraction operation will not adversely impact on the environment or community.

Strategies**Protection of resources**

- Protect sand and stone resources and existing extractive industry operations from inappropriate development which may impact on their viability.
- Support potential future extractive industry, particularly in the northern area of the Western Port Green Wedge.

CARDINIA PLANNING SCHEME**Amenity impacts**

- Ensure that developments mitigate potential impacts of extractive industry on surface water, ground water, biodiversity (Flora and Fauna), visual landscape, transport infrastructure, residents amenity (i.e. noise dust, transport blast vibration) and cultural heritage (notably Aboriginal Heritage).
- Ensure the provision of appropriate buffer distances from surrounding sensitive uses to ensure minimal conflict of uses and amenity impacts.

Rehabilitation

- Ensure that rehabilitation details (including progressive requirements) are included as an integral part of the extractive industry approval.
- Ensure that the proposed end use is compatible with adjacent land-use and development.

Transport

- Designate transport routes between extractive industry sites and the arterial road network, and require contributions towards the upgrading and maintenance of transport routes from extractive industry sites.

Implementation**Further strategic work**

- Completing the planning and design of the Lang Lang Bypass for sand truck traffic.
- Preparing a strategy for the Lang Lang region to outline the preferred adaptive re-use of land once sand extraction has been completed.

Reference documents

Regional Sand Extraction Strategy, Lang Lang to Grantville, 1996

Sustainable Environment Policy 2018-2028, June 2018

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ECONOMIC DEVELOPMENT

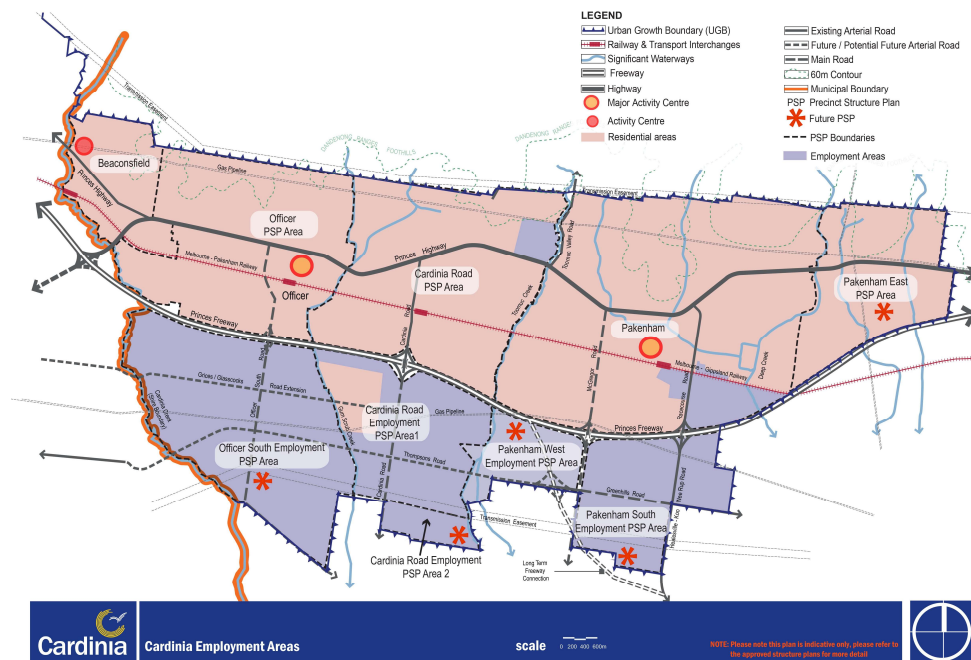
Employment

Overview

Economic development is critical to the overall well-being of the municipality, both in terms of providing employment opportunities for residents and in attracting commercial investment. The Casey-Cardinia Growth Area Framework Plan, 2006 identifies a large employment corridor of approximately 2,500 hectares to the south of the Princes Freeway (Pakenham Bypass) in Pakenham and Officer South as well as activity centres to assist in providing opportunities for local employment for the growing resident population in the area. *Plan Melbourne 2050* further identifies the employment corridor as the ‘Officer-Pakenham State-significant Industrial Precinct’ that will be a major provider of employment and business opportunities for residents of Cardinia Shire and Melbourne’s south-east region.

Employment land within Cardinia Shire’s urban area is shown in Figure 1.

Figure 1: Cardinia Employment Areas



Key issues

- Recognising the need for innovation, diversification and resilience within the local economy to improve and develop employment opportunities and a strong employment base within the municipality to meet the demands of the growing population.
- Recognising the importance of emerging technology and new types of employment into the future.
- Supporting the development and enhancement of economically sustainable businesses within the municipality including within rural townships.
- Staging and timing of the release of land for employment and providing for high quality urban design to encourage investment.
- Providing infrastructure to service future employment land.
- Improving access to employment areas by residents.

CARDINIA PLANNING SCHEME

- Acknowledging the high level of commuting by residents for employment to areas outside the municipality.
- Improving provision and access to higher education and skills development for residents.
- Providing additional east-west linkages to connect employment precinct with Melbourne's south-east.

Objective

To develop diverse local employment opportunities to meet the needs of a growing residential population.

Strategies**Employment opportunities**

- Assist in meeting local and regional employment needs in terms of the supply, type, quality and availability of employment land by facilitating appropriate development.
- Encourage development that provides a diverse mix of employment opportunities including for 'new economy' workers and people with business, professional and management skills.
- Encourage development that provides sufficient local jobs to meet the needs of the existing and future community.
- Retain and develop businesses in rural townships to ensure access to a range of commercial services is available to local residents and to provide for local employment.
- Provide the opportunity for people to work from home where the activity undertaken does not adversely impact on the amenity of the local area.

Infrastructure

- Provide appropriate and timely infrastructure including water, sewerage, drainage, and roads to support the development of employment land.
- Ensure a timely and adequate supply of serviceable land for business and industrial activities both within urban growth area and rural townships.
- Recognise the significant industrial and employment activity areas in Dandenong, Monash and Kingston as opportunities for employment and work with government agencies to improve transport access and connections to these major employment areas.
- Improve the telecommunication capacity within the municipality through broadband and fibre optic infrastructure.

Skills and education

- Advocate for access to education and training, especially for young people.
- Support the establishment of tertiary and vocational facilities with links to the local economy.

Reference documents

Casey-Cardinia Growth Area Framework Plan, 2006

South East Growth Corridor Plan, Growth Areas Authority, 2012

Regional Economic Strategy for Melbourne's South East 2009-2030, January 2009

Cardinia Shire Council, Creating the Future, Council Plan 2018, May 2018

Cardinia Shire's Liveability Plan 2017-29, September 2017

Casey Cardinia Region Economic Development Strategy 2016-17

Cardinia Employment Lands: Stage 1 Assessment Macropplan Australia Pty Ltd, 2007

Pakenham Major Activity Centre Structure Plan, 15 February 2021

Pakenham Major Activity Centre Urban Design Framework, 15 February 2021

CARDINIA PLANNING SCHEME

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Agriculture**Overview**

The annual gross value of agricultural production from the Port Phillip and Western Port Region is estimated at around \$1 billion which is 15 per cent of Victoria's annual gross value of agricultural production. The average gross value of agricultural production per hectare from the Port Phillip and Western Port Region's farms is the highest of any catchment management region in Victoria and is around four times greater than the State average. The general distribution of land capability for agriculture in Cardinia Shire is shown in Figure 2.

The Koo Wee Rup Swamp area contains a peaty clay soil which is recognised as being of high quality agricultural land of State significance. This area now produces 90% of Australia's asparagus crop and approximately 50% of this production is exported annually (Casey-Cardinia Agricultural Audit).

The Gembrook area in the northern part of the municipality has also been a significant producer of potatoes historically. This area has been affected by dieldrin contamination and the Potato Cyst Nematode (PCN) which places restrictions on cattle grazing and potato distribution. The Gembrook Rural Review addressed this issue and has identified a number of actions to maintain agriculture as a viable activity in the area.

Key issues

- Maintaining and protecting high value of agricultural land within the municipality.
- Protecting productive agricultural land from incompatible uses and inappropriate development and subdivision, including non-soil based farming on lands with high soil quality.
- Accessing sustainable water supplies for agricultural activities.
- Implementing the four key areas for action towards achieving the longer-term outcomes desired for Gembrook including; attracting new industries, companies and lifestyle investors to the area; assisting potato growers to make decisions about their future; enhancing environmental and landscape values; and building local support.
- Recognising the impact of intensive farming on surrounding uses.
- Developing Green Wedge Management Plans to fulfil statutory, strategic, environmental, economic and social requirements.

Objective

To maintain agriculture as a strong and sustainable economic activity within the municipality.

Strategies**Sustainability of agricultural land**

- Protect agricultural land, particularly areas of high quality soils, from the intrusion of urban uses, inappropriate development and fragmentation which would lead to a reduction in agricultural viability, the erosion of the right of farmers to farm land, and ultimately the loss of land from agricultural production.
- Discourage boundary realignments that create the opportunity for fragmentation of agricultural land and the creation of a concentration of residential uses outside the urban growth boundary and township boundaries.
- Discourage non-rural uses such as primary and secondary schools, and places of worship from locating on land zoned green wedge and encourage these types of uses to locate within existing townships and within the green wedge land that adjoins the UGB, subject to strategic justification.
- Recognise the importance of access to locally grown food for Cardinia Shire's residents.

CARDINIA PLANNING SCHEME

- Recognise the growing demand for food, both domestically and internationally, and capitalise on opportunities to export fresh produce and processed food products.
- Encourage the establishment of value added industries to process local agricultural produce.
- Ensure the use or development, including subdivision, of agricultural land takes into consideration land capability.
- Encourage the establishment of economically and environmentally sustainable farming practices.
- Encourage sustainable water supply to agricultural areas including the use of recycled water.

Agricultural use

- Discourage non-soil based uses (eg: poultry farms) being located on soils which are of high agricultural quality and, recognising the economic importance of such uses, encourage their location on land with a lesser soil quality.
- Encourage the establishment of alternative and innovative agricultural activities such as herb farming or small nurseries, particularly in areas where fragmented lot sizes limit opportunities for broadacre agricultural activities.

Access

- Ensure efficient transport access to agricultural areas by heavy vehicles with particular attention to road system improvements and the structural capacity of bridges.

Amenity

- Ensure that any agricultural development proposal is appropriately located in terms of buffer distances of surrounding uses.
- Provide for the establishment of intensive agricultural activities (eg: poultry farms and green houses) in a location and manner which minimises the impact on nearby residents and the environment.
- Encourage responsible land management to minimise environmental degradation by pest plants and animals.

Implementation**Further strategic work**

- Reviewing the planning framework for Gembrook to facilitate potential investment in more intensive agricultural enterprises.
- Reviewing the appropriateness of the Rural Conservation Zone within the municipality particularly land south of South Gippsland Highway.
- Preparing Green Wedge Management plans for the Northern Ranges Green Wedge and the Southern Ranges Green Wedge in conjunction with the relevant councils and government departments.
- Develop a local policy that addresses uses in the Green Wedge Zones that are required to be in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery, and sets out parameters of how these uses are to be established.
- Prepare a local policy to provide guidance on boundary realignments in green wedge areas, which also includes policy to ensure new dwellings are associated with an agricultural or horticultural use and not for a rural residential property or hobby farm.

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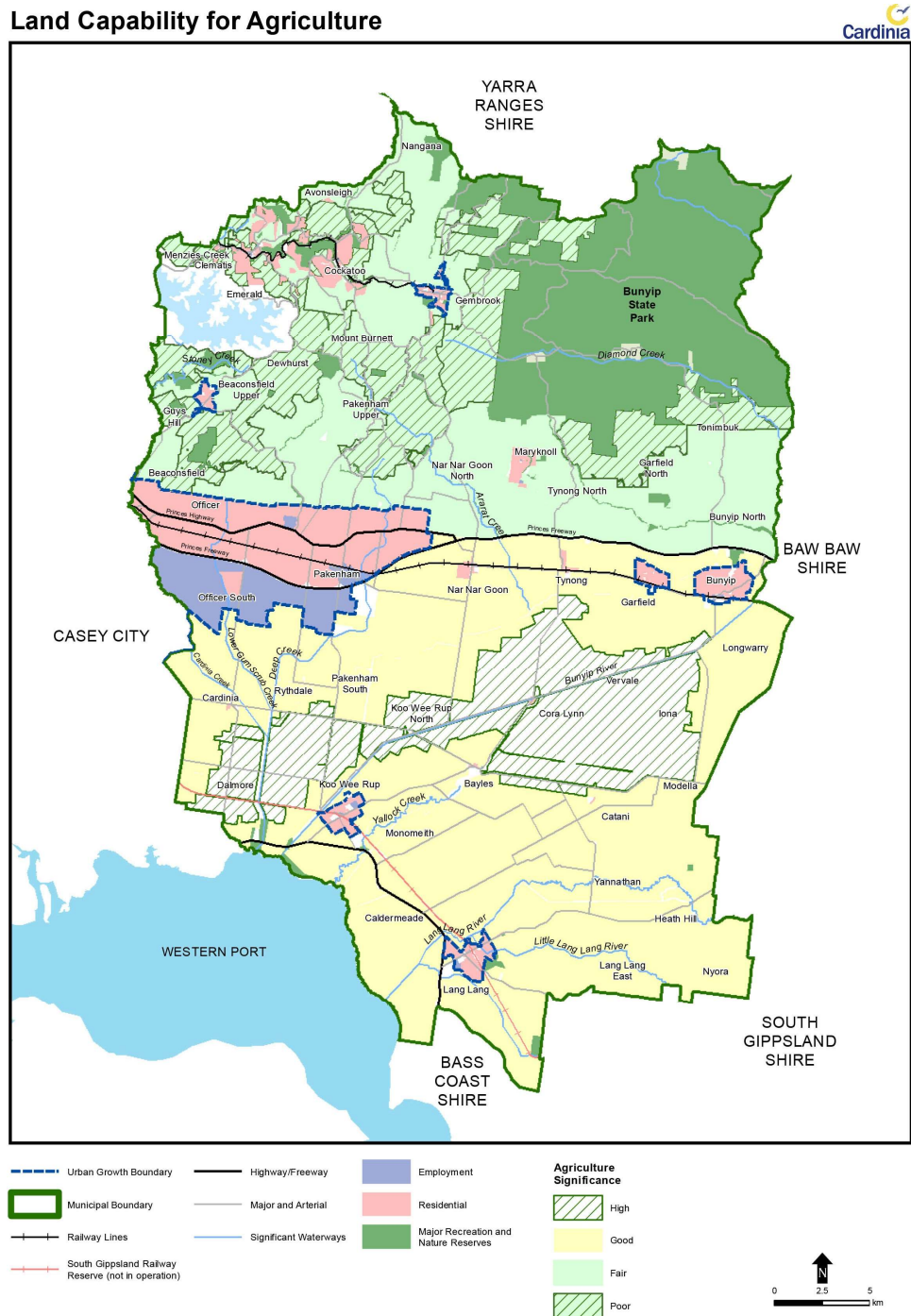
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Land Capability Study for the Shire of Cardinia, 1997

CARDINIA PLANNING SCHEME

Cardinia Western Port Green Wedge Management Plan, May 2017
Casey and Cardinia Regional Agricultural Audit and Action Framework, 2004
Gembrook Rural Review – Action Plan, 2004

Figure 2: Land Capability for Agriculture



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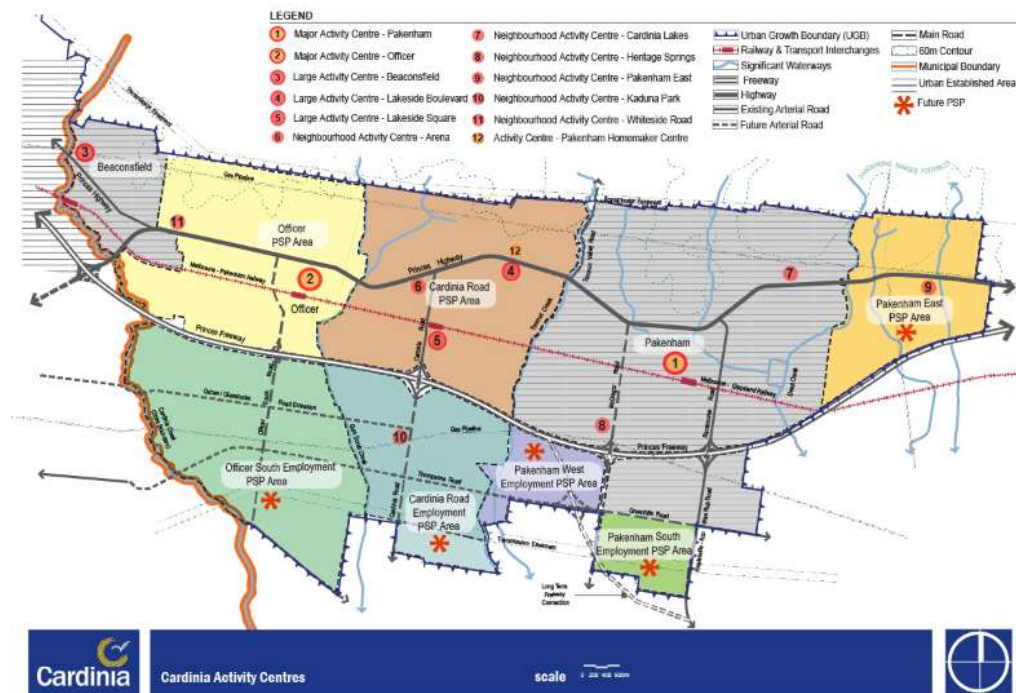
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Activity centres

Overview

Activity centres provide a range of retail, commercial, entertainment and community services activities integrated with housing in a location which is highly accessible by road, public transport, foot and bicycle. Activity centres are a focus for community activity and interaction in a location with a strong sense of place and urban character.

Officer and Pakenham are designated Major Activity Centres, and Beaconsfield, Lakeside Boulevard and Lakeside Square are designated as a large Neighbourhood Activity Centre within the urban growth boundary. Emerald in the north and Koo Wee Rup in the south of the municipality are larger township activity centres and there are smaller centres dispersed throughout the municipality.



Key issues

- Facilitating the creation and expansion of activity centres proportionate with population growth within the municipality.
- Recognising and developing the existing and future retail hierarchy of activity centres in the urban area.
- Facilitating development of retail, commercial, community, residential and entertainment activities within activity centres, to meet the needs of the existing and future community.
- Recognising the need for innovation, diversification and resilience to improve and develop employment opportunities and a strong employment base within the municipality.
- Recognising the importance of emerging technology and new types of employment into the future.
- Ensuring appropriate links between activity centres and surrounding residential communities.
- Controlling the orderly expansion and management of the Pakenham Activity Centre.

CARDINIA PLANNING SCHEME

- Managing the establishment of bulky goods retailing precincts.
- Developing and implementing urban design frameworks to facilitate high quality development within activity centres.

Objective

To establish a network of activity centres in the growth area creating opportunities for a range of activities including retail, commercial, community, residential and entertainment to meet the needs of the community.

Strategies**Activity centres**

- Develop structure plans for urban precincts and activity centres within the growth area with a focus on retail, commercial, community, entertainment and residential activities.
- Encourage higher order retail at Pakenham and Officer Major Activity Centres supported by high quality pedestrian access, public transport and urban design.

Design and location

- Encourage development that enhances and complements the identity of the activity centres and facilitates improved urban design outcomes.
- Optimise the provision of adequate, integrated, accessible and functional car parking as an integral part of activity centres.
- Encourage main street development as the standard form of retail development in activity centres.
- Encourage two story development along main streets of activity centres.

Bulky goods

- Facilitate the future establishment of associated commercial activities such as bulky goods retailing within the Pakenham Homemaker Precinct and facilitate its effective integration within the Lakeside activity centre.

Implementation**Application of zones and overlays**

- Applying Development Plan Overlays to areas of development to ensure appropriate development and design principles are employed.

Further strategic work

The strategies in relation to activity centres will be implemented through the planning scheme by:

Use of policy and exercise of discretion

- When deciding on applications for use or development within activity centres, considering, as appropriate:
 - Precinct Structure Plan.
 - Activity Centre Structure Plan
 - Urban Design Framework or urban design guideline.
 - Township Strategy.
- When developing Precinct Structure Plans, Activity Centre Structure Plans and Township Strategies, considering the role and function of activity centres.

Application of zones and overlays

- Applying a Commercial 1 Zone to encourage the intensive development of business centres for retailing and other complementary commercial, entertainment and community uses.

CARDINIA PLANNING SCHEME

- Applying a Commercial 1 Zone to encourage the development of offices and associated commercial uses.
- Applying a Commercial 2 Zone to encourage the development of a mix of bulky goods retailing and manufacturing industry and their associated business services.
- Applying a Mixed Use Zone to designate activity centres with a mixed use function and community activity clusters.
- Applying Development Plan Overlays to areas of development to ensure appropriate development and design principles are employed.

Further strategic work

- Developing car parking precinct plans and a local schedule for car parking provision in activity centres.
- Preparing Precinct Structure Plans for the urban growth area and Activity Centre Structure Plans or Urban Design Frameworks for existing and future activity centres.
- Investigating the possibility of establishing activity centres in the employment precincts to the south of Pakenham and Officer to provide employment related services and facilities.

Reference documents

Casey-Cardinia Growth Area Framework Plan, 2006
South East Growth Corridor Plan, Growth Areas Authority, 2012
Cardinia Shire Council, Creating the Future, Council Plan 2018, May 2018
Cardinia Shire's Liveability Plan 2017-29, September 2017
Beaconsfield Structure Plan, December 2013
Beaconsfield Structure Plan Background Paper, December 2013
Woods Street (North) Urban Design Guidelines, May 2013
Cardinia Urban Growth Area – Retail Review, March 2007
Pakenham Major Activity Centre Structure Plan, 15 February 2021
Pakenham Major Activity Centre Urban Design Framework, 15 February 2021
Pakenham Homemaker Precinct Urban Design Framework, 2004
Pakenham Rail Station Urban Design Framework, 2005
Cockatoo Town Centre Urban Design Framework, 2004 (revised 2007)

Industry**Overview**

The main industrial area within the municipality is established within Pakenham with smaller industrial precincts also located in Emerald, Maryknoll, Beaconsfield, Officer, Bunyip, Koo Wee Rup and Lang Lang. A number of existing industries add value to the process of agricultural production.

In the Casey-Cardinia Growth Area, 2,500 additional hectares have been set aside for employment uses, including industry and commerce. South East Industrial Business Park (located at the intersection of Bald Hill Road and Koo Wee Rup Road, Pakenham), will provide 167 hectares of industrial land to support more jobs to be created near Pakenham.

21.04-4

20/11/2020

Proposed C228

CARDINIA PLANNING SCHEME**Key issues**

- Enhancing the appearance and functionality of existing industrial areas and the design of future industrial development to create an attractive, functional and safe business environment.
- Providing for investment and development both for local businesses and larger industries.
- Facilitating the development of the Pakenham and Cardinia Road Employment Precincts.
- Facilitating linkages between industry and agricultural uses particularly in terms of transport networks.
- Locating future industry to ensure appropriate access from the transportation network.
- Recognising that future industry development will be increasingly linked to a range of knowledge-based services.
- Recognising the need for innovation, diversification and resilience to improve and develop employment opportunities and a strong employment base within the municipality.
- Recognising the importance of emerging technology and new types of employment into the future.

Objective

To develop manufacturing and service industries that provide services to local residents and businesses, support local employment and reflect a high standard of urban design.

Strategies**Subdivision**

- Encourage a range of lot sizes to meet the needs of different users, including the encouragement of larger lots for major developments on main or arterial roads.

Use

- Provide for limited retailing (restricted retail and trade supplies) in industrial areas along arterial roads provided the retailing activities do not conflict with nearby activity centres.
- Provide for office and research and development in association with industrial activities in appropriate locations.
- Encourage the establishment of industries which add value to local agricultural produce.
- Consider the establishment of rural industries in green wedges if they are directly related, or contribute, to agricultural production.
- Encourage the establishment of service industries in townships to meet the needs of local residents and to provide for local employment.

Design

- Encourage a high standard of building design that contributes to the overall streetscape character to create an attractive working environment.
- Ensure developments provide a functional layout in terms of access, carparking and loading.
- Ensure that development adjacent to arterial roads provides active frontages to the road network.

Infrastructure

- Ensure appropriate vehicle, bicycle and pedestrian access and parking is provided within industrial developments.
- Ensure appropriate services are provided for industrial development.

CARDINIA PLANNING SCHEME**Implementation****Future strategic work**

- Considering a local policy on Design Guidelines for Industrial Development or the application of a Design and Development Overlay to ensure appropriate development of existing and future industrial land, including the industrial land on Bald Hill Road and around Purton Road.
- Preparing structure plans for both the Pakenham West Employment Precinct and the Pakenham South Employment Precinct.
- Review the application of all industrial zones to identify land that is appropriate to rezone to the Commercial 2 Zone, Commercial 3 Zone, or Industrial 3 Zone to provide a buffer between heavy industrial areas and other areas, and allow for leisure and recreation uses to be located in these areas.
- Considering the application of a Commercial 2 Zone along some arterial roads where there is industrial development.

Reference documents

Casey-Cardinia Growth Area Framework Plan, 2006

South East Growth Corridor Plan, Growth Areas Authority, 2012

Regional Economic Strategy for Melbourne's South East, 2009-2030, January 2009

Cardinia Shire Council, Creating the Future, Council Plan 2018, May 2018

Cardinia Shire's Liveability Plan 2017-29, September 2017

Cardinia Employment Lands: Stage 1 Assessment Macroplan Australia Pty Ltd, March 2007

Design Guidelines for Industrial Development, 2000

Tourism**Overview**

Tourism is defined as a multi-faceted industry which combines diverse activities including travel, leisure, recreation, entertainment, hospitality, business and conferences, and is supported by activities in a range of sectors including visitor attractions, visitor accommodation, retailing, transport and other services. Although Cardinia is not generally considered a tourist destination, the municipality offers opportunities for visitors to experience the area's boutique farm produce, arts and crafts, cultural and historic locations, and the natural environment.

Key issues

- Acknowledging that tourism is an important economic activity in the municipality.
- Recognising that Puffing Billy Tourist Railway is an asset of cultural, historic and economic significance and is a major attractor of tourists to the municipality.
- Recognising that Pakenham Racecourse at Tynong is a major horse racing and training facility that provides significant employment and economic benefits, both directly and indirectly, as a major attractor of visitors from adjoining regions.
- Recognising that Gumbuya World is a significant recreation facility that attracts increasing numbers of tourists from the region and provides positive economic benefits, including local employment.
- Recognising that the natural environment of Cardinia Shire is an asset that attracts visitors to the municipality.
- Protecting and enhancing the scenic and environmental values of the landscape in Cardinia, including the rural outlook from key tourist routes.

21.04-5
20/11/2020
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CARDINIA PLANNING SCHEME

- Minimising the adverse impacts of development on the landscape and environment through appropriate scale and design.
- Linking with neighbouring tourism regions especially Yarra Ranges, South Gippsland and West Gippsland.
- Undertake a balanced approach between supporting new and growing businesses and protecting the Green Wedge environment and rural assets upon which the business is based.

Objective

To provide support for the maintenance and development of tourism related activities.

Strategies**Assets**

- Support further growth of the Puffing Billy Tourist Railway and associated facilities as a tourist attraction of State significance.
- Ensure that the visual corridor along the Puffing Billy Tourist Railway is protected from inappropriate development.
- Support further growth of Gumbuya World as a tourist attraction of regional significance.
- Support the Pakenham Racecourse and associated facilities as a tourist attraction of regional significance.
- Support and facilitate the development of Cultural Precincts for arts and cultural facilities aligned to Activity Centres and other community infrastructure in major townships and population areas.
- Promote the natural environment of Cardinia Shire while ensuring environmentally significant areas are respected and preserved.
- Protect areas of high scenic value and landscape quality, especially the rural outlook from key tourist routes.
- Support better linkages with both Dandenong Ranges and Gippsland tourism regions by establishing local tourism infrastructure and facilities to complement major regional attractions.

Activities

- Encourage the establishment of tourism activities in rural townships within the municipality through the establishment of activities including accommodation, restaurants, cafes, galleries, markets, and through undertaking streetscape improvements and upgrading public amenities.
- Develop Gembrook township as a major tourism destination based on a heritage theme and the scenic qualities of the area.
- Support the development of tourist accommodation within the municipality which does not adversely impact on the environment or affect the amenity of local residents.
- Ensure that tourism development is of a scale and design that is compatible with the locality and minimises adverse impacts on the environment.
- Recognise the importance of and opportunities for links between tourism and agriculture (eg: wineries, host farms and rural displays).
- Facilitate the development of complimentary facilities at golf courses including accommodation, conferencing and dining facilities where appropriate.
- Facilitate the development of recreational facilities and events that attract people into the municipality.

CARDINIA PLANNING SCHEME**Implementation****Application of zones and overlays**

- Including the Puffing Billy Railway land in a Public Use Zone to allow the operation of the railway as provided for under the Emerald Tourist Railway Act.
- Applying the Special Use Zone Schedule 2 (Recreation and Tourism) to areas to preserve and enhance the establishment of tourism and recreation facilities.
- Applying a Vegetation Protection Overlay, Significant Landscape Overlay and Environmental Significance Overlay to protect significant landscapes and areas of landscape quality generally.

Reference Documents

Casey Cardinia Visitation Strategy 2017-2020

Cardinia Shire Tourism Strategy, May 2013

Extractive industry

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Overview

In Cardinia Shire, there are areas identified as extractive industry interest areas, which significantly overlap with areas of high environmental and landscape values. These areas contain significant stone resources, being hard rock which is extracted primarily from the hills north of the Princes Highway, and sand resources in the Lang Lang area.

Key issues

- Protecting resources from development that may impact on the extraction of these resources.
- Acknowledging the potential amenity impacts of extractive industry operations including noise, dust, transport and blast vibration.
- Recognising that Lang Lang - Grantville area is expected to become the major source of concrete sand for the Melbourne supply area over the next 10 to 20 years as resources in the Heatherton- Dingley area are exhausted.
- Providing for the extraction of resources and rehabilitation of sites in a manner which minimises the impact on the environmental, economic and social values of the area.
- Providing for the rehabilitation of sites consistent with the expected end use/s of the site including detail of the proposed rehabilitation works.
- Appreciating the transport requirements of extractive industry operations.

Objective

To recognise and protect significant sand and stone resources in the municipality and allow the extraction of these resources if it can be demonstrated that the extraction operation will not adversely impact on the environment or community.

Strategies**Protection of resources**

- Protect sand and stone resources and existing extractive industry operations from inappropriate development which may impact on their viability.
- Support potential future extractive industry, particularly in the northern area of the Western Port Green Wedge.

CARDINIA PLANNING SCHEME**Amenity impacts**

- Ensure that developments mitigate potential impacts of extractive industry on surface water, ground water, biodiversity (Flora and Fauna), visual landscape, transport infrastructure, residents amenity (i.e. noise dust, transport blast vibration) and cultural heritage (notably Aboriginal Heritage).
- Ensure the provision of appropriate buffer distances from surrounding sensitive uses to ensure minimal conflict of uses and amenity impacts.

Rehabilitation

- Ensure that rehabilitation details (including progressive requirements) are included as an integral part of the extractive industry approval.
- Ensure that the proposed end use is compatible with adjacent land-use and development.

Transport

- Designate transport routes between extractive industry sites and the arterial road network, and require contributions towards the upgrading and maintenance of transport routes from extractive industry sites.

Implementation**Further strategic work**

- Completing the planning and design of the Lang Lang Bypass for sand truck traffic.
- Preparing a strategy for the Lang Lang region to outline the preferred adaptive re-use of land once sand extraction has been completed.

Reference documents

Regional Sand Extraction Strategy, Lang Lang to Grantville, 1996

Sustainable Environment Policy 2018-2028, June 2018

37.08
31/07/2018
VC148

ACTIVITY CENTRE ZONE

Shown on the planning scheme map as **ACZ** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To encourage a mixture of uses and the intensive development of the activity centre:

- As a focus for business, shopping, working, housing, leisure, transport and community facilities.
- To support sustainable urban outcomes that maximise the use of infrastructure and public transport.

To deliver a diversity of housing at higher densities to make optimum use of the facilities and services.

To create through good urban design an attractive, pleasant, walkable, safe and stimulating environment.

To facilitate use and development of land in accordance with the Development Framework for the activity centre.

37.08-1
17/09/2009
VC59

Operation

A schedule to this zone comprises the Development Framework for the activity centre.

A schedule to this zone must contain:

- A framework plan for the activity centre.
- A statement of the activity centre land use and development objectives to be achieved.

A schedule to this zone may contain:

- Centre-wide provisions.
- Precinct provisions.

37.08-2
17/09/2009
VC59

Table of uses

Section 1 - Permit not required

Use	Condition
Any use in Section 1 of the schedule to this zone	Must comply with any condition in Section 1 of the schedule to this zone.

Section 2 - Permit required

Use	Condition
Any use in Section 2 of the schedule to this zone	Must comply with any condition in Section 2 of the schedule to this zone.

Section 3 - Prohibited

Use
Any use in Section 3 of the schedule to this zone

37.08-317/09/2009
VC59**Use of land**

Any requirement in the schedule to this zone must be met.

37.08-431/07/2018
VC148**Subdivision**

A permit is required to subdivide land.

Any requirement in the schedule to this zone must be met.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change. 	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision. 	Clause 59.02
Subdivide land into 2 lots if: <ul style="list-style-type: none"> ▪ The construction of a building or the construction or carrying out of works on the land: <ul style="list-style-type: none"> - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. - Has started lawfully. ▪ The subdivision does not create a vacant lot. 	Clause 59.02

37.08-531/07/2018
VC148**Buildings and works**

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

An apartment development must meet the requirements of Clause 58.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
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Construct a building or construct or carry out works with an estimated cost of up to \$500,000 and the land is not:

- Within 30 metres of land (not a road) which is in a residential zone.
- Used for a purpose listed in the table to Clause 53.10.

Transitional provisions

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

37.08-6

17/09/2009
VC59

Design and development

A schedule to this zone may include requirements relating to:

- Building setbacks.
- Building height.
- Building materials.
- Access.
- Landscaping.
- Public realm.
- Any other requirements or guidelines relating to the design or built form of new development.

A permit may be granted to construct a building or construct or carry out works which is not in accordance with any design and development requirement in the schedule to this zone unless the schedule to this zone specifies otherwise.

37.08-7

16/01/2018
VC142

Application requirements

Use

An application to use land must be accompanied by the following information, as appropriate:

- A description of the proposed use and the types of activities which will be carried out and any proposed staging of use and activities on the land.
- Plans drawn to scale and dimensioned which show:
 - The siting and use of buildings.
 - Areas not required for immediate use.
 - Adjacent buildings and uses.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access, glare, air-borne emissions and emissions to land and water.
- If an industry or warehouse:
 - The type and quantity of goods to be stored, processed or produced.

- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1995* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- Any other information specified in the schedule to this zone.

Subdivision

An application to subdivide land must be accompanied by the following information, as appropriate:

- Plans drawn to scale and dimensioned which show:
 - Site shape, size, dimensions and orientation.
 - The pattern of subdivision of the surrounding area.
 - Easements.
 - Location of drainage and other utilities.
 - Street frontage features such as poles, street trees and kerb crossovers.
 - Access points.
 - Any natural features.
- Any other information specified in the schedule to this zone.

Buildings and works

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- Plans drawn to scale and dimensioned which show:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - The location, height and use of buildings and works on adjoining land.
 - Levels of the site and the difference in levels between the site and surrounding properties to a defined point at the site boundaries or to Australian Height Datum (AHD).
 - Any contaminated soils and filled areas, where known.
 - The layout of existing and proposed buildings and works.
 - The internal layout and use of the proposed development.
 - All access and pedestrian areas.
 - All driveway, car parking and loading areas.
 - Existing vegetation and proposed landscape areas.
 - All external storage and waste treatment areas.
 - The location of easements and services.
- Elevation plans drawn to scale and dimensioned which show:
 - The building form and scale.
 - Setbacks to property boundaries.

- Finished floor levels and building heights to a defined point at the site boundaries or to Australian Height Datum (AHD).
- Shadow diagrams based on the equinox shown for existing conditions and the proposed development.
- A schedule of finishes for the proposed development detailing materials and colours of external surfaces including walls, roofs and fences.
- A written statement providing an assessment of the proposal against the relevant sections of the Planning Policy Framework, Activity Centre Zone and any relevant overlays.
- An assessment of the characteristics of the area including:
 - Any environmental features such as vegetation, topography and significant views.
 - Street design and landscape.
 - The pattern of development.
 - Building form, scale and rhythm.
 - Architectural style, building details and materials.
 - Connection to the public realm.
 - Any significant noise, odour, fume and vibration sources to and/or from the development.
- A landscape plan which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- An urban context report and design response as required in Clause 58.01 for an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development.
- Any other information specified in the schedule to this zone.

37.08-831/07/2018
VC148**Exemption from notice and review**

An application under Clauses 37.08-2, 37.08-4, 37.08-5 or 37.08-6 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.

A schedule to this zone may specify an application in respect of land in an Activity Centre Zone under any other specified provision of this scheme 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.

37.08-931/07/2018
VC148**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The development framework plan set out in the schedule to this zone.
- The land use and development objectives set out in the schedule to this zone.

- The extent that the layout and design of the new use or development minimises the potential for off-site impacts, including from noise, fumes, odour or vibrations, ensuring that:
 - existing uses are not compromised by a new development, or
 - a new development is designed to address amenity impacts from existing uses.
- Any requirements set out in the schedule to this zone.
- Any other decision guidelines specified in the schedule to this zone.

Access

- Movements systems through and around the site including the movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking, loading of vehicles and access to parking spaces and loading bays.

Use

- The interim use of those parts of the land not required for the proposed use.
- Whether the use is compatible with adjoining and nearby land uses.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Design and built form

- The design, scale, height, setback, appearance and material of the proposed buildings and works.
- The provision for solar access to the building and on the public realm.
- The design of the public realm.
- The relationship between the proposed building and the public realm.
- The streetscape, including the conservation of buildings, the design of verandas, access from the street front, provision of active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The interface with adjoining zones, especially the relationship with residential zones.
- The objectives, standards and decision guidelines of Clause 54 and Clause 55. This does not apply to an apartment development.
- For an apartment development, the objectives, standards and decision guidelines of Clause 58.
- The storage of rubbish and materials for recycling.

Transitional provisions

The objectives, standards and decision guidelines of Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

37.08-10

31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone is in Category 1 unless a schedule to this zone specifies a different category.

37.08-11

17/09/2009
VC59

Other provisions of the scheme

The schedule to this zone may specify that other provisions of the scheme do not apply.

CARDINIA PLANNING SCHEME

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Proposed C228

SCHEDULE 1 TO CLAUSE 37.08 ACTIVITY CENTRE ZONE

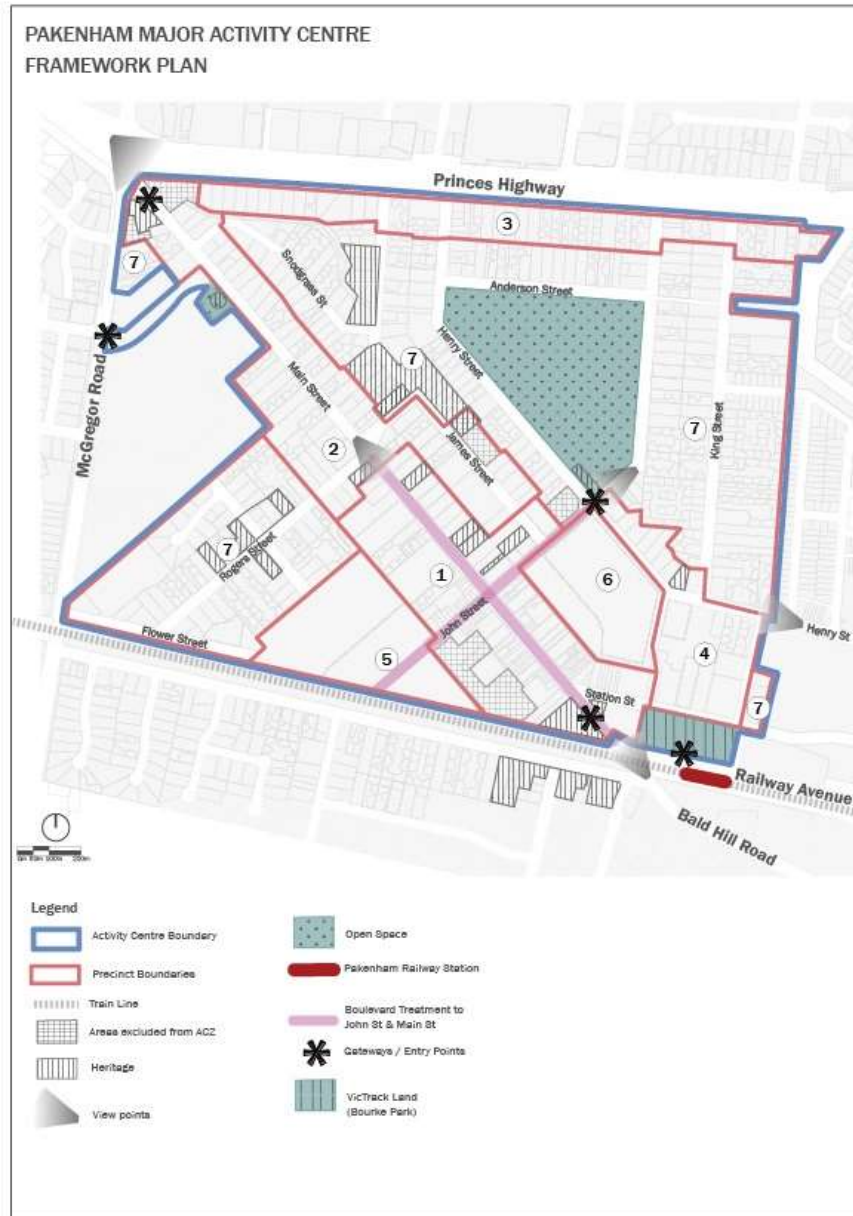
Shown on the planning scheme map as **ACZ1**

PAKENHAM MAJOR ACTIVITY CENTRE

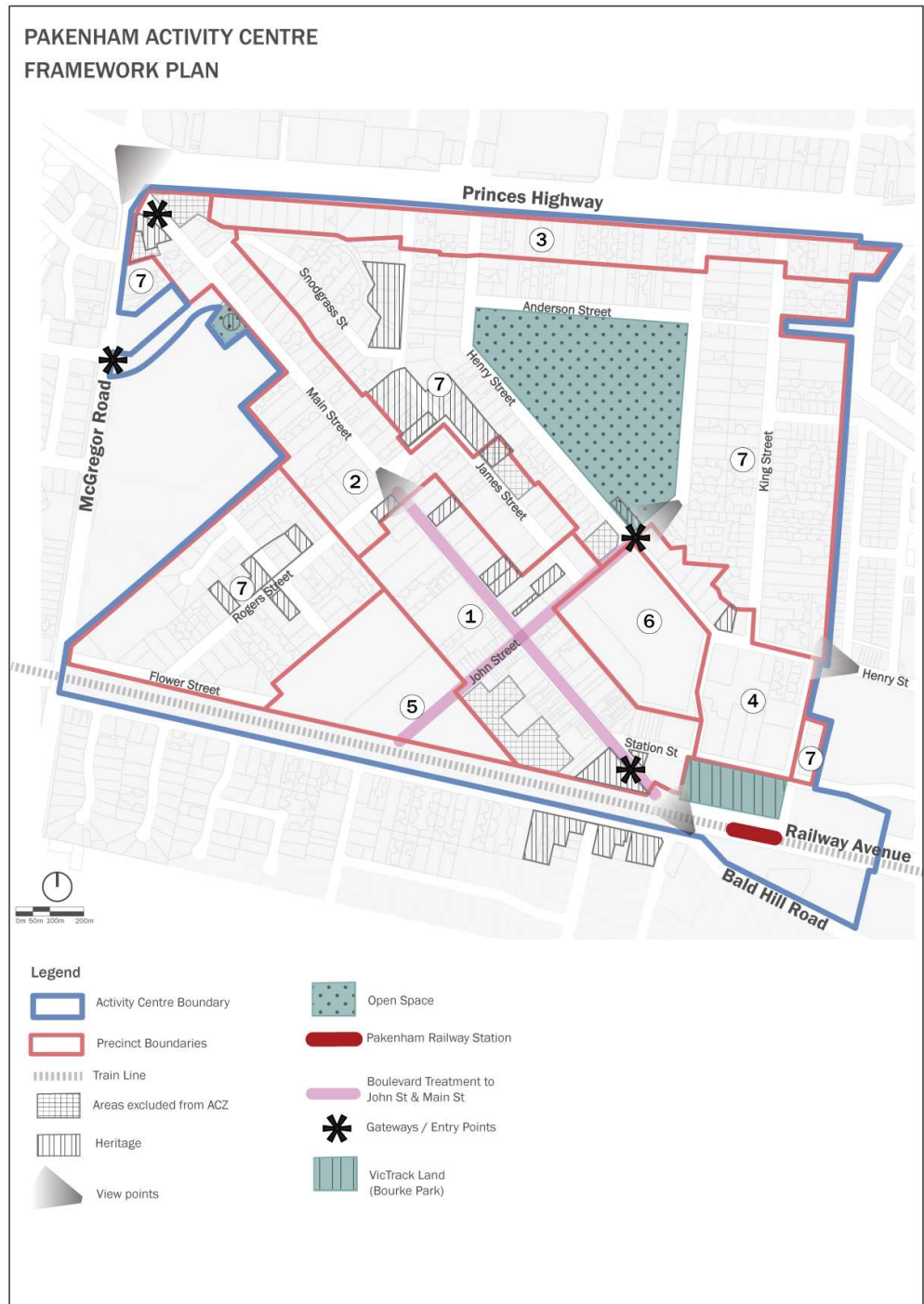
1.0

Pakenham Major Activity Centre Framework Plan

--/20--
Proposed C228



CARDINIA PLANNING SCHEME



CARDINIA PLANNING SCHEME

2.0 Land use and development objectives to be achieved

--/20--
Proposed C228

Activities and land use

- Support and ensure the provision of diverse well-designed housing that caters to all members of the community.
- Reinforce the activity centre's role as a regional hub promoting and encouraging a diverse and compatible mix of land uses that includes retail, commercial, residential as well as civic and community services.
- Provide appropriate transitions and interfaces between different land use and development including surrounding residential, heritage or significant sites.
- Protect and restore the built heritage of the Activity Centre through the conservation, reuse and restoration of heritage buildings.
- Encourage the co-location or centralisation of community services to support the needs of the local and regional area.
- Facilitate consolidation of land to create viable development sites for the Activity Centre.

Transport and movement

- Ensure safe and convenient vehicle, pedestrian and cycle networks that facilitates movement through and to the activity centre.
- Encourage active transport on streets, within car parking areas and arcades, in open space and along the creek network.
- Provide a clear, efficient and logical vehicle network and ensure access to convenient and safe car parking in the activity centre.

Public realm

- Create a safe and high-quality cohesive open space network that provides opportunities for a range of activities and users, and assists in creating a sense of place for the activity centre.
- Ensure a network of attractive, safe and accessible streets that cater for and enhance the different activities and land uses within the activity centre.
- Promote human scale and pedestrian focused streets to encourage a vibrant and lively public realm in the retail core, including evening activities.
- Create a sense of arrival to the Pakenham Activity Centre at identified key gateway sites through the provision of high quality landscape and/or architectural treatments.

Built form and environment

- Develop a well-integrated built form and neighbourhood character which respects and responds to local context, streetscape character, landscape values, historical and significant developments.
- Ensure contemporary architecture of any new development responds to any adjoining heritage places and precincts and provides appropriate interfaces.
- Ensure all development within the activity centre provides high quality innovative design consistent with the principles of environmentally sustainable design reducing climate change impacts.
- Reinforce and enhance the 'fine grain' built form pattern established within the retail core of the town centre.
- Provide built form elements that contribute to the pedestrian amenity of users in the retail core of the activity centre.
- Ensure ground floor facades addressing a street or any other public realm space are activated and provide passive surveillance of the public realm.

CARDINIA PLANNING SCHEME

- Create an urban pattern that establishes an appropriate transition between the core retail, commercial and mixed development areas, and the residential areas within the town centre.
- Ensure development and public realm are accessible for persons of all abilities and incorporate the principles of Crime Prevention Through Environmental Design (CPTED).

3.0 Table of uses--/20--
Proposed C228**Section 1 - Permit not required**

Use	Condition
Child care centre	Must be located in Precincts 1 or 4. Any frontage at ground floor level must not exceed 2 metres, except entry foyers which must not exceed 4 metres. Access must not be shared with a dwelling (other than a caretaker's house).
Cinema	Must be located in Precincts 1, 4 or 5. Any frontage must not exceed 2 metres located at ground floor level along street frontages, except for entry foyers which must not exceed 4 metres.
Convenience shop	Must be located at ground level. In Precincts 3 or 7: <ul style="list-style-type: none"> • Must be located within 100 metres of land in precincts 1, 2, 4, 5 or 6 of the Activity Centre Zone and must adjoin, or have access to a road in a Road Zone. • The leasable floor area for each tenancy must not exceed 100 square metres.
Dwelling	Must be located in Precincts 1, 2, 3, 4 or 7. In Precincts 1 or 4: <ul style="list-style-type: none"> • Any frontage must not exceed 2 metres located at ground floor level along street frontages, except for entry foyers which must not exceed 4 metres
Dependent persons unit	Must be located in Precincts 2, 3, or 7.
Domestic animal husbandry	Must be no more than 2 animals
Education centre (other than Child care centre)	Must be located in Precinct 4.
Food and drink premises (other than Hotel and Bar)	In Precincts 3 or 7: <ul style="list-style-type: none"> • Must be located within 100 metres of land in precincts 1, 2, 4, 5 or 6 of the Activity Centre Zone and must adjoin, or have access to a road in a Road Zone. • The leasable floor area for each tenancy must not exceed 100 square metres.
Home based business	
Indoor recreation facility	Must be located in Precincts 1, 5 or 6. Any frontage must not exceed 2 metres located at ground floor level along street frontages, except for entry foyers which must not exceed 4 metres.

CARDINIA PLANNING SCHEME

Medical Centre	Must be located in Precinct 2, 3 or 4. The gross floor area of each tenancy must not exceed 250 square metres.
Office (other than Medical centre)	Must be located in Precincts 1, 2, 3, 4, 5 or 6. In Precinct 1 or 6: <ul style="list-style-type: none"> Any frontage must not exceed 2 metres located at ground floor level along street frontages, except for entry foyers or unless the office is a bank, real estate agency, travel agency.
Postal agency	Must be located in Precincts 1 or 4.
Residential aged care facility	Must be in Precinct 3.
Shop (other than Adult sex product shop, Convenience shop and Restricted retail premise)	Must be located in Precincts 1, 2, 4, 5 or 6.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Dwelling, Dependent persons unit, Host farm, Corrective institution, Camping and caravan park and Residential aged care facility)	Any frontage in Precincts 1 or 4 must not exceed 2 metres located at ground floor level along street frontages, except for entry foyers which must not exceed 4 metres.
Adult sex product shop	Must be located in Precincts 1, 4, 5 and 6. Must be at least 200 metres measured by the shortest public pedestrian access route from Precinct 3 or 7, a residential zone, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.
Bar	Must be located in Precinct 1 or 4.
Child care centre - if the Section 1 condition is not met	Must be located in Precincts 2, 3 or 7. The site must adjoin, have access to, a road in a Road Zone.
Cinema – if the Section 1 condition is not met	Must be located in Precinct 6. Any frontage must not exceed 2 metres located at ground floor level along street frontages, except for entry foyers which must not exceed 4 metres.
Commercial display area	Must be located in Precinct 4. Must be in conjunction with a use in Section 1 or 2.
Convenience shop – if the Section 1 condition is not met	The site must adjoin, or have access to, a road in a Road Zone.
Dwelling – if the Section 1 condition is not met	In Precincts 5 or 6, must not be located at ground level.
Dependent persons unit– if the Section 1 condition is not met	In Precincts 1 or 4 must not be located at along street frontages.
Domestic animal husbandry – if the Section 1 condition is not met	Must be no more than 5 animals.

CARDINIA PLANNING SCHEME

Use	Condition
Indoor recreation facility– if the Section 1 condition is not met	Must be located in Precinct 2 or 4. In Precinct 4: <ul style="list-style-type: none"> Any frontage must not exceed 2 metres located at ground floor level along street frontages, except for entry foyers which must not exceed 4 metres.
Industry (other than Materials recycling, Refuse disposal, Rural industry or Transfer station)	Must be located in Precincts 1, 4, 5 or 6. Must not be a use specified in Clause 53.10. In Precinct 1 or 4: <ul style="list-style-type: none"> Must be in conjunction with a use in Section 1 or 2.
Mail centre	Must be located in Precinct 4. Must be in conjunction with a use in Section 1 or 2.
Medical Centre – if the Section 1 condition is not met	Must be located in Precinct 1, 2, 3 or 4. In Precinct 1: any frontage must not exceed 2 metres located at ground floor level along street frontages, except for entry foyers which must not exceed 4 metres. In Precinct 3: the gross floor area of each tenancy must not exceed 250 square metres.
Nightclub	Must be in Precinct 1.
Office (other than Medical centre) – if the Section 1 condition is not met	In Precinct 7: <ul style="list-style-type: none"> The land must be located within 100 metres of an adjoining precinct of the Activity Centre Zone. The leasable floor area for each tenancy must not exceed 100 square metres.
Place of assembly (other than Cinema, Nightclub and Place of worship)	Must be located in Precincts 3, 4 or 7. The site must adjoin, have access to, a road in a Road Zone.
Place of worship	Must be located in Precincts 2, 3 or 7. The gross floor area of all buildings associated with the use must not exceed 250 square metres. The site must adjoin, have access to, a road in a Road Zone.
Restricted recreation facility	Must be located in Precinct 1, 2, 3, 5 or 6. In Precinct 1: any frontage must not exceed 2 metres located at ground floor level along street frontages, except for entry foyers which must not exceed 4 metres.
Restricted retail premises	Must be located in Precinct 1, 4, 5 or 6. The gross floor area of each tenancy must not exceed 1000 square metres.
Residential aged care facility – if the Section 1 condition is not met	Must be located in Precinct 2 or 7.
Retail premises (other than Adult sex product shop, Convenience shop, Food and drink premises, Restricted retail premises or Shop)	

CARDINIA PLANNING SCHEME

Use	Condition
Shop (other than Adult sex product shop, Convenience shop or Restricted retail premises) – if the Section 1 condition is not met	In Precinct 7: <ul style="list-style-type: none"> The land must be located within 100 metres of land in adjoining precincts 1, 2, 4, 5 or 6 in this Schedule 1 to the Activity Centre Zone.
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Agriculture (other than Domestic animal husbandry)
Brothel
Camping and caravan park
Corrective institution
Drive-in theatre
Earth and energy resources industry
Host farm
Leisure and recreation (other than Indoor recreation facility, Informal outdoor recreation and Restricted recreation facility)
Materials Recycling
Refuse disposal
Rural Industry
Saleyard
Service Station
Transfer station
Transport terminal (other than Rail station or Bus terminal)
Warehouse (other than a Commercial display area or Mail Centre)

4.0
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Proposed C228
4.1

Centre-wide provisions**Use of land**

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Proposed C228

A permit is not required to use land for public purposes providing the use is carried out by, or on behalf of, the public land manager.

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, water, waste products, grit or oil.

4.2
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Proposed C228

Subdivision

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking spaces, must meet the requirements of Clause 56.

4.3
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Proposed C228

Buildings and works**Permit Exemptions**

No permit is required to construct a building or construct or carry out works for the following:

- The installation of an automatic teller machine.
- The alteration to an existing building façade provided:

CARDINIA PLANNING SCHEME

- The alteration does not include the installation of an external roller shutter.
- At least 70 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing.
- Construct a building or carry out works for the purpose of public utility and community facilities or any associated use that is consistent with the intent of the public land reservation or purpose as it carried out by, or on behalf of, the public land manager.
- Construct or extend one dwelling on a lot more than 300 square metres. This exemption does not apply to:
 - Construct a dwelling if there is at least one dwelling existing on the lot.
 - Extend a dwelling if there are two or more dwellings on a lot.
 - Construct or extend a dwelling if it is on common property.
- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot, provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with:
 - one dwelling on a lot less than 300 square metres, or
 - two or more dwellings on a lot or a residential building.
- The fence exceeds the maximum height specified in Clause 54.06-2 and Clause 55.06-2.

4.4 Design and development

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Proposed C228

The following design and development requirements apply to an application to construct a building or construct and carry out works:

Dwelling Requirements

- A development must meet the requirements of Clause 54 if it proposes to:
 - Construct or extend one dwelling; or
 - Construct or extend a front fence within 3 metres of a street if the fence exceeds the maximum height of specified in Clause 54.06-2.
- A development must meet the requirements of Clause 55, except Clause 55.07-1 to 55.07-15 (inclusive), if it proposes to:
 - Construct a dwelling if there is at least one dwelling existing on the lot.
 - Construct two or more dwellings on a lot.
 - Extend a dwelling if there are two or more dwellings on the lot.
 - Construct or extend a dwelling if it is on common property.
 - Construct or extend a residential building.
 - Construct or extend a front fence within 3 metres of street if:
 - The fence is associated with 2 or more dwellings on a lot or residential building, and
 - The fence exceeds the maximum height specified in Clause 55.06-2.

Clause 55 does not apply to an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development.

Commercial and mixed use requirements and guidelines

- Buildings should be designed to address street frontages and respond to their urban context by:
 - Addressing roads and public spaces for passive surveillance, and minimise overlooking of private spaces.

CARDINIA PLANNING SCHEME

- Providing visual interest and avoid blank walls.
- Minimise casting shadows on public space and open space.
- Buildings with ground-level frontages to streets, pedestrian areas and/or passive open spaces should contribute to the appearance and function of these areas by providing:
 - At least 70% of the street frontage as transparent entries or display windows.
 - Clear glazing (tinted, or obscured glazing should not be used) with any security screens open in design and located behind glass in windows.
 - The provision of awnings / all-weather protection canopies over footpaths (extending at least 2.5 metres from the building façade) unless it is demonstrated that due to particular circumstances this distance cannot be achieved or there is not a requirement for this element.
 - Direct access from the footpath to ground level premises with minimal change of level and is universally accessible.
 - Floor to ceiling heights at ground level of a minimum of 3.5 metres to accommodate changes of use over time.
- Ground floor level car parking areas should be located at the rear of buildings or sleeved behind built form at street frontages; otherwise car parks should be located above ground level active uses or below ground level as basement or semi-basement parking areas.
- Crossovers providing vehicle access to sites should be designed to minimise their impact on ground level street frontages and pedestrian movement.
- Large format developments and uses ~~should~~**must** be sleeved by smaller retail and commercial uses which present fine grain activated frontages to the street.
- Buildings should be designed to respond to the solar orientation of the site.
- New buildings adjoining a residential property or Precinct 7 not on or within 200mm of a boundary should be set back from side or rear boundaries:
 - At least 1 metre, plus 0.3 metres for every metres of height over 3.6 metres up to 6.9 metres, plus 1 metre of height over 6.9 metres.
- New buildings adjoining a residential property or Precinct 7 ~~should~~**must** respect the existing or preferred urban context and respond to the features of the site. Buildings should be set back from side and rear boundaries, and other buildings within the site to:
 - Ensure adequate daylight into new habitable room windows.
 - Avoid direct views into habitable room windows and private open space of new and existing dwellings.
 - Developments should avoid relying on screening to reduce views.
 - Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.

Heritage

New buildings on sites containing heritage buildings or sites adjoining heritage sites should be designed to:

- be visually recessive and not visually dominate the heritage building and the heritage streetscape.
- respond sympathetically by transitioning heights and minimise massing.
- retain the primacy of the three-dimensional form of the heritage building as viewed from the public realm to avoid 'facadism'.
- incorporate simple architectural detailing that does not detract from significant elements of the heritage building and the heritage streetscape.

Building height requirement

Buildings and works should not exceed the preferred heights specified in the precinct provisions at Clause 5 of this schedule. This does not apply to service equipment including

CARDINIA PLANNING SCHEME

plant rooms, lift overruns, solar collectors and other such equipment provided the following criteria are met:

- No more than 50% of the roof area is occupied by the equipment.
- The equipment is located in a position on the roof so as to minimise additional overshadowing of neighbouring properties and public spaces.
- The equipment is designed, screened and finished in a non-reflective material and of a colour to the satisfaction of the responsible authority.

Building height guidelines

Buildings and works which exceed the preferred building height specified in Clause 5 of this schedule ~~should~~**must**:

- provide an environmentally sustainable design which incorporates energy, water, waste and renewable technologies;
- provide affordable housing within the development;
- reduce visual impact by transitioning height to adjoining properties, public realm and streetscape;
- provide a maximum Street Wall Height of 15 metres;
- design the upper levels of buildings to be setback and highly articulated including a variety of floor levels and facades;
- provide sufficient solar penetration throughout the development;
- not adversely impact key public spaces, pedestrian routes and adjoining properties with overshadowing as measured on 21 March/September (Equinox) between 10.30am and 2pm; and
- be located at a designated gateway, as shown in the Pakenham Major Activity Centre Framework Plan in Clause 1, or be a significant consolidated site.

A development below the preferred building height which is on a site large enough to accommodate substantially greater development should demonstrate that structurally it can accommodate a larger building.

Building setbacks requirement

Preferred setbacks for development are specified for each precinct in Clause 5 of this Schedule.

Building setback guidelines

Buildings and works such as balconies, verandahs, architectural features, sunshades, screens and artworks may be constructed within setback areas, and ~~should~~**must** not encroach more than 2 metres within the preferred setback areas.

Buildings and works which exceed the preferred maximum building height should be designed so the upper levels cannot be seen from the street.

Landscape design

Landscape elements and treatments should:

- Be provided within the front and side setbacks, and along the rear boundary on multi-level apartment and townhouse developments.
- Be provided within the front setbacks, the streetscape and public open space areas that are accessible, safe, attractive and functional.
- Allow for passive surveillance.
- Provide screening of driveways and car parks.

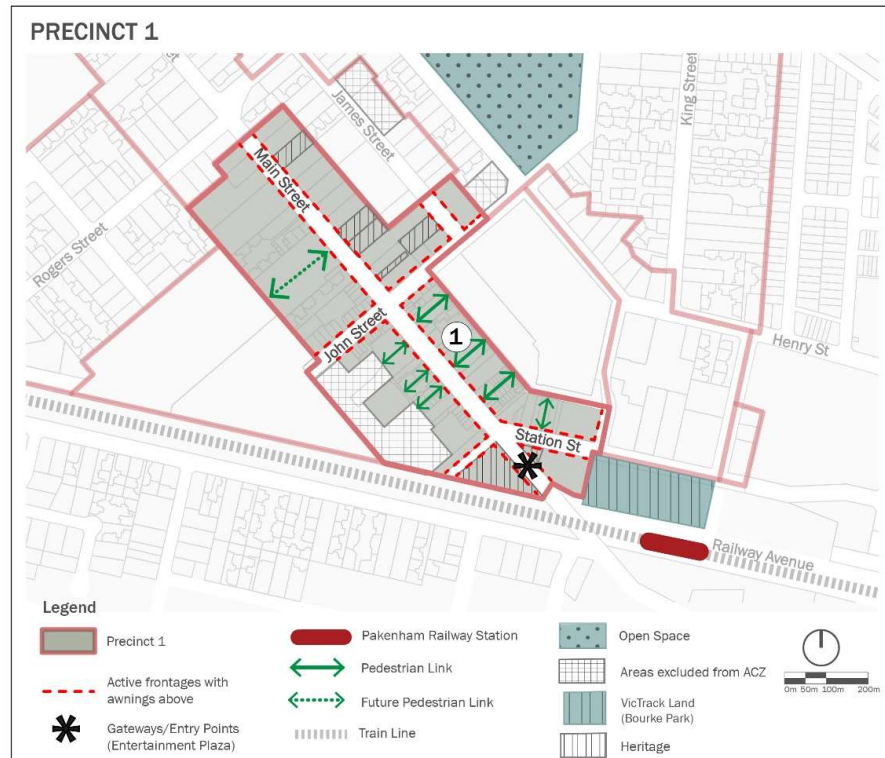
CARDINIA PLANNING SCHEME

Environmentally Sustainable Design (ESD)

Developments should incorporate best practice environmentally sustainable design (ESD), including water sensitive urban design (WSUD), thermal performance, energy efficiency, stormwater management, facilitating active transport and materials.

CARDINIA PLANNING SCHEME

- 5.0** Precinct provisions
- /--/20--
- Proposed C228
- 5.1** Precinct 1: Core Retail
- /--/20--
- Proposed C228
- 5.1-1** Precinct map
- /--/20--
- Proposed C228



5.1-2 Precinct objectives

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Proposed C228

- Create a pedestrian focused and prioritised Entertainment Plaza in the south east corner of the precinct which provides outdoor dining, civic facilities and space for community activities/festivals.
- Reinforce the character of the precinct by encouraging active frontages with fine grain built form.
- Create attractive streetscapes on main thoroughfares that enhance and create a sense of place for the precinct.
- Facilitate the re-development of the pedestrian links including arcades located along Main Street, which enhances and activates access to and from the retail core.
- Facilitate activation of the street in the evening by encouraging outdoor dining areas and active uses throughout the precinct.

5.1-3 Precinct requirements

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Proposed C228

Preferred building height	Preferred building setbacks
15 metres	0 metre front setback 0 metre setback from the road reserve of any adjoining street or laneway.

CARDINIA PLANNING SCHEME

5.1-43 Precinct guidelines

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Proposed C228

- Provide effective weather protection through a continuous canopy treatment along building frontages.
- Main entrances for developments and uses located on John and Main Streets ~~should~~**must** address the street.
- Uses in upper storeys should be compatible with the ground floor uses.
- ~~Ensure~~**U**ses and developments ~~should~~ provide passive surveillance that supports safe linkages throughout the activity centre.
- Development ~~must~~**should** provide visually permeable treatments along facades fronting streets, laneways and/or arcades.
- Development should provide strong built form that integrates and overlooks the gateway sites.
- Building heights in the retail core are measured from ground level and ~~should~~ reflect a typical height of 3.5 metres between levels.
- Development adjoining heritage is to continue the fine grained character and provide transition of setbacks from boundary and height from heritage sites.
- Development on land within a heritage overlay and on land immediately adjoining a heritage building on Main Street, Pakenham to consider the context of the nil metre front setback with regards to design which reduces visually dominant massing.
- Larger format retail uses ~~should~~**dare to** be sleeved ~~with~~**behind** fine grain built form which addresses the street.
- Provide pedestrian access from the street and avoid creating any internalised malls.
- Locate entrance foyers to upper storeys which are accessible from the street.
- Commercial and mixed use development on Main Street to provide zero side boundary setback and no windows, where appropriate.
- Ensure development addresses all street frontages and the rear boundary, where appropriate.

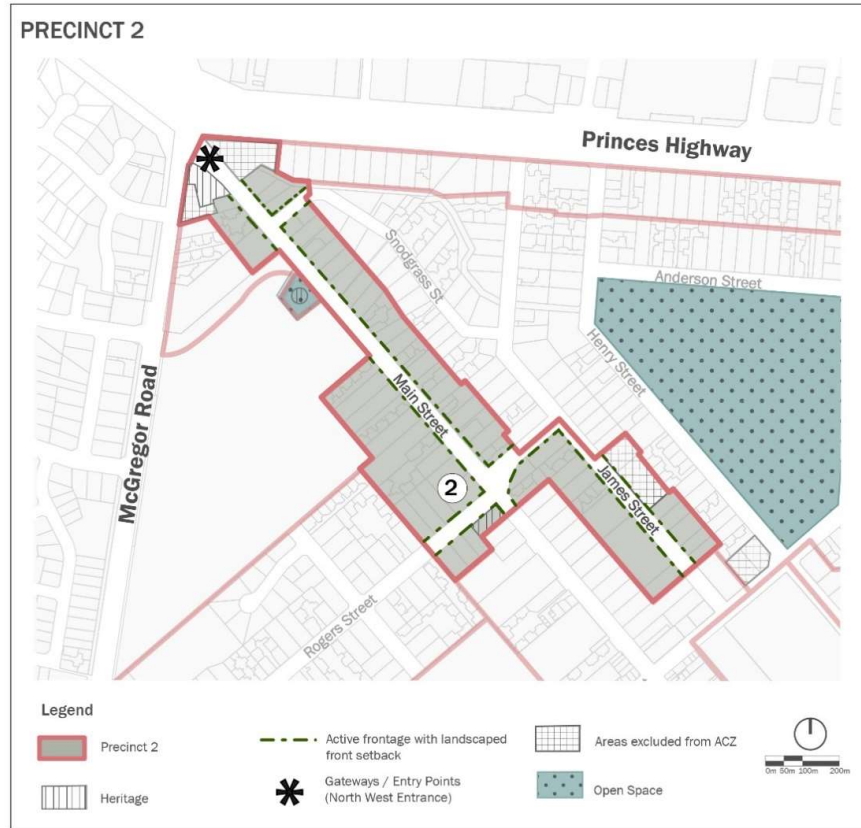
CARDINIA PLANNING SCHEME

5.2 **Precinct 2 – West Commercial and Mixed Use**

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Proposed C228

5.2-1 **Precinct map**

--/120--
Proposed C228



5.2-2 **Precinct objectives**

--/120--
Proposed C228

- Provide mixed use, community, commercial and residential opportunities within the precinct.
- Encourage retail premises at ground floor level which activates the street, office uses in upper levels and the rear of the development, and residential uses located within the upper levels of the development.
- Improve pedestrian amenity by contributing to the establishment of attractive streetscapes for all streets in the precinct.
- Improve the interface with Main Street by encouraging the redevelopment of sites and/or adaptive reuse of existing buildings, including the preservation and protection of heritage places and precincts to activate the streetscape.
- Development that interfaces with a gateway site should support and contribute to the enhancement of the public realm and reinforce the entrance to Pakenham Activity Centre.

5.2-3 **Precinct requirements**

--/120--
Proposed C228

Preferred building height	Preferred building setbacks
14 metres	2 metre front setback

CARDINIA PLANNING SCHEME

5.2-34 Precinct guidelines

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Proposed C228

- Development should address and interface with all streets by providing active frontages including entrance canopies to the street.
- Developments should provide sympathetic interface treatments and articulation to any adjoining residential precincts and heritage places or precincts.
- Development should consolidate lots to achieve a range of mixed use developments.
- Developments should provide a transition between the retail uses and commercial uses whilst being sympathetic to the current streetscape character.
- Development should provide passive surveillance of the street.
- Buildings should respond appropriately to heritage elements and the landscape.
- Development should provide strong built form that integrates with gateway sites.
- Developments should provide highly activated frontages with windows and entrances as the predominant elements of the ground floor façade.
- Balcony’s and living areas of any residential component of a development is to address the public realm that adjoins the site.
- Development on land within a heritage overlay and on land immediately adjoining a heritage building on Main Street, Pakenham to consider the context of the 2 metre setback with regards to design which reduces visually dominant massing.

5.3 Precinct 3 – Princes Highway

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Proposed C228

5.3-1 Precinct map

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Proposed C228



5.3-2 Precinct objectives

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Proposed C228

- Encourage complementary residential uses such as including aged care, medical and health-related services, child care and offices.
- Encourage a mix of residential types within the precinct to transition from a traditional residential development to higher density.
- Encourage the consolidation of sites to facilitate a broader range of medium and higher density residential developments.
- Encourage non-residential uses in mixed use developments.

CARDINIA PLANNING SCHEME

- Establishes a built form that is responsive, in terms of scale and orientation, to its interface with a major transport corridor and the urban structure of adjoining precincts of the Activity Centre.

5.3-3 Precinct requirements

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Proposed C228

Preferred building height	Preferred building setbacks
13.5 metres	4 metres front setback

5.3-43 Precinct guidelines

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Proposed C228

- Buildings and works should not exceed 13.5 metres.
- On-site parking should not be provided in the front setback.
- New commercial uses should be compatible with nearby residential development.
- Development should be sympathetic to the scale of adjoining residential areas through urban design, screening, articulation, and built form responses.
- Buildings ~~should~~**must** address the street with entrances clearly visible from the street and upper storey elements providing passive surveillance to the street.
- Screen car parking areas and all loading and all other service areas from the public realm.
- Entrances to developments should address the street.
- Developments with non-residential uses at ground floor level to provide activated frontages with windows and entrances as the predominant features.

CARDINIA PLANNING SCHEME

5.4 Precinct 4 – East Commercial and Mixed Use

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Proposed C228

5.4-1 Precinct map

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Proposed C228



5.4-2 Precinct objectives

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Proposed C228

- Provide employment opportunities that maximise the precinct’s proximity to public transport, the core retail area and community facilities.
- Encourage the consolidation of sites for commercial development and entertainment activities to facilitate a broader range of medium and higher density mixed use developments.
- Ensure development and built form innovatively and appropriately responds to flooding extents on Station Street.
- Ensure street frontages and land uses activate the precinct and provide passive surveillance of public open space and the public realm.
- Ensure street amenity and access prioritises pedestrian movements by minimising vehicle crossovers around the perimeter of the precinct.

5.4-3 Precinct requirements

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Proposed C228

Preferred building height	Preferred building setbacks
14 metres	Minimum 2 metres front setback 0 metres front setback from Station Street

CARDINIA PLANNING SCHEME

5.4-43 Precinct guidelines

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Proposed C228

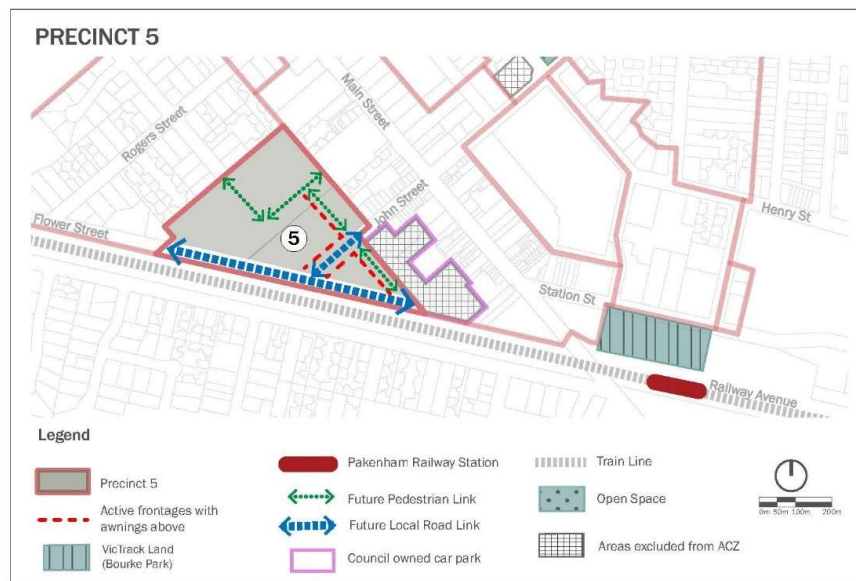
- Development to provide visually permeable frontages at ground floor level addressing the street.
- Development to provide active frontages and weather protection through a continuous canopy treatment along building frontages on Station Street.
- Developments to provide a scale that is responsive to any sensitive uses or precinct boundary that adjoins the site.
- Car parking is to be located at the rear of the development and is to be sleeved by built form.
- Developments to provide a range of fine grain commercial uses at ground floor level with residential and office uses above.
- Larger retail and commercial developments to provide active uses and fine grain retail that address the street and sleeves the larger format use.
- Developments fronting Slattery Place, Cook Drive, and Henry Street to provide a landscaped setback.
- Developments should provide highly activated frontages with windows and entrances as the predominant elements of the ground floor façade.
- Balconies and living areas of any residential component of a development is to address the public realm that adjoins the site.
- Locate entrances to the upper storeys in the primary street façade or a façade interfacing with a public realm space.

5.5 Precinct 5 – Pakenham Place – Key Development Site

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Proposed C228
5.5-1

Precinct map

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Proposed C228



5.5-2 Precinct objectives

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Proposed C228

- Create a shopping street typology that supports anchor and specialty retail functions of the precinct.
- Encourage an appropriate range of retail, entertainment and commercial facilities.
- Create an interconnected precinct with passive surveillance, interactive uses, increased pedestrian linkages and active frontages that address streets.

CARDINIA PLANNING SCHEME

- Create a strong pedestrian and cycle environment within the precinct, particularly along Wadsley Avenue and to and from Council owned car parks.
- Provide new local road connections by extending Flower Street to Drake Place and John Street to Flower Street.

5.5-3 ~~————~~ **Precinct requirements**

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Proposed C228

Preferred building height	Preferred building setbacks
15 metres	0 metre front setback

5.5-43 **Precinct guidelines**

~~—/—/20—~~
Proposed C228

- Ensure the redevelopment of the precinct has minimal impact on the amenity of the surrounding residential areas.
- ~~Ensure the r~~Redevelopment of this precinct should ~~provides~~ activated frontages along John Street, and Drake Place.
- Development interfacing with the Flower Street future local road link to provide intermittent breaks within the building design to prevent a long stretch of loading bays and/or blank walls.
- Limit any expanse of blank wall in a ground floor façade to a maximum width of 2 metres.
- ~~Ensure a~~ Provide well-designed, landscaped and pedestrian dominated car parking ~~which is~~ located to the rear of the development ~~and landscaped~~.
- Any new development to sleeve larger format retail by continuing the fine grain and general built form of the existing shops in the core retail area at ground floor level.
- Larger format retail use is to avoid creating internalised malls.
- Entrance foyers to upper storeys to be accessible from the street.
- Provide continuous weather protection canopy along the ground floor facades.
- Ensure pedestrian connections from the development to the Council owned car parks.

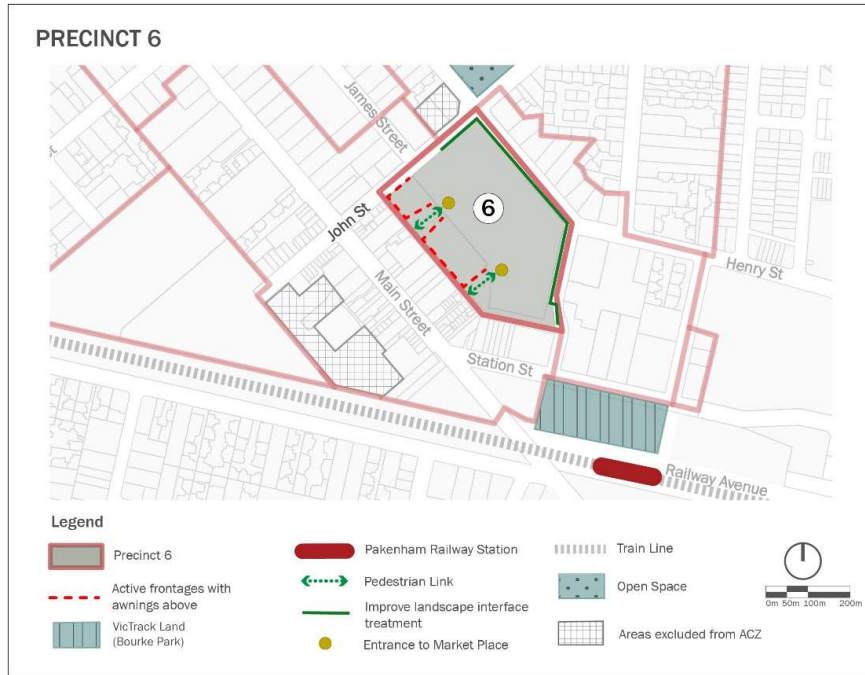
CARDINIA PLANNING SCHEME

5.6 Precinct 6 – Marketplace

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Proposed C228

5.6-1 Precinct map

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Proposed C228



5.6-2 Precinct objectives

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Proposed C228

- Provide for the expansion of the development providing comprehensive retail and commercial uses.
- Support the redevelopment of the Council owned car park as a multi-deck car park and commercial development.
- Improve pedestrian connections from Pakenham Central Marketplace to Main Street via the laneway and arcade network.
- Encourage retail and commercial uses at ground floor level that do not conflict with the core retail area.
- Encourage improved interfaces and pedestrian connectivity to the adjacent residential areas.

5.6-3 Precinct requirements

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Proposed C228

Preferred building height	Preferred building setbacks
15 metres	0 metre front setback

5.6-34 Precinct guidelines

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Proposed C228

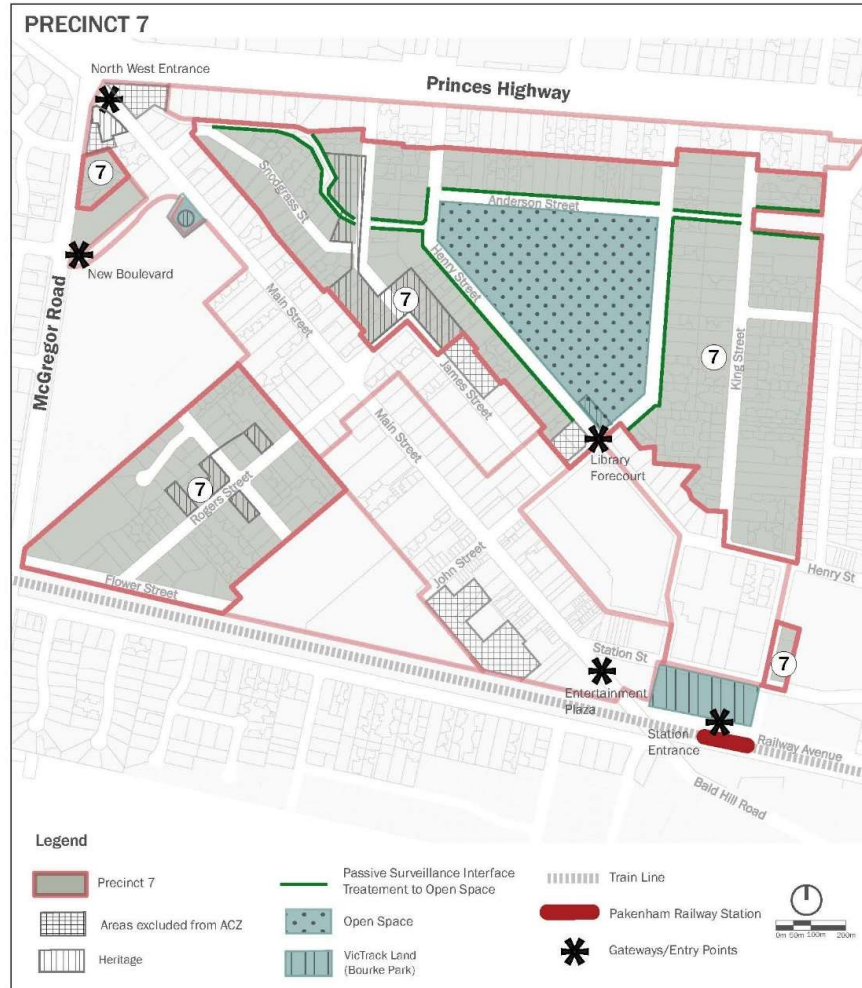
- New development should consider multi-level car parking and commercial development to be located adjacent to Treloar Lane.
- Retail and commercial floor spaces should be located on the ground floor of the site.

CARDINIA PLANNING SCHEME

- Pedestrian connections should connect with the laneway and arcade network through to Main Street and John Street.
- Future development should provide clear pedestrian sightlines to Main Street, John Street and Treloar Lane.
- Locate entrances to upper storeys accessible from the street.
- Any new development should be sympathetic to the scale of the surrounding residential neighbourhood and height is to be stepped down to adjoining residential areas
- Development is to maximise the extent of building frontages addressing streets and laneways presenting highly activated frontages.
- Any redevelopment of the Pakenham Central Marketplace Shopping Centre or Council owned car parks should include streetscape improvements and activation of the existing building treatments to Henry Street, John Street and Treloar Lane.
- Provide a continuous weather protection canopy above the full length of all ground floor facades with an interface to a street and are to extend out over the footpath a minimum of 2.5 metres.

CARDINIA PLANNING SCHEME

5.7 **Precinct 7 –Residential**
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 Proposed C228
5.7-1 **Precinct map**
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 Proposed C228



5.7-2 **Precinct objectives**
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 Proposed C228

- Achieve a higher density precinct predominately residential with mixed use components.
- Create a contemporary urban character which protects and preserves heritage places and precincts and is well integrated with the public realm and open space.
- Encourage high quality design of residential development which provides a transition in scale from the boundary of the retail core precinct of the Activity Centre to surrounding residential areas.
- Encourage lot consolidation for a focus on medium density development at a higher scale to the centre of the Activity Centre and lower scale to the boundary edge.
- Encourage residential areas adjoining open spaces to be designed with an active interface with passive surveillance of public spaces.

CARDINIA PLANNING SCHEME

5.7-3 Precinct requirements--/20--
Proposed C228**Preferred building height**

13.5 metres

Preferred building setbacks

4 metres front setback

5.7-4 Precinct guidelines--/20--
Proposed C228

- Buildings and works should not exceed 13.5 metres.
- Development should consist of medium density housing comprising a variety of housing types and layouts which responds to the evolving urban character of this precinct.
- Encourage lot consolidation to deliver increased housing densities close to the retail core of the Activity Centre.
- Developments should integrate with the Pakenham Creek and open space as key features.
- Buildings on corner sites to address the two street frontages and demonstrate built form that provides a sense of arrival to the Activity Centre.
- Development should provide landscaping in the front and rear setback.
- Development adjoining heritage properties or precincts to provide setbacks and height transition which respects the heritage character.
- Encourage the inclusion of verandas and/or balconies in the front set back to improve articulation and passive surveillance.

6.0 Application requirements--/20--
Proposed C228

In addition to the application requirements set out at Clause 37.08, and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Plans drawn to scale and dimensioned which show:
 - Illustrations of sight lines from balcony edges to demonstrate the extent of passive surveillance and overlooking.
 - Cross sections of the proposed building.
- A three-dimensional plan of the proposed development in the context of the surrounding development including:
 - Potential overshadowing impact of the development on open space, pedestrian routes, streetscape and habitable rooms of adjoining properties and within the proposed development; and
 - How the design minimises impacts and ensures maximum solar access internally for dwellings, to neighbouring properties and the public realm.
 - Potential impact of the development on the public realm adjacent to the proposal ensuring that overshadowing of major pedestrian routes, heritage sites, reserves and other public spaces is minimised.
- A Waste Management Plan.
- A Landscape Plan.
- A Construction Management Plan which sets out the principal construction issues and how the anticipated process will be managed.
- A certified access and inclusion report for applications for use or construction of a publicly accessible building confirming that the development complies with the *Disability Discrimination Act 1992*. An Environmentally Sustainable Design Report which outlines the ESD initiatives included within the proposal and address the ESD provisions in Cause 4.4 of this Schedule.

CARDINIA PLANNING SCHEME

- An application for subdivision must demonstrate that they support consolidation of lots and the objectives for Pakenham Activity Centre to facilitate the creation of viable development sites.
- An application for a development at 56-62 Station Street Pakenham must:
 - Be accompanied by a Preliminary Site Investigation in accordance with National Environment Protection (Assessment of Site Contamination) Measure 1999 as amended 2013, Schedule B2, prepared by a suitably qualified professional, indicating the land is suitable for the proposed land use and/or development; and
 - Determine whether an environmental audit of the land is required in accordance with Part IXD of the *Environment Protection Act 1970* for a sensitive use.
- An application which does not meet the preferred building heights or design requirements set out in Clause 4.4 and 5 of the schedule must provide a Design Response and Urban Context Report that demonstrates how the built form transition, height, setbacks, massing, shadow diagrams and detail of the development achieves the relevant objectives, requirements and guidelines in this Schedule.
- A Heritage Report from a suitably qualified heritage consultant that assesses the impact of the application on a heritage place on the land or adjoining land which demonstrates built form transition of height, setbacks, massing and articulation.
- An application for a permit on public land by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:
 - To the application for permit being made and/or to the proposed use of development.

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Proposed C228

Notice and review

An application to construct a building or carry out works 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 if:

- The application is in Precinct 3 or 7, and/or
- The application exceeds the precinct requirements including preferred building heights or preferred building setbacks contained within Clause 5 of this schedule.

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Proposed C228

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.08, in addition to those specified in Clause 37.08 and elsewhere in this scheme which must be considered, as appropriate, by the responsible authority:

Use

Whether the proposal provides for:

- An appropriate scale of development in order to accommodate the mix and intensity of uses envisaged for each precinct.
- The compatibility of uses within a mixed use development.

Environmental Audit

- Any recommendations of the Preliminary Site Investigation, prepared in accordance with National Environment Protection (Assessment of Site Contamination) Measure 1999 as amended 2013, Schedule B2, including whether an Environmental Audit is required under the *Environment Protection Act 1970* in accordance with Part IXD of that Act for the land at 56-62 Station Street, Pakenham to ensure the land is suitable for a sensitive use.

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Design and built form

Whether the proposed development:

- Creates a strong visual interest by providing building types based on innovative and current day architecture, urban design and environmentally sustainable development principles.
- Provides weather protection to adjoining key pedestrian footpaths or shared pathways, and main boulevards.
- Provides access points that minimise disruption to the continuity of the public realm and pedestrian routes.
- Provides car parking, loading and other service areas that is screened from view of the public realm or located at the rear of the site.
- Provides passive surveillance of the public realm.
- Achieves the preferred building height and setbacks having regard to lot size, dimensions (width and depth) and/or those sites within or adjoining the Heritage Overlay.
- Represents an underdevelopment of a site.
- Provides upper level setbacks when the preferred height is exceeded.
- Provides an interface with residential dwellings or Precinct 7 in relation to built form, overlooking and overshadowing.
- Reduces overlooking of adjacent property and uses minimal screening.
- Provides an increased upper level setback and transitional heights having regard to the heritage significance of the site or an adjoining site within the Heritage Overlay.
- Provides elements of Environmentally Sustainable Design.

Subdivision

Whether the subdivision:

- Is associated with a development proposal that supports the objectives promoted by this schedule.
- Consolidates lots to support the objectives that promote medium density developments by this schedule.

Transport and movement

Whether the proposed development:

- Integrates car parking requirements into the design of the buildings and landform by discouraging ground floor car parks seen at the street frontage.
- Provides vehicular access to buildings fronting key boulevards off side streets or via rear access.
- Limits the number of vehicle crossing to each development.

Non-residential uses and development in Precinct 7

Whether:

- The use and/or development is compatible with residential use.
- The use generally serves local community needs.
- The impact on the amenity of nearby residential uses.
- The design, height, setback and appearance of the proposed buildings and works and its impact on the character of the surrounding area.
- The proposed landscaping.
- The proximity to a designated public transport route.

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- The capacity of the road servicing the site and provision of car and bicycle parking and associated access ways.
- The proposed loading and refuse collecting facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.
- The proposal will segregate a single dwelling or a collection of dwellings from the surrounding residential area.

9.0 Advertising signs

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Proposed C228

Sign requirements are at Clause 52.05. All land located within Precinct 7 and 3 is in Category 3. All other land is in Category 1.

10.0 Other provisions of the scheme

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Proposed C228

None specified.

11.0 Background documents

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Proposed C228

Cardinia Shire Pakenham Structure Plan 2019

Cardinia Shire Pakenham Major Activity Centre Urban Design Framework 2019

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Proposed C228

SCHEDULE 1 TO CLAUSE 37.08 ACTIVITY CENTRE ZONE

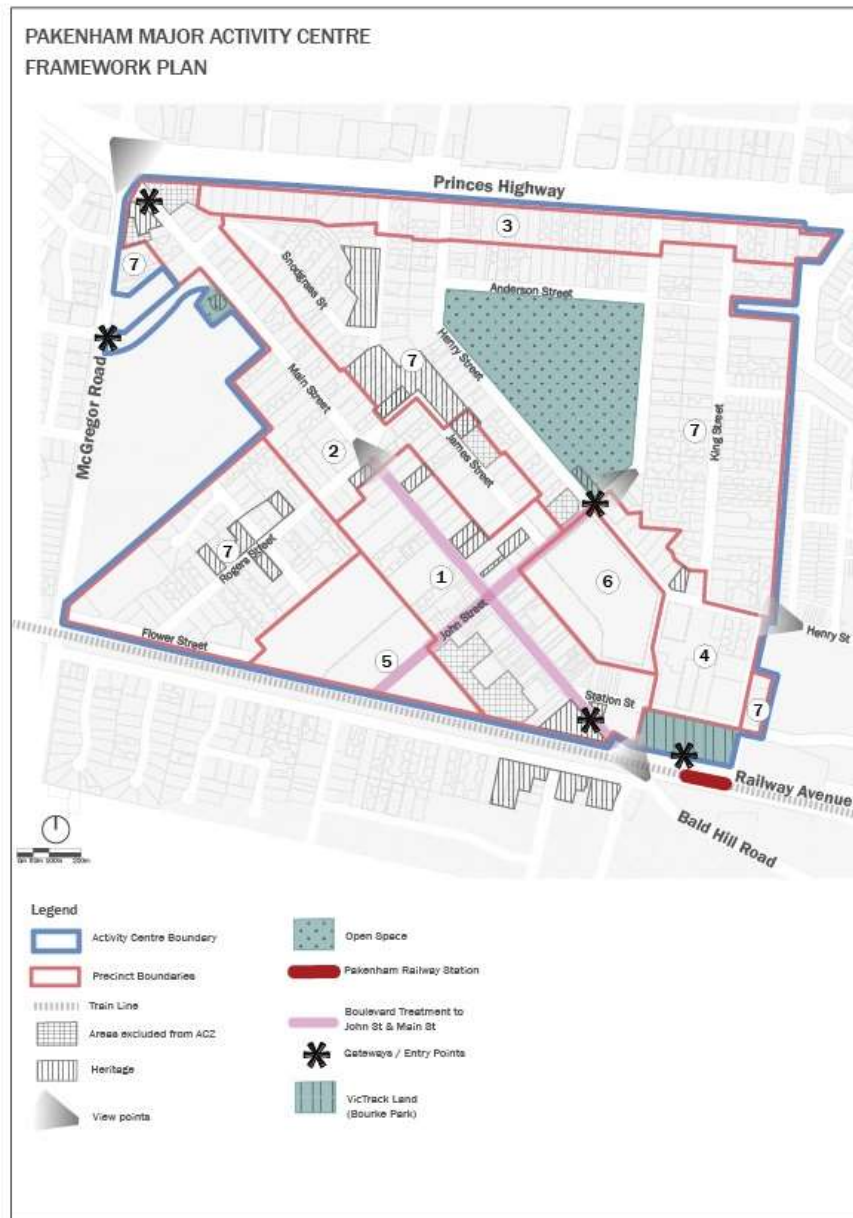
Shown on the planning scheme map as **ACZ1**

PAKENHAM MAJOR ACTIVITY CENTRE

1.0

Pakenham Major Activity Centre Framework Plan

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Proposed C228



CARDINIA PLANNING SCHEME

2.0 Land use and development objectives to be achieved

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Proposed C228

Activities and land use

- Support and ensure the provision of diverse well-designed housing that caters to all members of the community.
- Reinforce the activity centre's role as a regional hub promoting and encouraging a diverse and compatible mix of land uses that includes retail, commercial, residential as well as civic and community services.
- Provide appropriate transitions and interfaces between different land use and development including surrounding residential, heritage or significant sites.
- Protect and restore the built heritage of the Activity Centre through the conservation, reuse and restoration of heritage buildings.
- Encourage the co-location or centralisation of community services to support the needs of the local and regional area.
- Facilitate consolidation of land to create viable development sites for the Activity Centre.

Transport and movement

- Ensure safe and convenient vehicle, pedestrian and cycle networks that facilitates movement through and to the activity centre.
- Encourage active transport on streets, within car parking areas and arcades, in open space and along the creek network.
- Provide a clear, efficient and logical vehicle network and ensure access to convenient and safe car parking in the activity centre.

Public realm

- Create a safe and high-quality cohesive open space network that provides opportunities for a range of activities and users, and assists in creating a sense of place for the activity centre.
- Ensure a network of attractive, safe and accessible streets that cater for and enhance the different activities and land uses within the activity centre.
- Promote human scale and pedestrian focused streets to encourage a vibrant and lively public realm in the retail core, including evening activities.
- Create a sense of arrival to the Pakenham Activity Centre at identified key gateway sites through the provision of high quality landscape and/or architectural treatments.

Built form and environment

- Develop a well-integrated built form and neighbourhood character which respects and responds to local context, streetscape character, landscape values, historical and significant developments.
- Ensure contemporary architecture of any new development responds to any adjoining heritage places and precincts and provides appropriate interfaces.
- Ensure all development within the activity centre provides high quality innovative design consistent with the principles of environmentally sustainable design reducing climate change impacts.
- Reinforce and enhance the 'fine grain' built form pattern established within the retail core of the town centre.
- Provide built form elements that contribute to the pedestrian amenity of users in the retail core of the activity centre.
- Ensure ground floor facades addressing a street or any other public realm space are activated and provide passive surveillance of the public realm.

CARDINIA PLANNING SCHEME

- Create an urban pattern that establishes an appropriate transition between the core retail, commercial and mixed development areas, and the residential areas within the town centre.
- Ensure development and public realm are accessible for persons of all abilities and incorporate the principles of Crime Prevention Through Environmental Design (CPTED).

3.0**Table of uses**

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Proposed C228

Section 1 - Permit not required

Use	Condition
Child care centre	Must be located in Precincts 1 or 4. Any frontage at ground floor level must not exceed 2 metres, except entry foyers which must not exceed 4 metres. Access must not be shared with a dwelling (other than a caretaker's house).
Cinema	Must be located in Precincts 1, 4 or 5. Any frontage must not exceed 2 metres located at ground floor level along street frontages, except for entry foyers which must not exceed 4 metres.
Convenience shop	Must be located at ground level. In Precincts 3 or 7: <ul style="list-style-type: none"> • Must be located within 100 metres of land in precincts 1, 2, 4, 5 or 6 of the Activity Centre Zone and must adjoin, or have access to a road in a Road Zone. • The leasable floor area for each tenancy must not exceed 100 square metres.
Dwelling	Must be located in Precincts 1, 2, 3, 4 or 7. In Precincts 1 or 4: <ul style="list-style-type: none"> • Any frontage must not exceed 2 metres located at ground floor level along street frontages, except for entry foyers which must not exceed 4 metres
Dependent persons unit	Must be located in Precincts 2, 3, or 7.
Domestic animal husbandry	Must be no more than 2 animals
Education centre (other than Child care centre)	Must be located in Precinct 4.
Food and drink premises (other than Hotel and Bar)	In Precincts 3 or 7: <ul style="list-style-type: none"> • Must be located within 100 metres of land in precincts 1, 2, 4, 5 or 6 of the Activity Centre Zone and must adjoin, or have access to a road in a Road Zone. • The leasable floor area for each tenancy must not exceed 100 square metres.
Home based business	
Indoor recreation facility	Must be located in Precincts 1, 5 or 6. Any frontage must not exceed 2 metres located at ground floor level along street frontages, except for entry foyers which must not exceed 4 metres.

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Medical Centre	Must be located in Precinct 2, 3 or 4. The gross floor area of each tenancy must not exceed 250 square metres.
Office (other than Medical centre)	Must be located in Precincts 1, 2, 3, 4, 5 or 6. In Precinct 1 or 6: <ul style="list-style-type: none"> Any frontage must not exceed 2 metres located at ground floor level along street frontages, except for entry foyers or unless the office is a bank, real estate agency, travel agency.
Postal agency	Must be located in Precincts 1 or 4.
Residential aged care facility	Must be in Precinct 3.
Shop (other than Adult sex product shop, Convenience shop and Restricted retail premise)	Must be located in Precincts 1, 2, 4, 5 or 6.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Dwelling, Dependent persons unit, Host farm, Corrective institution, Camping and caravan park and Residential aged care facility)	Any frontage in Precincts 1 or 4 must not exceed 2 metres located at ground floor level along street frontages, except for entry foyers which must not exceed 4 metres.
Adult sex product shop	Must be located in Precincts 1, 4, 5 and 6. Must be at least 200 metres measured by the shortest public pedestrian access route from Precinct 3 or 7, a residential zone, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.
Bar	Must be located in Precinct 1 or 4.
Child care centre - if the Section 1 condition is not met	Must be located in Precincts 2, 3 or 7. The site must adjoin, have access to, a road in a Road Zone.
Cinema – if the Section 1 condition is not met	Must be located in Precinct 6. Any frontage must not exceed 2 metres located at ground floor level along street frontages, except for entry foyers which must not exceed 4 metres.
Commercial display area	Must be located in Precinct 4. Must be in conjunction with a use in Section 1 or 2.
Convenience shop – if the Section 1 condition is not met	The site must adjoin, or have access to, a road in a Road Zone.
Dwelling – if the Section 1 condition is not met	In Precincts 5 or 6, must not be located at ground level.
Dependent persons unit– if the Section 1 condition is not met	In Precincts 1 or 4 must not be located at along street frontages.
Domestic animal husbandry – if the Section 1 condition is not met	Must be no more than 5 animals.

CARDINIA PLANNING SCHEME

Use	Condition
Indoor recreation facility– if the Section 1 condition is not met	<p>Must be located in Precinct 2 or 4.</p> <p>In Precinct 4:</p> <ul style="list-style-type: none"> Any frontage must not exceed 2 metres located at ground floor level along street frontages, except for entry foyers which must not exceed 4 metres.
Industry (other than Materials recycling, Refuse disposal, Rural industry or Transfer station)	<p>Must be located in Precincts 1, 4, 5 or 6.</p> <p>Must not be a use specified in Clause 53.10.</p> <p>In Precinct 1 or 4:</p> <ul style="list-style-type: none"> Must be in conjunction with a use in Section 1 or 2.
Mail centre	<p>Must be located in Precinct 4.</p> <p>Must be in conjunction with a use in Section 1 or 2.</p>
Medical Centre – if the Section 1 condition is not met	<p>Must be located in Precinct 1, 2, 3 or 4.</p> <p>In Precinct 1: any frontage must not exceed 2 metres located at ground floor level along street frontages, except for entry foyers which must not exceed 4 metres.</p> <p>In Precinct 3: the gross floor area of each tenancy must not exceed 250 square metres.</p>
Nightclub	<p>Must be in Precinct 1.</p>
Office (other than Medical centre) – if the Section 1 condition is not met	<p>In Precinct 7:</p> <ul style="list-style-type: none"> The land must be located within 100 metres of an adjoining precinct of the Activity Centre Zone. The leasable floor area for each tenancy must not exceed 100 square metres.
Place of assembly (other than Cinema, Nightclub and Place of worship)	<p>Must be located in Precincts 3, 4 or 7.</p> <p>The site must adjoin, have access to, a road in a Road Zone.</p>
Place of worship	<p>Must be located in Precincts 2, 3 or 7.</p> <p>The gross floor area of all buildings associated with the use must not exceed 250 square metres.</p> <p>The site must adjoin, have access to, a road in a Road Zone.</p>
Restricted recreation facility	<p>Must be located in Precinct 1, 2, 3, 5 or 6.</p> <p>In Precinct 1: any frontage must not exceed 2 metres located at ground floor level along street frontages, except for entry foyers which must not exceed 4 metres.</p>
Restricted retail premises	<p>Must be located in Precinct 1, 4, 5 or 6.</p> <p>The gross floor area of each tenancy must not exceed 1000 square metres.</p>
Residential aged care facility – if the Section 1 condition is not met	<p>Must be located in Precinct 2 or 7.</p>
Retail premises (other than Adult sex product shop, Convenience shop, Food and drink premises, Restricted retail premises or Shop)	

CARDINIA PLANNING SCHEME

Use	Condition
Shop (other than Adult sex product shop, Convenience shop or Restricted retail premises) – if the Section 1 condition is not met	In Precinct 7: <ul style="list-style-type: none"> The land must be located within 100 metres of land in adjoining precincts 1, 2, 4, 5 or 6 in this Schedule 1 to the Activity Centre Zone.
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Agriculture (other than Domestic animal husbandry)
Brothel
Camping and caravan park
Corrective institution
Drive-in theatre
Earth and energy resources industry
Host farm
Leisure and recreation (other than Indoor recreation facility, Informal outdoor recreation and Restricted recreation facility)
Materials Recycling
Refuse disposal
Rural Industry
Saleyard
Service Station
Transfer station
Transport terminal (other than Rail station or Bus terminal)
Warehouse (other than a Commercial display area or Mail Centre)

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Proposed C228
4.1

Centre-wide provisions**Use of land**

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Proposed C228

A permit is not required to use land for public purposes providing the use is carried out by, or on behalf of, the public land manager.

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, water, waste products, grit or oil.

4.2
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Proposed C228

Subdivision

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking spaces, must meet the requirements of Clause 56.

4.3
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Proposed C228

Buildings and works**Permit Exemptions**

No permit is required to construct a building or construct or carry out works for the following:

- The installation of an automatic teller machine.
- The alteration to an existing building façade provided:

CARDINIA PLANNING SCHEME

- The alteration does not include the installation of an external roller shutter.
- At least 70 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing.
- Construct a building or carry out works for the purpose of public utility and community facilities or any associated use that is consistent with the intent of the public land reservation or purpose as it carried out by, or on behalf of, the public land manager.
- Construct or extend one dwelling on a lot more than 300 square metres. This exemption does not apply to:
 - Construct a dwelling if there is at least one dwelling existing on the lot.
 - Extend a dwelling if there are two or more dwellings on a lot.
 - Construct or extend a dwelling if it is on common property.
- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot, provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with:
 - one dwelling on a lot less than 300 square metres, or
 - two or more dwellings on a lot or a residential building.
- The fence exceeds the maximum height specified in Clause 54.06-2 and Clause 55.06-2.

4.4 Design and development

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Proposed C228

The following design and development requirements apply to an application to construct a building or construct and carry out works:

Dwelling Requirements

- A development must meet the requirements of Clause 54 if it proposes to:
 - Construct or extend one dwelling; or
 - Construct or extend a front fence within 3 metres of a street if the fence exceeds the maximum height of specified in Clause 54.06-2.
- A development must meet the requirements of Clause 55, except Clause 55.07-1 to 55.07-15 (inclusive), if it proposes to:
 - Construct a dwelling if there is at least one dwelling existing on the lot.
 - Construct two or more dwellings on a lot.
 - Extend a dwelling if there are two or more dwellings on the lot.
 - Construct or extend a dwelling if it is on common property.
 - Construct or extend a residential building.
 - Construct or extend a front fence within 3 metres of street if:
 - The fence is associated with 2 or more dwellings on a lot or residential building, and
 - The fence exceeds the maximum height specified in Clause 55.06-2.

Clause 55 does not apply to an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development.

Commercial and mixed use requirements and guidelines

- Buildings should be designed to address street frontages and respond to their urban context by:
 - Addressing roads and public spaces for passive surveillance, and minimise overlooking of private spaces.

CARDINIA PLANNING SCHEME

- Providing visual interest and avoid blank walls.
- Minimise casting shadows on public space and open space.
- Buildings with ground-level frontages to streets, pedestrian areas and/or passive open spaces should contribute to the appearance and function of these areas by providing:
 - At least 70% of the street frontage as transparent entries or display windows.
 - Clear glazing (tinted, or obscured glazing should not be used) with any security screens open in design and located behind glass in windows.
 - The provision of awnings / all-weather protection canopies over footpaths (extending at least 2.5 metres from the building façade) unless it is demonstrated that due to particular circumstances this distance cannot be achieved or there is not a requirement for this element.
 - Direct access from the footpath to ground level premises with minimal change of level and is universally accessible.
 - Floor to ceiling heights at ground level of a minimum of 3.5 metres to accommodate changes of use over time.
- Ground floor level car parking areas should be located at the rear of buildings or sleeved behind built form at street frontages; otherwise car parks should be located above ground level active uses or below ground level as basement or semi-basement parking areas.
- Crossovers providing vehicle access to sites should be designed to minimise their impact on ground level street frontages and pedestrian movement.
- Large format developments and uses must be sleeved by smaller retail and commercial uses which present fine grain activated frontages to the street.
- Buildings should be designed to respond to the solar orientation of the site.
- New buildings adjoining a residential property or Precinct 7 not on or within 200mm of a boundary should be set back from side or rear boundaries:
 - At least 1 metre, plus 0.3 metres for every metres of height over 3.6 metres up to 6.9 metres, plus 1 metre of height over 6.9 metres.
- New buildings adjoining a residential property or Precinct 7 must respect the existing or preferred urban context and respond to the features of the site. Buildings should be set back from side and rear boundaries, and other buildings within the site to:
 - Ensure adequate daylight into new habitable room windows.
 - Avoid direct views into habitable room windows and private open space of new and existing dwellings.
 - Developments should avoid relying on screening to reduce views.
 - Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.

Heritage

New buildings on sites containing heritage buildings or sites adjoining heritage sites should be designed to:

- be visually recessive and not visually dominate the heritage building and the heritage streetscape.
- respond sympathetically by transitioning heights and minimise massing.
- retain the primacy of the three-dimensional form of the heritage building as viewed from the public realm to avoid 'facadism'.
- incorporate simple architectural detailing that does not detract from significant elements of the heritage building and the heritage streetscape.

Building height requirement

Buildings and works should not exceed the preferred heights specified in the precinct provisions at Clause 5 of this schedule. This does not apply to service equipment including

CARDINIA PLANNING SCHEME

plant rooms, lift overruns, solar collectors and other such equipment provided the following criteria are met:

- No more than 50% of the roof area is occupied by the equipment.
- The equipment is located in a position on the roof so as to minimise additional overshadowing of neighbouring properties and public spaces.
- The equipment is designed, screened and finished in a non-reflective material and of a colour to the satisfaction of the responsible authority.

Building height guidelines

Buildings and works which exceed the preferred building height specified in Clause 5 of this schedule must:

- provide an environmentally sustainable design which incorporates energy, water, waste and renewable technologies;
- provide affordable housing within the development;
- reduce visual impact by transitioning height to adjoining properties, public realm and streetscape;
- provide a maximum Street Wall Height of 15 metres;
- design the upper levels of buildings to be setback and highly articulated including a variety of floor levels and facades;
- provide sufficient solar penetration throughout the development;
- not adversely impact key public spaces, pedestrian routes and adjoining properties with overshadowing as measured on 21 March/September (Equinox) between 10.30am and 2pm; and
- be located at a designated gateway, as shown in the Pakenham Major Activity Centre Framework Plan in Clause 1, or be a significant consolidated site.

A development below the preferred building height which is on a site large enough to accommodate substantially greater development should demonstrate that structurally it can accommodate a larger building.

Building setbacks requirement

Preferred setbacks for development are specified for each precinct in Clause 5 of this Schedule.

Building setback guidelines

Buildings and works such as balconies, verandahs, architectural features, sunshades, screens and artworks may be constructed within setback areas, and must not encroach more than 2 metres within the preferred setback areas.

Buildings and works which exceed the preferred maximum building height should be designed so the upper levels cannot be seen from the street.

Landscape design

Landscape elements and treatments should:

- Be provided within the front and side setbacks, and along the rear boundary on multi-level apartment and townhouse developments.
- Be provided within the front setbacks, the streetscape and public open space areas that are accessible, safe, attractive and functional.
- Allow for passive surveillance.
- Provide screening of driveways and car parks.

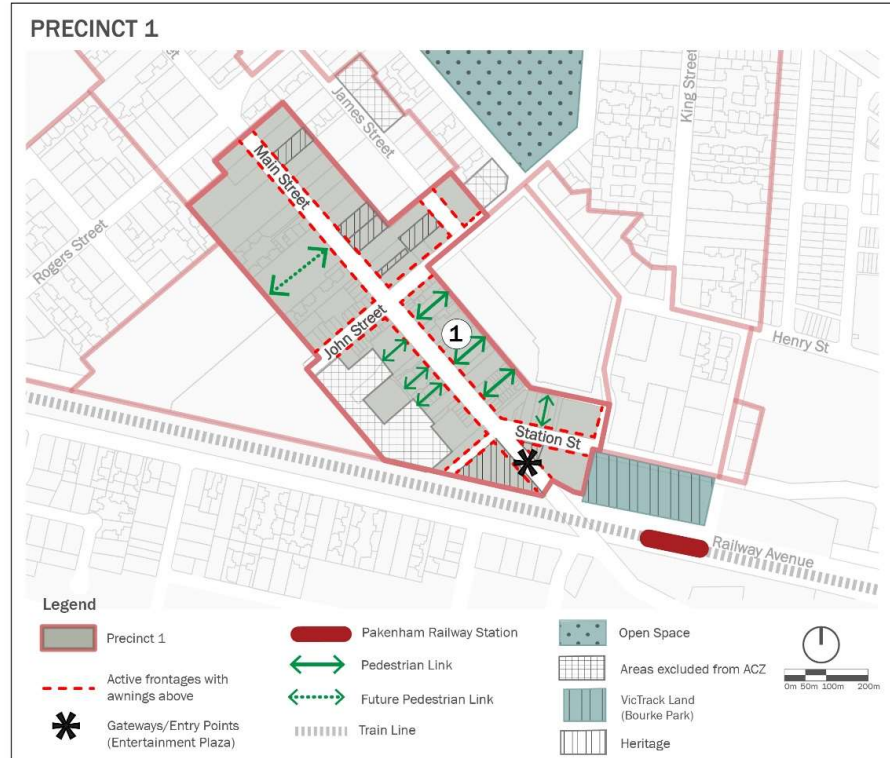
CARDINIA PLANNING SCHEME

Environmentally Sustainable Design (ESD)

Developments should incorporate best practice environmentally sustainable design (ESD), including water sensitive urban design (WSUD), thermal performance, energy efficiency, stormwater management, facilitating active transport and materials.

CARDINIA PLANNING SCHEME

- 5.0** Precinct provisions
- /20--
- Proposed C228
- 5.1** Precinct 1: Core Retail
- /20--
- Proposed C228
- 5.1-1** Precinct map
- /20--
- Proposed C228



- 5.1-2** Precinct objectives
- /20--
- Proposed C228

- Create a pedestrian focused and prioritised Entertainment Plaza in the south east corner of the precinct which provides outdoor dining, civic facilities and space for community activities/festivals.
- Reinforce the character of the precinct by encouraging active frontages with fine grain built form.
- Create attractive streetscapes on main thoroughfares that enhance and create a sense of place for the precinct.
- Facilitate the re-development of the pedestrian links including arcades located along Main Street, which enhances and activates access to and from the retail core.
- Facilitate activation of the street in the evening by encouraging outdoor dining areas and active uses throughout the precinct.

- 5.1-3** Precinct requirements
- /20--
- Proposed C228

Preferred building height	Preferred building setbacks
15 metres	0 metre front setback 0 metre setback from the road reserve of any adjoining street or laneway.

CARDINIA PLANNING SCHEME

5.1-4 Precinct guidelines

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Proposed C228

- Provide effective weather protection through a continuous canopy treatment along building frontages.
- Main entrances for developments and uses located on John and Main Streets must address the street.
- Uses in upper storeys should be compatible with the ground floor uses.
- Ensure uses and developments provide passive surveillance that supports safe linkages throughout the activity centre.
- Development must provide visually permeable treatments along facades fronting streets, laneways and/or arcades.
- Development should provide strong built form that integrates and overlooks the gateway sites.
- Building heights in the retail core are measured from ground level and reflect a typical height of 3.5 metres between levels.
- Development adjoining heritage is to continue the fine grained character and provide transition of setbacks from boundary and height from heritage sites.
- Development on land within a heritage overlay and on land immediately adjoining a heritage building on Main Street, Pakenham to consider the context of the nil metre front setback with regards to design which reduces visually dominant massing.
- Larger format retail uses are to be sleeved behind fine grain built form which addresses the street.
- Provide pedestrian access from the street and avoid creating any internalised malls.
- Locate entrance foyers to upper storeys which are accessible from the street.
- Commercial and mixed use development on Main Street to provide zero side boundary setback and no windows, where appropriate.
- Ensure development addresses all street frontages and the rear boundary, where appropriate.

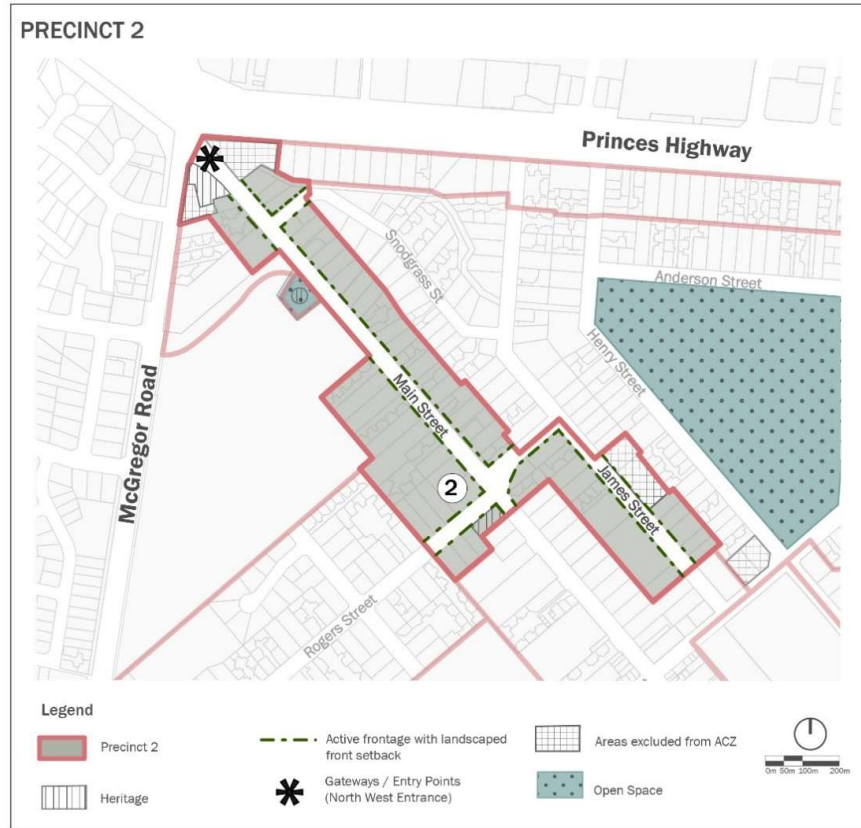
CARDINIA PLANNING SCHEME

5.2 **Precinct 2 – West Commercial and Mixed Use**

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Proposed C228

5.2-1 **Precinct map**

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Proposed C228



5.2-2 **Precinct objectives**

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Proposed C228

- Provide mixed use, community, commercial and residential opportunities within the precinct.
- Encourage retail premises at ground floor level which activates the street, office uses in upper levels and the rear of the development, and residential uses located within the upper levels of the development.
- Improve pedestrian amenity by contributing to the establishment of attractive streetscapes for all streets in the precinct.
- Improve the interface with Main Street by encouraging the redevelopment of sites and/or adaptive reuse of existing buildings, including the preservation and protection of heritage places and precincts to activate the streetscape.
- Development that interfaces with a gateway site should support and contribute to the enhancement of the public realm and reinforce the entrance to Pakenham Activity Centre.

5.2-3 **Precinct requirements**

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Proposed C228

Preferred building height	Preferred building setbacks
14 metres	2 metre front setback

CARDINIA PLANNING SCHEME

5.2-4 Precinct guidelines

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Proposed C228

- Development should address and interface with all streets by providing active frontages including entrance canopies to the street.
- Developments should provide sympathetic interface treatments and articulation to any adjoining residential precincts and heritage places or precincts.
- Development should consolidate lots to achieve a range of mixed use developments.
- Developments should provide a transition between the retail uses and commercial uses whilst being sympathetic to the current streetscape character.
- Development should provide passive surveillance of the street.
- Buildings should respond appropriately to heritage elements and the landscape.
- Development should provide strong built form that integrates with gateway sites.
- Developments should provide highly activated frontages with windows and entrances as the predominant elements of the ground floor façade.
- Balcony’s and living areas of any residential component of a development is to address the public realm that adjoins the site.
- Development on land within a heritage overlay and on land immediately adjoining a heritage building on Main Street, Pakenham to consider the context of the 2 metre setback with regards to design which reduces visually dominant massing.

5.3 Precinct 3 – Princes Highway

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Proposed C228

5.3-1 Precinct map

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Proposed C228



5.3-2 Precinct objectives

--/20--
Proposed C228

- Encourage complementary residential uses such as including aged care, medical and health-related services, child care and offices.
- Encourage a mix of residential types within the precinct to transition from a traditional residential development to higher density.
- Encourage the consolidation of sites to facilitate a broader range of medium and higher density residential developments.
- Encourage non-residential uses in mixed use developments.

CARDINIA PLANNING SCHEME

- Establishes a built form that is responsive, in terms of scale and orientation, to its interface with a major transport corridor and the urban structure of adjoining precincts of the Activity Centre.

5.3-3 Precinct requirements

--/20--
Proposed C228

Preferred building height	Preferred building setbacks
13.5 metres	4 metres front setback

5.3-4 Precinct guidelines

--/20--
Proposed C228

- On-site parking should not be provided in the front setback.
- New commercial uses should be compatible with nearby residential development.
- Development should be sympathetic to the scale of adjoining residential areas through urban design, screening, articulation, and built form responses.
- Buildings must address the street with entrances clearly visible from the street and upper storey elements providing passive surveillance to the street.
- Screen car parking areas and all loading and all other service areas from the public realm.
- Entrances to developments should address the street.
- Developments with non-residential uses at ground floor level to provide activated frontages with windows and entrances as the predominant features.

CARDINIA PLANNING SCHEME

5.4 Precinct 4 – East Commercial and Mixed Use

--/20--
5.4.4
Proposed C228

Precinct map

--/20--
Proposed C228



5.4-2 Precinct objectives

--/20--
Proposed C228

- Provide employment opportunities that maximise the precinct’s proximity to public transport, the core retail area and community facilities.
- Encourage the consolidation of sites for commercial development and entertainment activities to facilitate a broader range of medium and higher density mixed use developments.
- Ensure development and built form innovatively and appropriately responds to flooding extents on Station Street.
- Ensure street frontages and land uses activate the precinct and provide passive surveillance of public open space and the public realm.
- Ensure street amenity and access prioritises pedestrian movements by minimising vehicle crossovers around the perimeter of the precinct.

5.4-3 Precinct requirements

--/20--
Proposed C228

Preferred building height	Preferred building setbacks
14 metres	Minimum 2 metres front setback 0 metres front setback from Station Street

5.4-4 Precinct guidelines

--/20--
Proposed C228

- Development to provide visually permeable frontages at ground floor level addressing the street.

CARDINIA PLANNING SCHEME

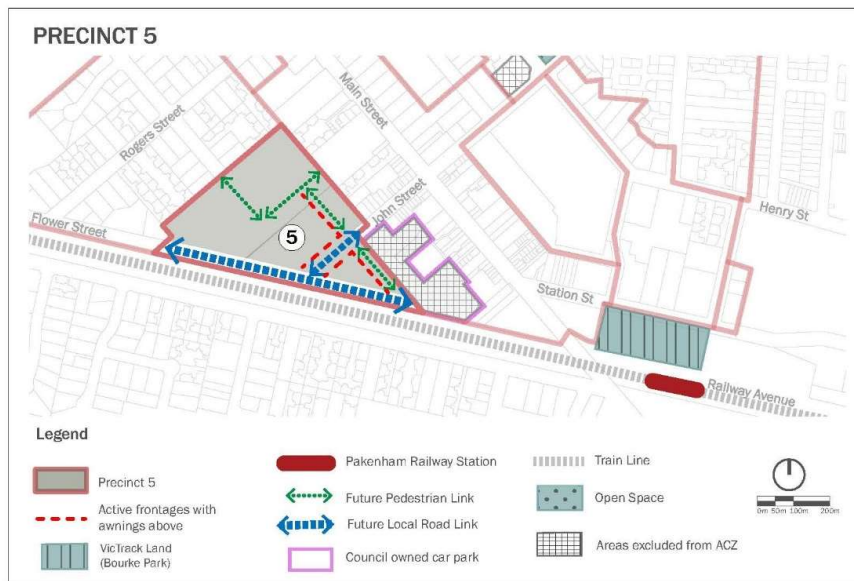
- Development to provide active frontages and weather protection through a continuous canopy treatment along building frontages on Station Street.
- Developments to provide a scale that is responsive to any sensitive uses or precinct boundary that adjoins the site.
- Car parking is to be located at the rear of the development and is to be sleeved by built form.
- Developments to provide a range of fine grain commercial uses at ground floor level with residential and office uses above.
- Larger retail and commercial developments to provide active uses and fine grain retail that address the street and sleeves the larger format use.
- Developments fronting Slattery Place, Cook Drive, and Henry Street to provide a landscaped setback.
- Developments should provide highly activated frontages with windows and entrances as the predominant elements of the ground floor façade.
- Balconies and living areas of any residential component of a development is to address the public realm that adjoins the site.
- Locate entrances to the upper storeys in the primary street façade or a façade interfacing with a public realm space.

5.5
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Proposed C228
5.5-1

Precinct 5 – Pakenham Place – Key Development Site

Precinct map

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Proposed C228



5.5-2 Precinct objectives

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Proposed C228

- Create a shopping street typology that supports anchor and specialty retail functions of the precinct.
- Encourage an appropriate range of retail, entertainment and commercial facilities.
- Create an interconnected precinct with passive surveillance, interactive uses, increased pedestrian linkages and active frontages that address streets.
- Create a strong pedestrian and cycle environment within the precinct, particularly along Wadsley Avenue and to and from Council owned car parks.

CARDINIA PLANNING SCHEME

- Provide new local road connections by extending Flower Street to Drake Place and John Street to Flower Street.

5.5-3 Precinct requirements

--/20--
Proposed C228

Preferred building height	Preferred building setbacks
15 metres	0 metre front setback

5.5-4 Precinct guidelines

--/20--
Proposed C228

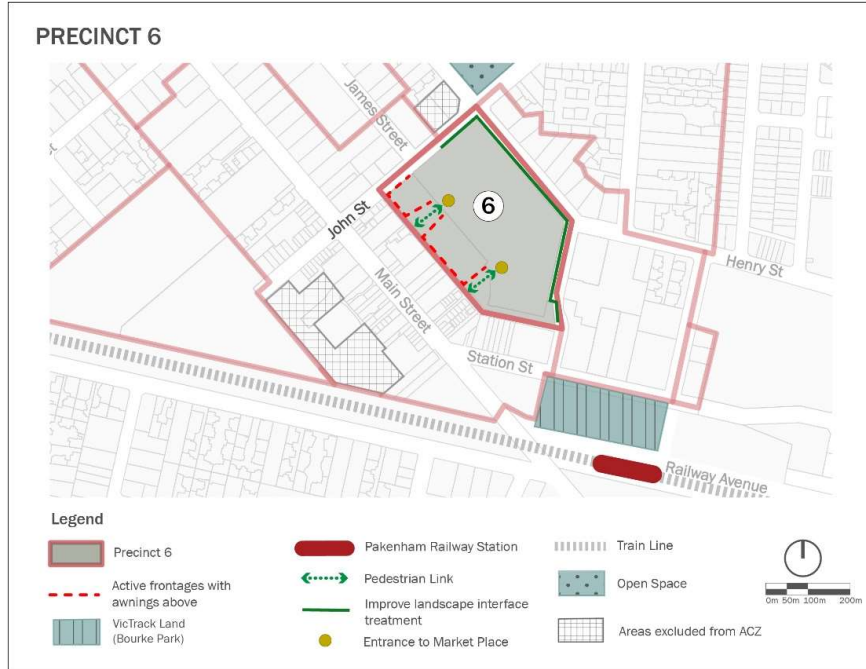
- Ensure the redevelopment of the precinct has minimal impact on the amenity of the surrounding residential areas.
- Ensure the redevelopment of this precinct provides activated frontages along John Street, and Drake Place.
- Development interfacing with the Flower Street future local road link to provide intermittent breaks within the building design to prevent a long stretch of loading bays and/or blank walls.
- Limit any expanse of blank wall in a ground floor façade to a maximum width of 2 metres.
- Ensure a well-designed and pedestrian dominated car parking which is located to the rear of the development and landscaped.
- Any new development to sleeve larger format retail by continuing the fine grain and general built form of the existing shops in the core retail area at ground floor level.
- Larger format retail use is to avoid creating internalised malls.
- Entrance foyers to upper storeys to be accessible from the street.
- Provide continuous weather protection canopy along the ground floor facades.
- Ensure pedestrian connections from the development to the Council owned car parks.

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5.6 Precinct 6 – Marketplace

--/20--
 5.6-2 Proposed C228
 --/20--
 Proposed C228

Precinct map



5.6-2 Precinct objectives

--/20--
 Proposed C228

- Provide for the expansion of the development providing comprehensive retail and commercial uses.
- Support the redevelopment of the Council owned car park as a multi-deck car park and commercial development.
- Improve pedestrian connections from Pakenham Central Marketplace to Main Street via the laneway and arcade network.
- Encourage retail and commercial uses at ground floor level that do not conflict with the core retail area.
- Encourage improved interfaces and pedestrian connectivity to the adjacent residential areas.

5.6-3 Precinct requirements

--/20--
 Proposed C228

Preferred building height	Preferred building setbacks
15 metres	0 metre front setback

5.6-4 Precinct guidelines

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 Proposed C228

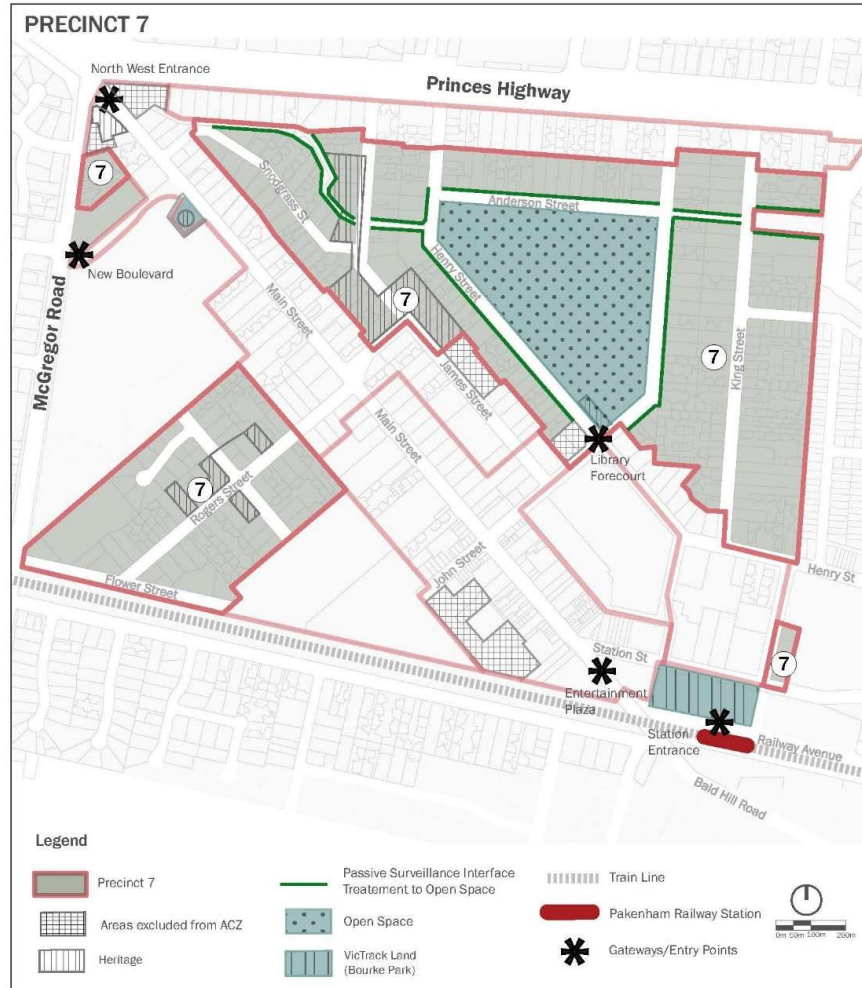
- New development should consider multi-level car parking and commercial development to be located adjacent to Treloar Lane.
- Retail and commercial floor spaces should be located on the ground floor of the site.
- Pedestrian connections should connect with the laneway and arcade network through to Main Street and John Street.

CARDINIA PLANNING SCHEME

- Future development should provide clear pedestrian sightlines to Main Street, John Street and Treloar Lane.
- Locate entrances to upper storeys accessible from the street.
- Any new development should be sympathetic to the scale of the surrounding residential neighbourhood and height is to be stepped down to adjoining residential areas
- Development is to maximise the extent of building frontages addressing streets and laneways presenting highly activated frontages.
- Any redevelopment of the Pakenham Central Marketplace Shopping Centre or Council owned car parks should include streetscape improvements and activation of the existing building treatments to Henry Street, John Street and Treloar Lane.
- Provide a continuous weather protection canopy above the full length of all ground floor facades with an interface to a street and are to extend out over the footpath a minimum of 2.5 metres.

CARDINIA PLANNING SCHEME

5.7 **Precinct 7 –Residential**
 --/--/20--
 Proposed C228
5.7-1 **Precinct map**
 --/--/20--
 Proposed C228



5.7-2 **Precinct objectives**
 --/--/20--
 Proposed C228

- Achieve a higher density precinct predominately residential with mixed use components.
- Create a contemporary urban character which protects and preserves heritage places and precincts and is well integrated with the public realm and open space.
- Encourage high quality design of residential development which provides a transition in scale from the boundary of the retail core precinct of the Activity Centre to surrounding residential areas.
- Encourage lot consolidation for a focus on medium density development at a higher scale to the centre of the Activity Centre and lower scale to the boundary edge.
- Encourage residential areas adjoining open spaces to be designed with an active interface with passive surveillance of public spaces.

CARDINIA PLANNING SCHEME

5.7-3 Precinct requirements

--/20--
Proposed C228

Preferred building height	Preferred building setbacks
13.5 metres	4 metres front setback

5.7-4 Precinct guidelines

--/20--
Proposed C228

- Development should consist of medium density housing comprising a variety of housing types and layouts which responds to the evolving urban character of this precinct.
- Encourage lot consolidation to deliver increased housing densities close to the retail core of the Activity Centre.
- Developments should integrate with the Pakenham Creek and open space as key features.
- Buildings on corner sites to address the two street frontages and demonstrate built form that provides a sense of arrival to the Activity Centre.
- Development should provide landscaping in the front and rear setback.
- Development adjoining heritage properties or precincts to provide setbacks and height transition which respects the heritage character.
- Encourage the inclusion of verandas and/or balconies in the front set back to improve articulation and passive surveillance.

6.0 Application requirements

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Proposed C228

In addition to the application requirements set out at Clause 37.08, and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Plans drawn to scale and dimensioned which show:
 - Illustrations of sight lines from balcony edges to demonstrate the extent of passive surveillance and overlooking.
 - Cross sections of the proposed building.
- A three-dimensional plan of the proposed development in the context of the surrounding development including:
 - Potential overshadowing impact of the development on open space, pedestrian routes, streetscape and habitable rooms of adjoining properties and within the proposed development; and
 - How the design minimises impacts and ensures maximum solar access internally for dwellings, to neighbouring properties and the public realm.
 - Potential impact of the development on the public realm adjacent to the proposal ensuring that overshadowing of major pedestrian routes, heritage sites, reserves and other public spaces is minimised.
- A Waste Management Plan.
- A Landscape Plan.
- A Construction Management Plan which sets out the principal construction issues and how the anticipated process will be managed.
- A certified access and inclusion report for applications for use or construction of a publicly accessible building confirming that the development complies with the *Disability Discrimination Act 1992*. An Environmentally Sustainable Design Report which outlines the ESD initiatives included within the proposal and address the ESD provisions in Cause 4.4 of this Schedule.
- An application for subdivision must demonstrate that they support consolidation of lots and the objectives for Pakenham Activity Centre to facilitate the creation of viable development sites.

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- An application for a development at 56-62 Station Street Pakenham must:
 - Be accompanied by a Preliminary Site Investigation in accordance with National Environment Protection (Assessment of Site Contamination) Measure 1999 as amended 2013, Schedule B2, prepared by a suitably qualified professional, indicating the land is suitable for the proposed land use and/or development; and
 - Determine whether an environmental audit of the land is required in accordance with Part IXD of the *Environment Protection Act 1970* for a sensitive use.
- An application which does not meet the preferred building heights or design requirements set out in Clause 4.4 and 5 of the schedule must provide a Design Response and Urban Context Report that demonstrates how the built form transition, height, setbacks, massing, shadow diagrams and detail of the development achieves the relevant objectives, requirements and guidelines in this Schedule.
- A Heritage Report from a suitably qualified heritage consultant that assesses the impact of the application on a heritage place on the land or adjoining land which demonstrates built form transition of height, setbacks, massing and articulation.
- An application for a permit on public land by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:
 - To the application for permit being made and/or to the proposed use of development.

7.0
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Proposed C228

Notice and review

An application to construct a building or carry out works 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 if:

- The application is in Precinct 3 or 7, and/or
- The application exceeds the precinct requirements including preferred building heights or preferred building setbacks contained within Clause 5 of this schedule.

8.0
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Proposed C228

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.08, in addition to those specified in Clause 37.08 and elsewhere in this scheme which must be considered, as appropriate, by the responsible authority:

Use

Whether the proposal provides for:

- An appropriate scale of development in order to accommodate the mix and intensity of uses envisaged for each precinct.
- The compatibility of uses within a mixed use development.

Environmental Audit

- Any recommendations of the Preliminary Site Investigation, prepared in accordance with National Environment Protection (Assessment of Site Contamination) Measure 1999 as amended 2013, Schedule B2, including whether an Environmental Audit is required under the *Environment Protection Act 1970* in accordance with Part IXD of that Act for the land at 56-62 Station Street, Pakenham to ensure the land is suitable for a sensitive use.

Design and built form

Whether the proposed development:

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- Creates a strong visual interest by providing building types based on innovative and current day architecture, urban design and environmentally sustainable development principles.
- Provides weather protection to adjoining key pedestrian footpaths or shared pathways, and main boulevards.
- Provides access points that minimise disruption to the continuity of the public realm and pedestrian routes.
- Provides car parking, loading and other service areas that is screened from view of the public realm or located at the rear of the site.
- Provides passive surveillance of the public realm.
- Achieves the preferred building height and setbacks having regard to lot size, dimensions (width and depth) and/or those sites within or adjoining the Heritage Overlay.
- Represents an underdevelopment of a site.
- Provides upper level setbacks when the preferred height is exceeded.
- Provides an interface with residential dwellings or Precinct 7 in relation to built form, overlooking and overshadowing.
- Reduces overlooking of adjacent property and uses minimal screening.
- Provides an increased upper level setback and transitional heights having regard to the heritage significance of the site or an adjoining site within the Heritage Overlay.
- Provides elements of Environmentally Sustainable Design.

Subdivision

Whether the subdivision:

- Is associated with a development proposal that supports the objectives promoted by this schedule.
- Consolidates lots to support the objectives that promote medium density developments by this schedule.

Transport and movement

Whether the proposed development:

- Integrates car parking requirements into the design of the buildings and landform by discouraging ground floor car parks seen at the street frontage.
- Provides vehicular access to buildings fronting key boulevards off side streets or via rear access.
- Limits the number of vehicle crossing to each development.

Non-residential uses and development in Precinct 7

Whether:

- The use and/or development is compatible with residential use.
- The use generally serves local community needs.
- The impact on the amenity of nearby residential uses.
- The design, height, setback and appearance of the proposed buildings and works and its impact on the character of the surrounding area.
- The proposed landscaping.
- The proximity to a designated public transport route.
- The capacity of the road servicing the site and provision of car and bicycle parking and associated access ways.
- The proposed loading and refuse collecting facilities.

CARDINIA PLANNING SCHEME

- The safety, efficiency and amenity effects of traffic to be generated by the proposal.
- The proposal will segregate a single dwelling or a collection of dwellings from the surrounding residential area.

9.0

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Proposed C228

Advertising signs

Sign requirements are at Clause 52.05. All land located within Precinct 7 and 3 is in Category 3. All other land is in Category 1.

10.0

--/20--
Proposed C228

Other provisions of the scheme

None specified.

11.0

--/20--
Proposed C228

Background documents

Cardinia Shire Pakenham Structure Plan 2019

Cardinia Shire Pakenham Major Activity Centre Urban Design Framework 2019

CARDINIA PLANNING SCHEME

31/07/2018
VC148**SCHEDULE TO CLAUSE 72.04 TABLE OF DOCUMENTS
INCORPORATED IN THIS SCHEME****1.0****Incorporated documents**09/11/2017
Proposed
C228GC76

Name of document	Introduced by:
Beaconsfield Structure Plan (December 2013 expires 31 March 2019)	C198
Bunyip Township Strategy (September 2009)	C124
Cardinia Local Heritage Study Review, Volume 3: Heritage Places and Precinct citations (November 2013) (Sept 2015)	C161
Cardinia Road Employment Precinct Structure Plan (including the Cardinia Road Employment Precinct Native Vegetation Precinct Plan) September 2010	C130
Cardinia Road Precinct Development Contributions Plan (September 2008 – Revision 1.4 June 2017)	GC75
Cardinia Road Precinct Structure Plan (September 2008)	C92
Cardinia Shire Council - Subdivision Restructure Plans, January 2002	C29
Cardinia Shire Council Significant Tree Study – Volume 2 (May 2009)	C162
Cardinia Shire Council Subdivision Restructure Plan, 36-38 Beaconsfield – Emerald Road, Upper Beaconsfield February 2016	C188
Cardinia Shire Council, Subdivision Restructure Plan - 440, 445, 447, 460, 462-464 and 466 Bayles-Cora Lynn Road, 455 and 465 Bunyip River Road and 710 Nine Mile Road, Cora Lynn (October 2011)	C146
Caulfield Dandenong Rail Upgrade Project, Incorporated Document, April 2016	GC37
Cockatoo Township Strategy (March 2008)	C124
Emerald District Strategy (June 2009)	C124
Former Pakenham Racecourse Comprehensive Development Plan, February 2010	C141
Gembrook Township Strategy (June 2011)	C167
Healesville – Koo Wee Rup Road – Stage 1A (Koo Wee Rup Bypass) – Incorporated Document (September 2012)	C150
Koo Wee Rup Township Strategy (October 2015)	C189
Lang Lang Township Strategy (July 2009)	C124
Monash Freeway Upgrade Project Incorporated Document, March 2016	GC47
Officer Development Contributions Plan, September 2011 (Amended June 2017)	GC75
Officer Native Vegetation Precinct Plan, September 2011	C149
Officer Precinct Structure Plan, September 2011	C149
Officer Town Centre Civic Office Development Incorporated Document, June 2011	C158
Pakenham Activity Centre Incorporated Provisions, 20 March 2017 (revised May 2017) (expires 31 December 2019)	C214
Pakenham East Train Maintenance Depot Incorporated Document, March 2016	C210
Pakenham Township Development Contributions Plan, September 1997 (Amended June 2017)	GC75

CARDINIA PLANNING SCHEME

Name of document	Introduced by:
Pakenham West Comprehensive Development Plan, 1 September 2005	C82
Plans Incorporated at Clause 43.01	
Cardinia Commercial Heritage Precincts Incorporated Plan	C161
Cardinia Residential Heritage Precincts Incorporated Plan	C161
Maryknoll Township Heritage Precincts Incorporated Plan	C161
Site Specific Control – Bessie Creek Road, Nar Nar Goon, October 2014	C202
Site Specific Control - Lot 1 PS301568Q No. 322 Brown Road, Officer. September 2014	C197
Site specific control - Lot 3 LP90591, 20 Split Rock Road, Beaconsfield Upper, October 2014	C203
Site Specific Control – Lot 9 LP65205, 22-30 Downey Road, Dewhurst, October 2011	C165
Site specific control – Lots 1-3 LP 41796, 100 Beaconsfield-Emerald Road, Beaconsfield, December 2008	C111
Site specific control - 16 Beaconsfield-Emerald Road, Emerald (Lot 1 PS 702042V) July 2015	C206
Site Specific Control CA 51A, 335 McGregor Road, Pakenham, February 2017	C224
Site specific control CA85, 8 Drake Court, Bunyip September 2013	C72
Site specific control under the Schedule to Clause 52.03 of the Cardinia Planning Scheme Lot B PS443268J Dixons Road, Cardinia February 2008	C105(Part 2)
Sites of Botanical and Zoological Significance Maps, Department of Natural Resources and Environment, September 1997	NPS1
Upper Beaconsfield Township Strategy (July 2009)	C124
Victorian Desalination Project Incorporated Document, June 2009	C131

CARDINIA PLANNING SCHEME

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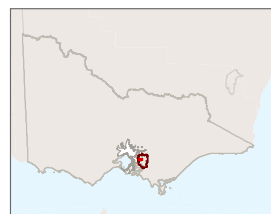
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CARDINIA PLANNING SCHEME - LOCAL PROVISION AMENDMENT C228



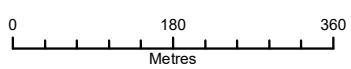
LEGEND
 ACZ - Activity Centre Zone
 Local Government Area



Part of Planning Scheme Maps 14, 15 & 17

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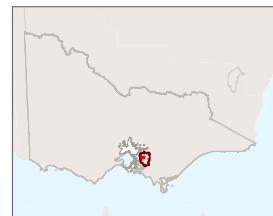
Environment,
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CARDINIA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C228



LEGEND

-  D-DPO - Area to be deleted from a Development Plan Overlay
-  Local Government Area

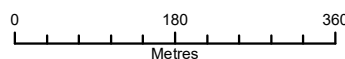


Part of Planning Scheme Maps 14DPO & 15DPO

Disclaimer

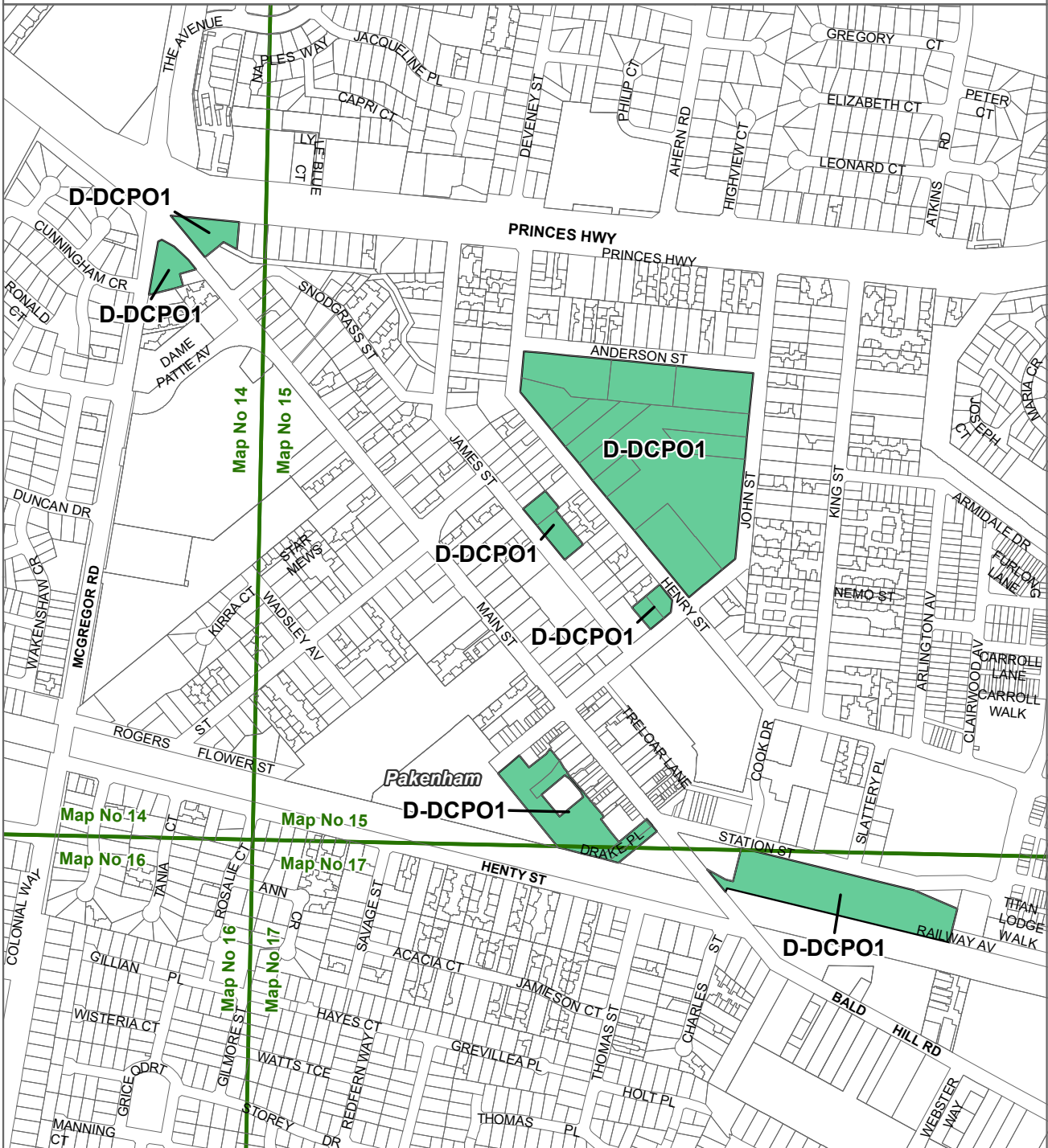
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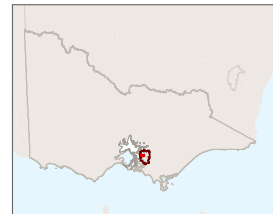
Environment,
 Land, Water
 and Planning

CARDINIA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C228



LEGEND

- D-DCPO - Area to be deleted from a Development Contributions Plan Overlay
- Local Government Area

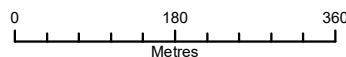


Part of Planning Scheme Maps 14DCPO, 15DCPO & 17DCPO

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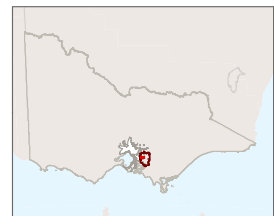
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CARDINIA PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C228



LEGEND

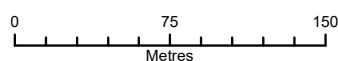
-  PO1 - Parking Overlay - Schedule 1
-  Local Government Area



Part of Planning Scheme Map 15PO

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