



Whittlesea Amendment C241

Expert Urban Design Evidence

Mark Sheppard
November 2020

instructed by

GADENS

On behalf of

DONNYBROOK JV PTY LTD

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1.0 INTRODUCTION

- (1) I am a Principal of town planning and urban design consultants **kinetica** (formerly David Lock Associates). I hold qualifications in architecture and urban design. I have thirty years' professional experience and have practised exclusively in the field of urban design since 1993. Further details of my qualifications and experience are outlined in Appendix A.
- (2) In July 2020, I was instructed by Gadens on behalf of Donnybrook JV Pty Ltd (DJV) to provide an independent urban design assessment of proposed Amendment C241 to the Whittlesea Planning Scheme (including the Exhibited Shenstone Park PSP, the Revised PSP, and DJV's Preferred FUSP) to inform the Planning Panel's review.
- (3) I consider the key urban design issues raised by the PSP to be:
 - The location of the **Local Town Centre**;
 - The **quarry extent** and, consequently, quantum of housing; and
 - The treatment of the **industrial/residential interface**.
- (4) Therefore, I have structured my evidence around these three issues.

2.0 LOCAL TOWN CENTRE LOCATION

2.1 Planning policy and guidelines

- (5) The PSP proposes the creation of a primary activity centre for the residential area within the PSP comprising a 'local town centre', government school, local community facilities and open space. The proposed connector street network is focused on this activity centre.
- (6) In order to assess the proposed location of the centre I have reviewed the relevant planning scheme provisions and guidelines to identify the principles that should guide its location, assessed the physical context of the subject land, then reviewed the locations proposed in the Exhibited and Revised PSPs, and the DJV FUSP.
- (7) The following planning policy and guidelines are of particular relevance when considering the appropriate location for the activity centre.
- (8) **Clause 11.03-1S** (Activity Centres) and **Clause 11.03-2S** (Growth Areas) of the Whittlesea Planning Scheme seek to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community, and which provide for local employment and business activity.
- (9) **Clause 21.04-2** (Urban Growth) seeks the provision of mixed use employment generating centres, whilst **Clause 21.08-1** (Urban Design) seeks to provide community hubs that combine services and recreation and bring people together.
- (10) Further, **Clause 21.08-1** (Urban Design) encourages new centres that are designed with street-based activity along main streets, and which are walkable from neighbourhoods within a 400-800 metre radius. A permeable, direct and well-connected pedestrian and cycling network is sought between destinations including public transport stops, homes and centres.
- (11) **Clause 21.12-1** (Community Facilities) seeks to co-locate community facilities close to other community assets such as retail precincts, arts facilities, and libraries to maximise accessibility and convenience to users.
- (12) **Plan Melbourne 2017-2050 (2017)** includes Direction 5.1 (Create a city of 20-minute neighbourhoods) which aspires for people to be able to meet most of their everyday needs

within a 20-minute walk, cycle or local public transport trip of their home. It is noted that neighbourhood activity centres are an integral part of this vision.

(13) The **Precinct Structure Planning Guidelines (2009, revised 2013)** outline objectives to establish a sense of place and community, to create highly accessible and vibrant activity centres, to provide better transport choices, and to deliver accessible, integrated and adaptable community infrastructure. The following PSP Guidelines are of particular relevance when determining the location of activity centres:

- *Neighbourhoods are safe and compact, making it easy to walk or cycle to shops, local jobs, schools, community facilities and public transport stops;*
- *The location and design of activity centres is clearly linked to and encourages the use of the public transport system;*
- *Neighbourhood activity centres are a key focus of the whole community providing residents with convenient access to local shops, services, meeting places and jobs;*
- *Activity centres are designed to ensure that they are attractive, lively and convenient focuses for the communities they serve and include the provision of quality public spaces.*
- *People can easily access local jobs by walking, cycling, public transport and by car;*
- *Safe and efficient walking, cycling, public transport and motor vehicle access is provided to connect residents directly to activity centres, employment areas and community facilities within and adjoining the precinct and to wider regional networks; and*
- *Activity centres are located on the Principal Public Transport Network (PPTN) or local bus routes to encourage transit-oriented development, optimising the use of existing and planned rail routes where these exist.*

(14) The VPA is currently revising the PSP Guidelines. The draft of the **Guidelines for Public Engagement (2020)** build upon the current PSP Guidelines and seek activity centres that can accommodate a range of jobs, services, amenities, activities and housing that support their role and function, and meet the changing climate, social and economic needs of a place (with an emphasis on the current changes occurring to the retail industry).

(15) Further, the Draft PSP Guidelines include a performance target that 80-90% of dwellings within a PSP area should be located within 800m of an activity centre.

(16) The **Urban Design Guidelines for Victoria (2017)** also provide direction for activity centre structure. Relevant objectives include to ensure accessible and functional activity centres that support public transport access, to ensure the activity centre structure supports safety

and amenity and is able to respond to change within the centre, and to activate the activity centre's interface with its barrier edges.

(17) From the relevant planning provisions and guidelines above, I have distilled the following key principles to guide the location of activity centres:

- Activity centres should be located to maximise their walkable catchment;
- Activity centres should be located on existing or likely future public transport routes;
- Activity centres should be located on existing or planned walking and cycling routes;
- Activity centres should be located to contribute to the sense of place and identity; and
- Activity centres should be located to enable synergies with other compatible land uses such as education, health and community facilities.

2.2 Physical context

(18) The Shenstone Park PSP area is approximately 628 hectares in size and is characterised with undulating topography. The PSP area is bound to the north by Donnybrook Road, to the west by the Sydney/Melbourne railway line, to the east by the Urban Growth Boundary (UGB) and to the south by the Wollert suburb boundary.

(19) Immediately north of the PSP area across Donnybrook Road is the Donnybrook/Woodstock PSP area. This PSP includes a north-south connector street (Patterson Drive) that meets Donnybrook Road at approximately the midpoint of the Shenstone Park PSP area's northern boundary. The town centre of the Donnybrook/Woodstock PSP is to be located approximately 860m north of Donnybrook Road, and a large open space is to be located approximately 240m north of Donnybrook Road.

(20) West of Shenstone Park is the English Street PSP Area, which is separated from it by the Sydney/Melbourne railway corridor. Further west is the Craigieburn North Employment Area PSP, which surrounds the English Street PSP Area. Immediately north west of the PSP area is the Lockerbie PSP Area, which includes the Donnybrook Railway Station. The land east of the PSP area is located outside the UGB, and the land south of the PSP area is earmarked for the future Northern Quarries PSP Area.

(21) Key features of the subject land from an urban design perspective include the existing Woody Hill Quarry which is located towards the south west part of the PSP area. Further, stony knolls (rises) are located throughout the landscape and especially characterise the central and eastern areas of the PSP area. The southern portion of the PSP area features

conservation areas that include scattered trees such as River Red Gums, as well as woodland and grassy plains.

- (22) The high pressure gas pipeline that runs in a north-south direction across the eastern section of the PSP area is also an important feature that is to be considered given the buffer area it requires that excludes sensitive uses, including higher density housing (refer Figure 1).

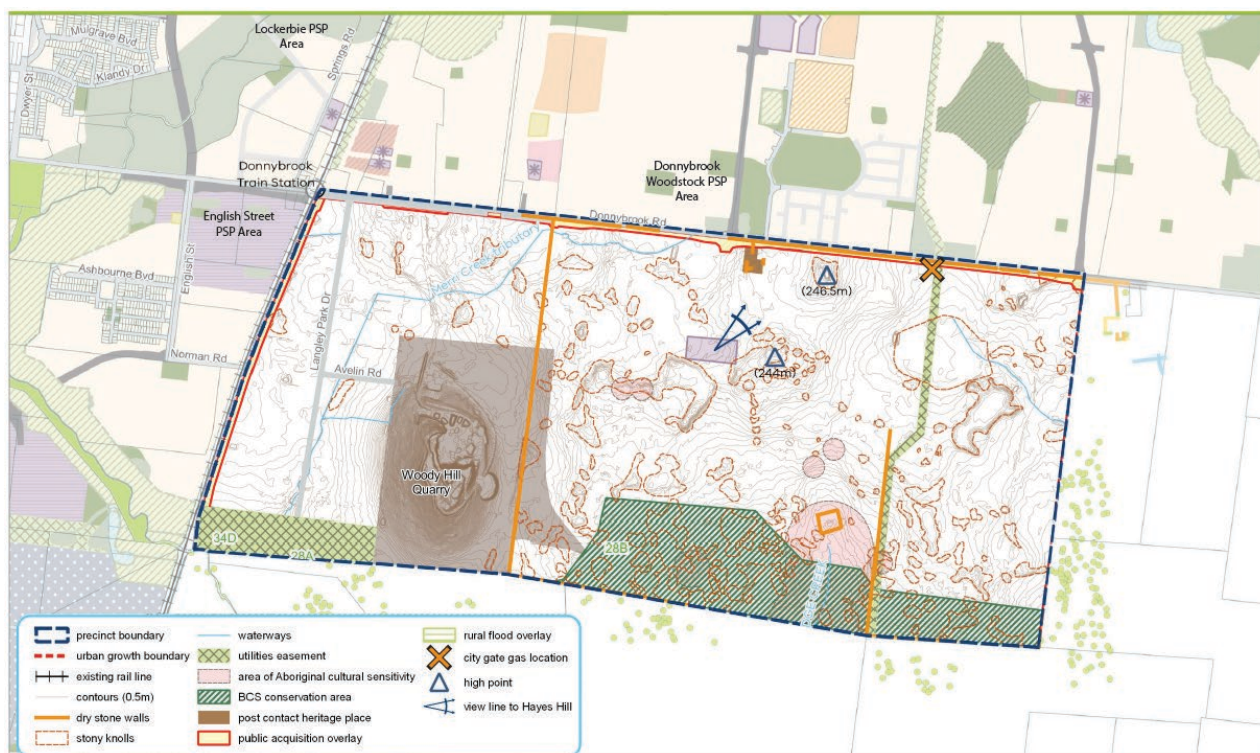


Figure 1 - Physical Context Map (source: VPA, September 2019)

2.3 Assessment

- (23) This section of the report assesses the proposed locations of the activity centre in the Exhibited Shenstone Park PSP, the Revised PSP, and DJV's Preferred FUSP, based upon the key principles and features of the land identified above.

Proposed Location

- (24) The Exhibited PSP proposes to co-locate a new Local Town Centre (LTC) with local community facilities, a future government school and a primary public recreation and open space, on a proposed east-west connector street (boulevard), approximately 400m south of Donnybrook Road. The primary public recreation and open space is located on the north side of the connector street only about 200m from Donnybrook Road, with the LTC, local community facilities and future government school on the south side of the connector street.

- (25) A north-south connector street (boulevard) is proposed to provide direct access from Donnybrook Road to the centre. This street aligns with Patterson Drive, which is a connector street forming part of the Donnybrook/Woodstock PSP Area. Another north-south connector street (boulevard) extends south from the activity centre between the local community facilities and future government school.
- (26) The FUSP features two east-west connector streets relatively equally spaced across the north-south width of the area. As a consequence of this, and the extension of Patterson Drive into the PSP area, the LTC and co-located facilities are located towards the north western corner of the residential area (refer Figure 2).

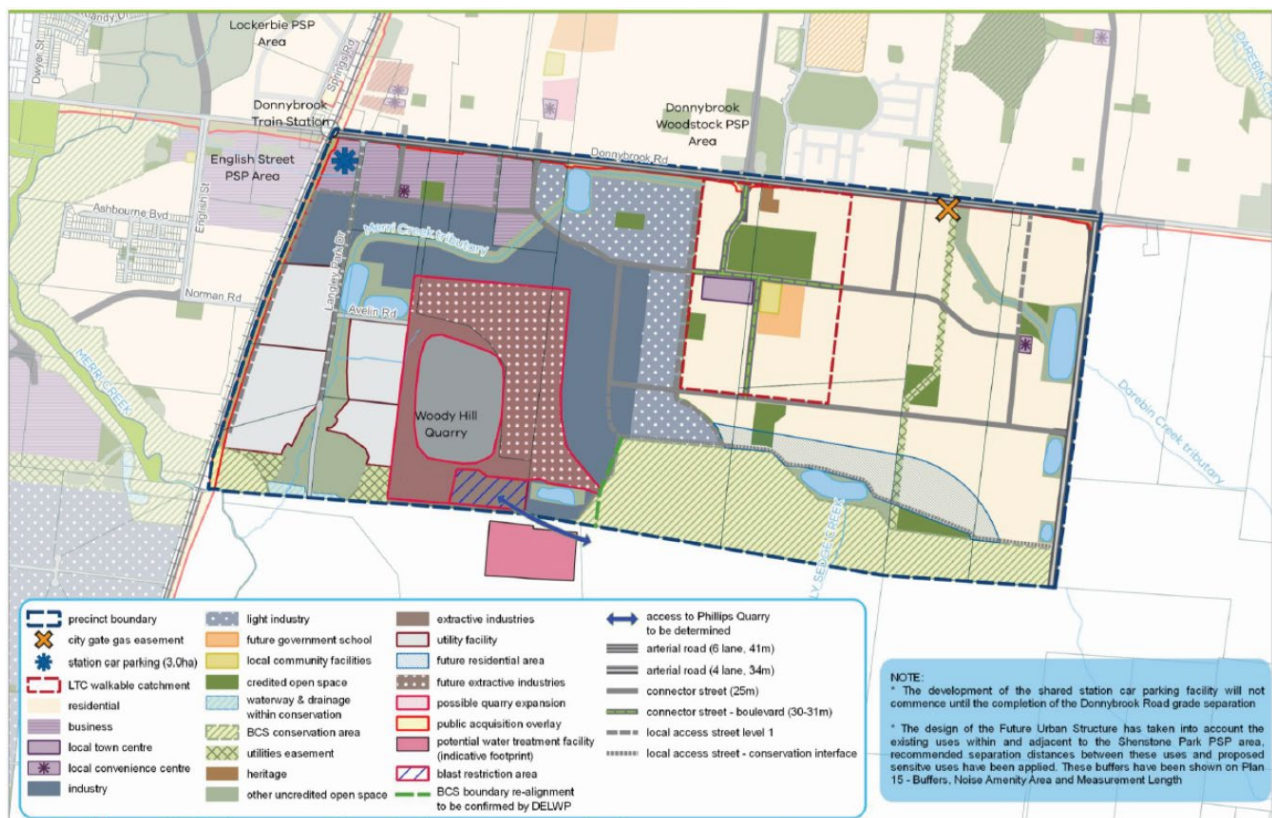


Figure 2 - Exhibited Shenstone Park Future Urban Structure Plan (source: VPA, September 2019)

- (27) The Revised PSP maintains a similar connector street network but repositions the activity components. However, they remain in generally the same location towards the north west corner of the residential area of the PSP. The future government school now sits alongside the proposed light industry area (refer Figure 3).

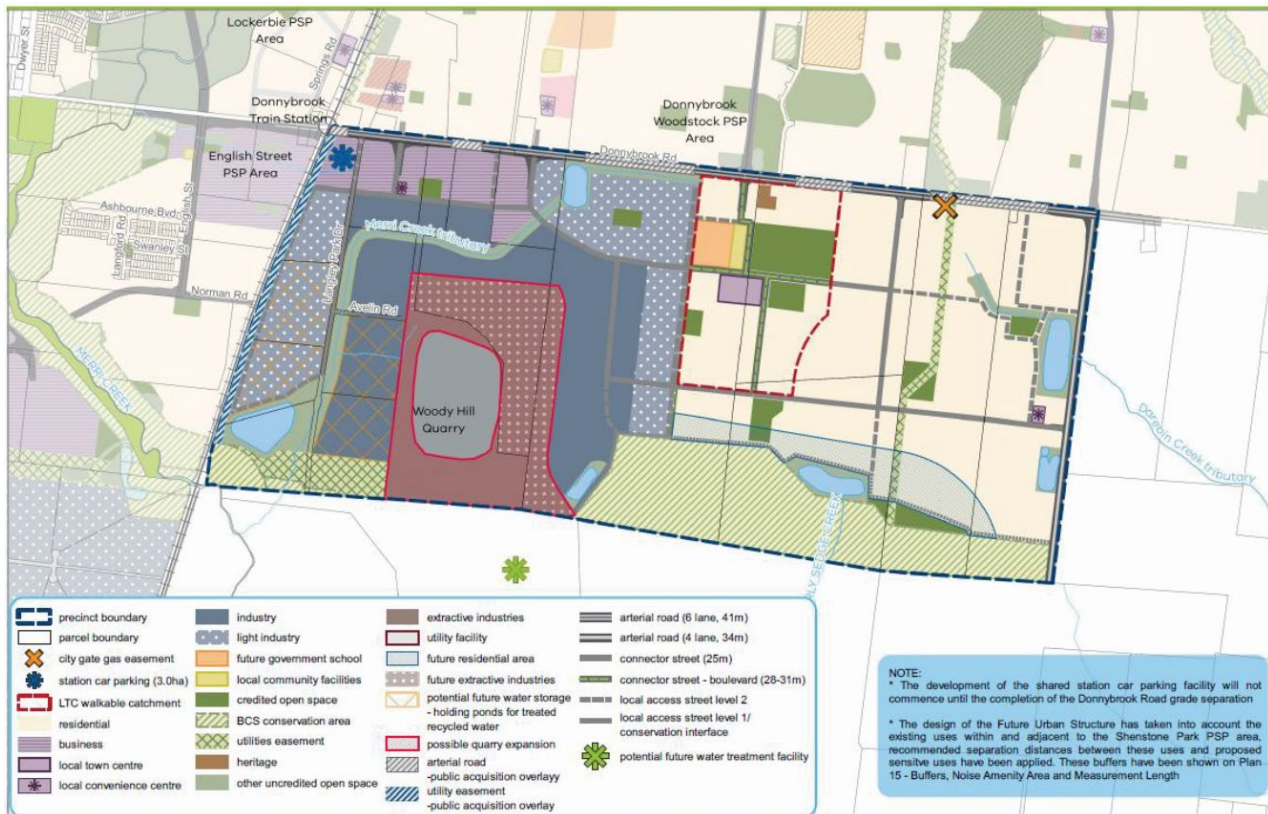


Figure 3 - Revised Shenstone Park Future Urban Structure Plan (source: VPA, October 2020)

- (28) Like the VPA plans, the DJV Preferred FUSP proposes to co-locate a new LTC with local community facilities, a future government school and a primary public recreation and open space. Like the Exhibited and Revised PSPs, the DJV FUSP also positions the centre at the intersection of two connector streets. However, in this case, there is only one east-west connector street which passes centrally through the residential area. As a result, the centre is positioned further south.
- (29) Like the VPA plans, a north-south connector street aligned with Patterson Drive is proposed to provide direct access from Donnybrook Road to the centre. This north-south street is proposed to become a main street/local access street upon entry to the centre, with the local community facilities and future government school located on the west side and the LTC located on the east side.
- (30) The main street terminates at the primary public recreation and open space area, located immediately south of the centre. The open space shares its eastern boundary with another proposed open space, and its southern boundary with a BCS conservation area (refer Figure 4).

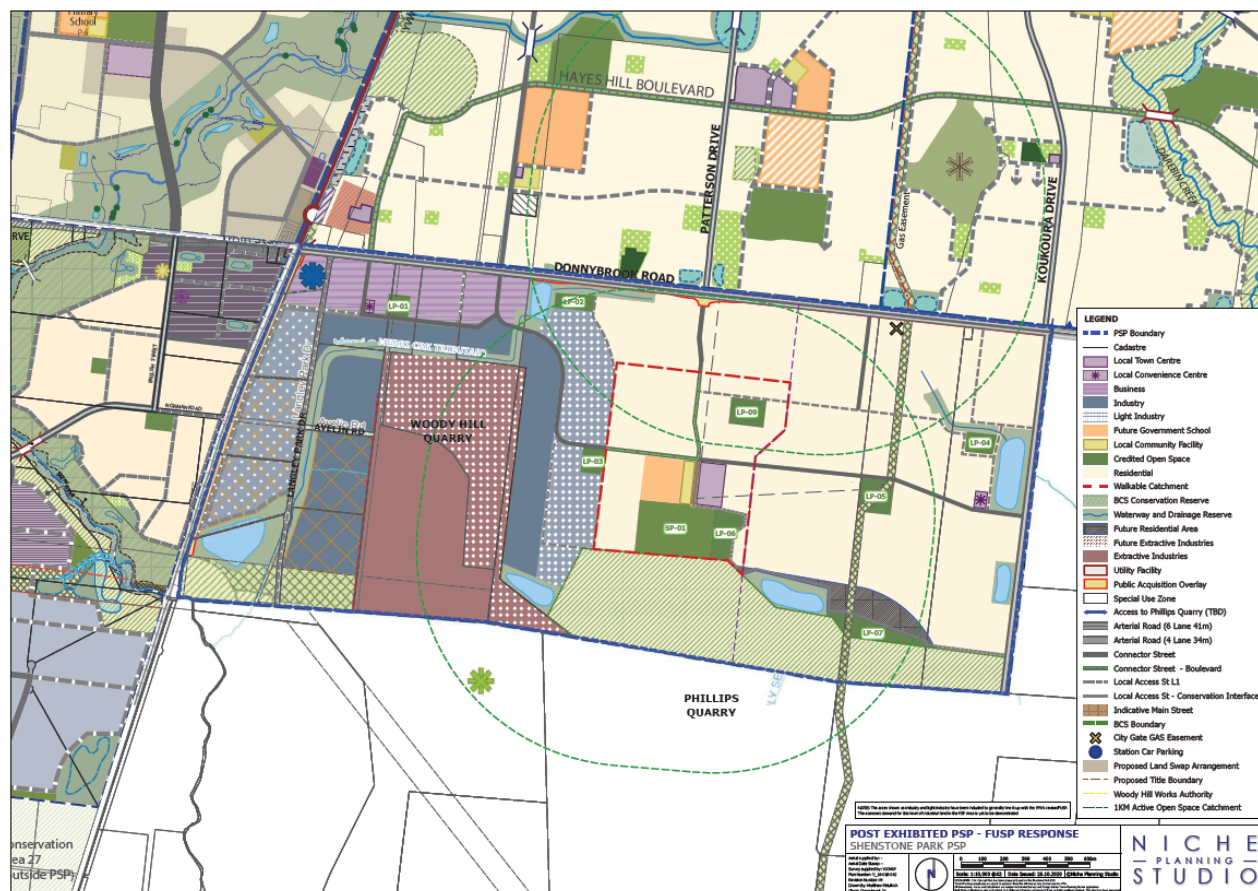


Figure 4 - Preferred Future Urban Structure Plan (source: DJV, October 2020)

(31) I assess the three layouts against the location principles below.

Activity centres should be located to maximise their walkable catchment

(32) Ideally, the activity centre would be located centrally within the residential part of the PSP area, to maximise its accessibility by foot. This would minimise the need and tendency for residents to drive to the shops, school, community facilities and park.

(33) This principle mirrors Local Town Centre Key Design Principle 01, as contained within the PSP, which seeks a centrally located town centre as a focus of the community. It also reflects Principle 02, which is to locate the town centre central to the residential catchment it services.

(34) However, it is also important to maximise the area of higher density housing within the 'walkable catchment' of the centre. This housing cannot be located within the high pressure gas pipeline buffer, 'pushing' the centre and higher-density housing west of the centre of the residential area.

- (35) The Exhibited and Revised PSPs locate the LTC and co-located facilities towards the north western corner of the residential area. This does not maximise their walkable catchment, given that substantial parts of the catchment are proposed to be industrial or are across Donnybrook Road in the Donnybrook/Woodstock PSP Area, while the vast majority of the proposed residential area is located to the east.
- (36) The DJV Preferred FUSP locates the LTC and co-located facilities further south and east than the VPA's plans. This increases the walkable catchment of each component of the centre.



Figure 5 - Revised PSP with 400m and 800m catchments from local town centre (shaded outside PSP residential area) [source: VPA, October 2020, with annotations added]

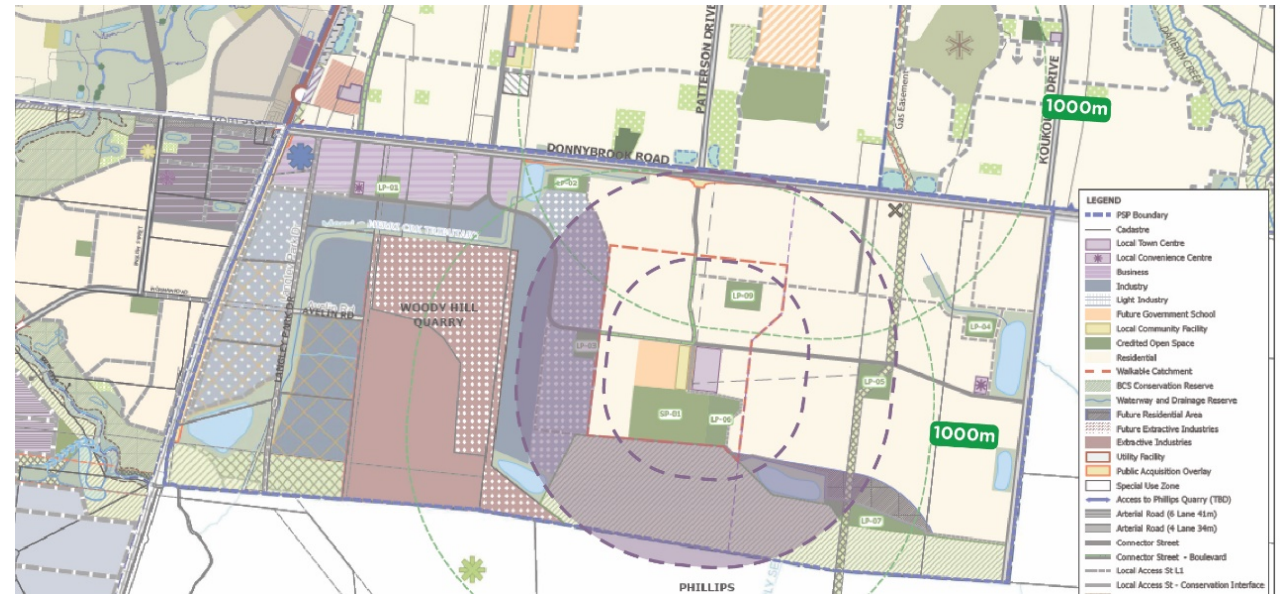


Figure 6 - Preferred FUSP with 400m and 800m catchments from local town centre (shaded outside PSP residential area) [source: DJV, October 2020, with annotations added]



Figure 7 - Revised PSP with 400m and 800m catchments from government school (shaded outside PSP residential area) [source: VPA, October 2020, with annotations added]

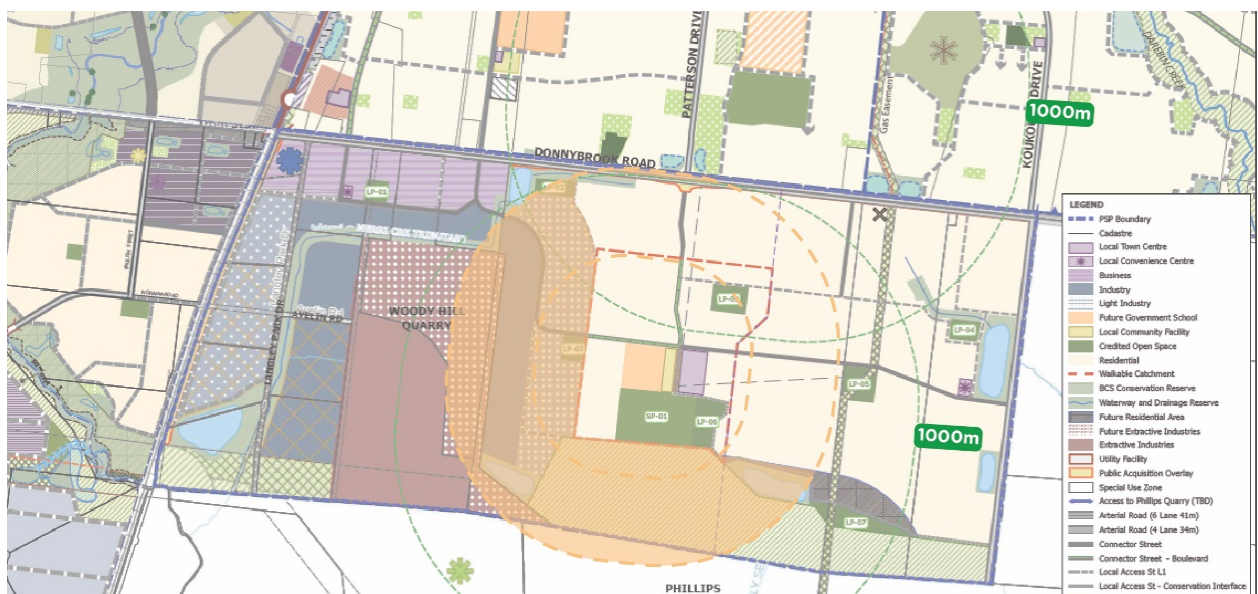


Figure 8 - Preferred FUSP with 400m and 800m catchments from government school (shaded outside PSP residential area) [source: DJV, October 2020, with annotations added]

Activity centres should be located on existing or likely future public transport routes

- (37) All three plans locate the centre on the corner of two connector streets (boulevards), which are capable of hosting bus routes. However, the VPA plans rely on two east-west connector streets. While I am not a transport planner, I consider that it is unlikely that there will be bus routes on Donnybrook Road and both east-west routes, only approximately 400-600m apart. It is more likely that only the southern east-west connector street, further from Donnybrook Road, will carry a bus service, lessening the public transport accessibility of the centre.
- (38) The DJV Preferred FUSP locates the centre on a more central east-west connector street. Therefore, it is a more likely future public transport route.
- (39) Therefore, I consider that the proposed centre location in the DJV FUSP is better in relation to likely future public transport routes.

Activity centres should be located on existing or planned walking and cycling routes

- (40) All three plans position the centre on two 'boulevard' connector streets. As shown in Figure 9 and Figure 10 below, these connector streets are planned to have walking and cycling routes, which will link the residential areas to the centre.

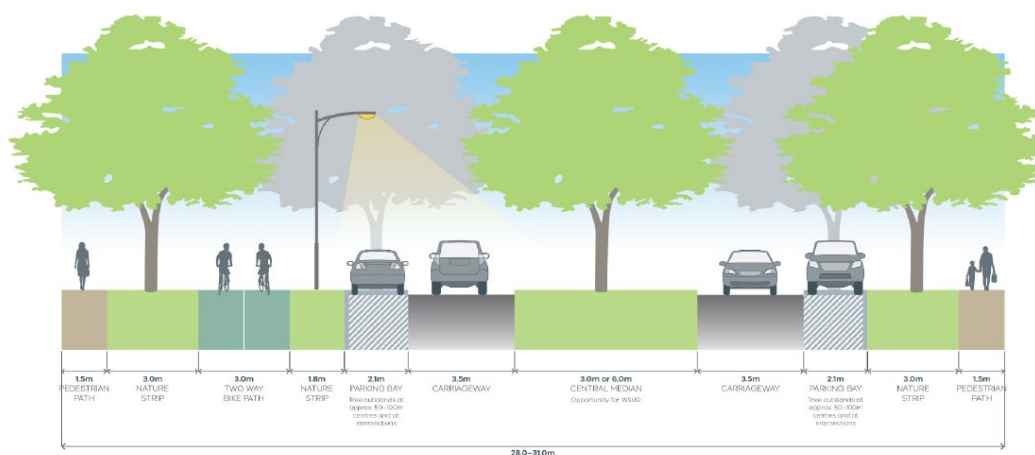


Figure 9 - Connector Street - Boulevard (28.0-31.0m) [source: VPA, September 2019]

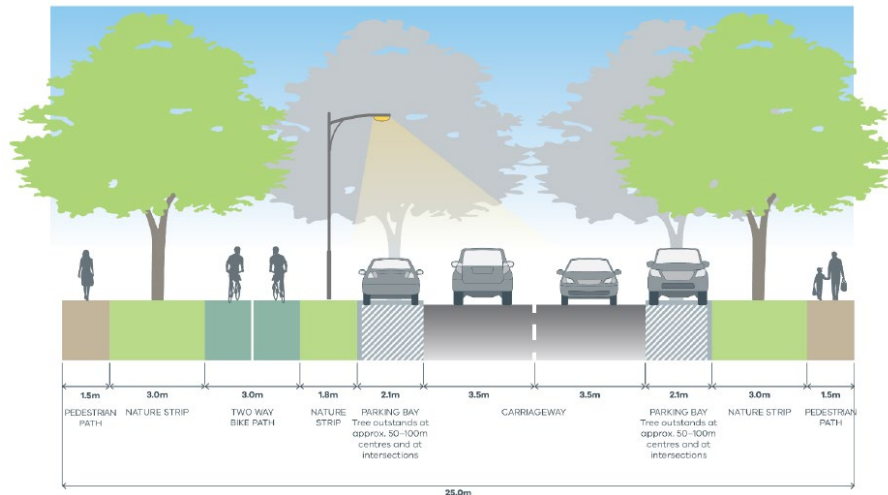


Figure 10 - Connector Street - Residential (25m) [source: VPA, September 2019]

- (41) Therefore, none of the proposed locations are notably better than the other in relation to planned walking and cycling routes.

Activity centres should be located to contribute to the sense of place and identity

- (42) In the Exhibited and Revised PSPs, the location of the centre at the intersection of two connector streets ensures that it will be a focal point of the residential area. The location of the LTC terminating the view for people approaching from Donnybrook Road, and the open space terminating the view on approach from the south, will reinforce the centre's sense of place and identity.
- (43) In the DJV Preferred FUSP, the location of the centre at the intersection of two connector streets similarly ensures that it will be a focal point of the residential area. Its position on the Conservation Reserve will also reinforce the sense of place and identity. In particular, this will connect the identity of the new neighbourhood to its distinct setting, integrate it with natural landscape features as encouraged by the PSP's Local Town Centre Key Design Principles O1 and O2, and integrate it with a Conservation Reserve as encouraged by the draft new PSP Guidelines.
- (44) In summary, all three locations could contribute to the sense of place and identity. However, the position proposed by the DJV FUSP will do most to facilitate a unique identity by capitalising on the natural setting.

Activity centres should be located to enable synergies with other compatible land uses such as education, health and community facilities

- (45) As outlined above, the Exhibited PSP, Revised PSP and DJV's Preferred FUSP all propose to co-locate the LTC with local community facilities, a future government school and a primary public recreation and open space. This will enable a synergy between the LTC and other compatible land uses to create a focal point within the PSP.
- (46) Therefore, none of the proposed locations are notably better than the other in relation to the co-location of the LTC with other compatible land uses.

Land constraints

- (47) I understand that constraints of topography and aboriginal cultural heritage have been put forward by the VPA as reasons why the LTC and co-located facilities are positioned in the north western corner of the land proximate to Donnybrook Road. However, reviewing the 'Precinct Features and Local Context' plan in the Exhibited PSP, all locations appear to be clear of areas of Aboriginal cultural heritage sensitivity.
- (48) There does not appear to be a material difference in the topography of the various locations. I note that the proposed location of the primary public recreation and open space in the DJV plan includes some stony knolls. If this is considered to be an issue, the park could be relocated to the west of the school without impacting on the centrality of the school, community facilities and LTC.

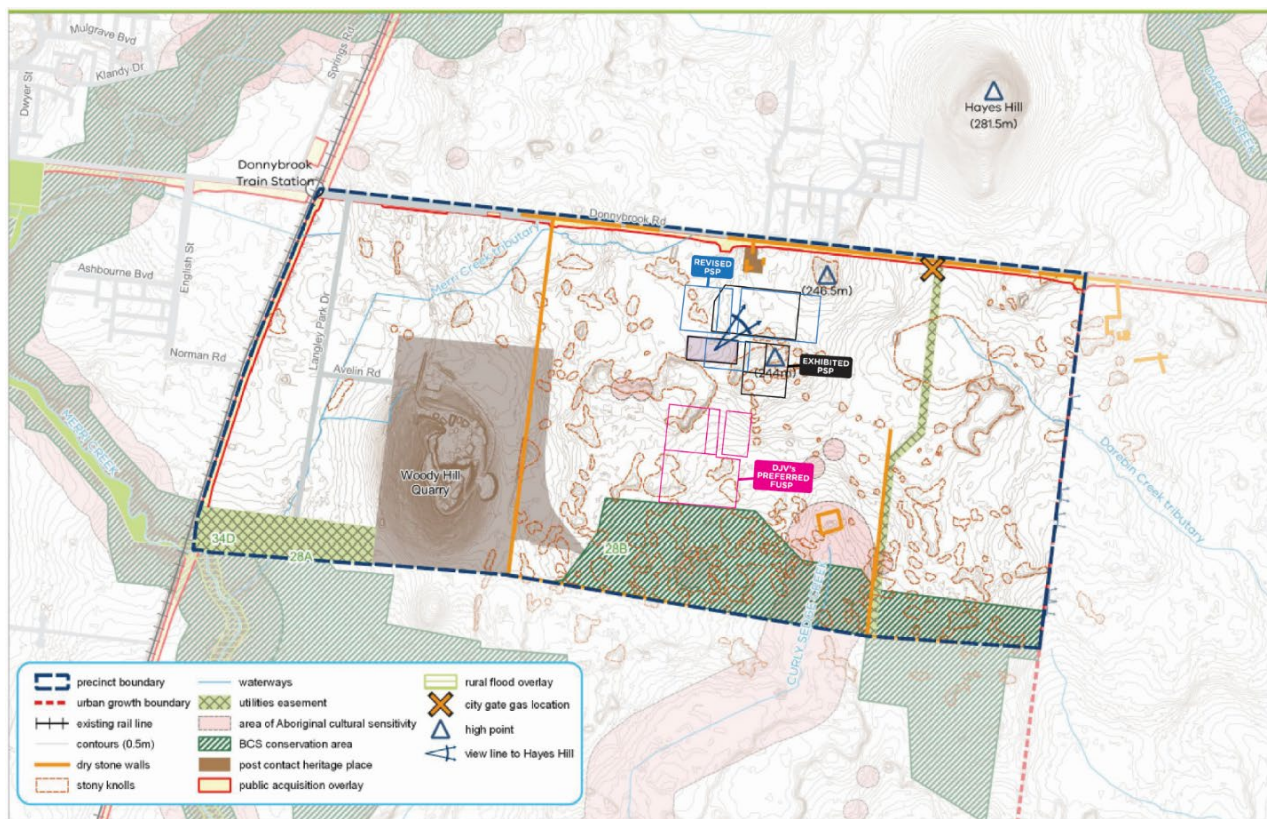


Figure 11 – Precinct Features and Local Context plan with Exhibited PSP (black), Revised PSP (blue) and DJV's Preferred FUSP (pink) activity centre locations outlined (source: VPA, September 2019, with annotations added)

2.4 Summary

(49) In summary, I consider the proposed location of the centre in the DJV Preferred FUSP to be the most appropriate from an urban design perspective because it:

- Maximises the walkable catchment of each component of the centre, lessening the need and tendency for residents to drive to the local shops, school, community facilities and park;
- Is more likely to be well-served by public transport; and
- Best facilitates the creation of a unique sense of place by capitalising on the natural setting.
- There do not appear to be any constraints preventing this location being adopted.

3.0 QUARRY EXTENT

- (50) This section of the report assesses the urban design consequences of the proposed quarry extent and, consequently, the quantum of housing.
- (51) Given the location of the residential area bounded by quarries to the west and south, non-urban land to the east, and an arterial road to the north, the residential community will be relatively isolated. Importantly, the PSP Vision states that, “Shenstone Park will be a model for a self-sufficient precinct...”. This increases the importance of providing for its daily needs within the PSP area.
- (52) The Exhibited PSP and Revised PSP propose an eastern expansion of the Woody Hill Quarry into the DJV land. This reduces the size of the PSP residential area. The Exhibited PSP has an approximate land use budget of 39.00 HA for the walkable catchment residential area, and 156.59 HA for the conventional residential area.
- (53) In contrast, DJV’s Preferred FUSP limits the eastern expansion of the quarry to a bund and an area in the south-west corner of the DJV land to provide a link between the Woody Hill Quarry and the Phillips Quarry. This increases the residential area in the PSP, which equates to an approximate land use budget of 44.00 HA for the walkable catchment residential area, and 184.46 HA for the conventional residential area. Consequently, support for and the viability of local shops and services is increased, which will benefit and lessen social exclusion for the relatively isolated residential community.
- (54) Therefore, while I recognise that the size of the quarry will likely be determined by non-urban design issues, I consider that the greater support for local living offered by the DJV Preferred FUSP should be taken into account.

4.0 INDUSTRIAL/RESIDENTIAL INTERFACE

(55) The treatment of the industrial/residential interface is a key urban design consideration.

(56) The Exhibited PSP contemplates a 27.1m wide separation between these uses through the introduction of a local access street flanked by a pedestrian path, nature strip and parking bay on each side of the street. The residential side of the street is to also have a 6.8m wide open space/local park as part of this separation (refer Figure 12).

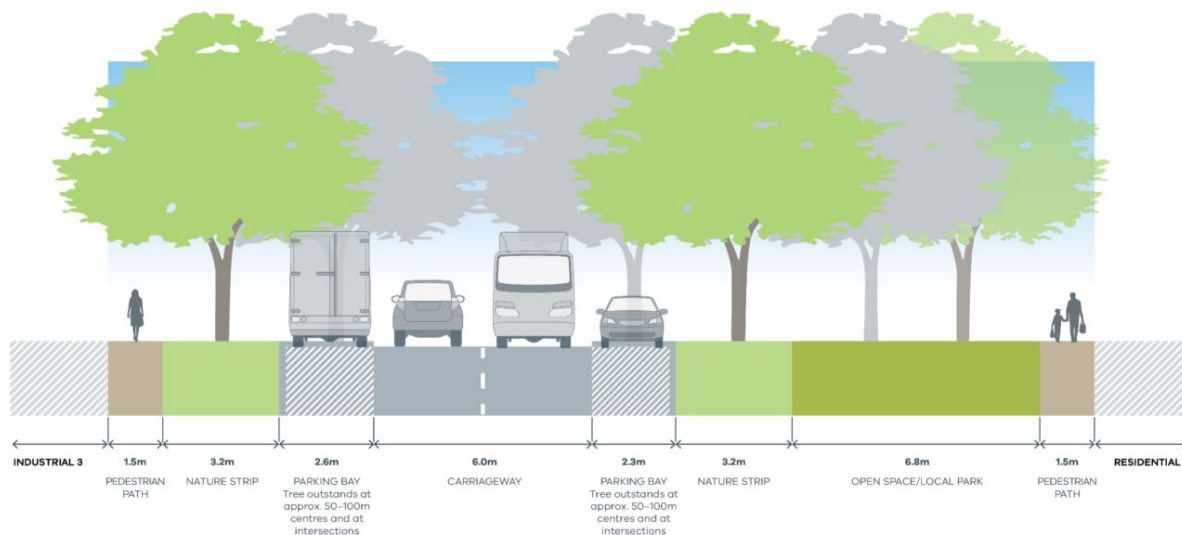


Figure 12 – Special industrial – Residential interface (27.1m) [source: VPA, September 2019]

(57) This is one way of achieving an appropriate separation between these uses. Another way is to position the different uses back to back, potentially with an acoustic wall between. This has the benefit of avoiding residential properties facing industrial uses across the road, and the creation of a street with a 'schizophrenic' identity and character.

(58) Notably, the draft revised PSP Guidelines encourage flexible PSPs to enable innovation in the way that outcomes are met. They state that "PSP preparation can be slowed or blunted by attempts to resolve matters at the PSP stage that would be better resolved at the permit stage."

(59) In summary, there are different ways in which the industrial/residential interface can be treated. Given that the interface occurs within a landholding, and not along a boundary, I consider that its treatment should be left open to the land developer to resolve once the specific industrial uses and residential forms are known.

(60) Therefore, I recommend the deletion of this interface requirement from the PSP.

5.0 CONCLUSION

(61) In conclusion, I consider that from an urban design perspective the DJV Preferred FUSP is the most appropriate of the plans I have reviewed based on the following:

- It locates the activity centre in the most appropriate and logical location; and
- It maximises the extent of residential land, which will increase the viability of the town centre.

(62) Further, I consider that the treatment of the industrial/residential interface should be left open to the land developer through the deletion of the interface requirement from the PSP.

6.0 APPENDIX A: SUMMARY OF EVIDENCE & PERSONAL DETAILS

Name and Address

Mark Peter Sheppard
Principal
Kinetica Studio Pty Ltd
25/500 Collins Street
MELBOURNE VIC 3000

Qualifications

- Fellow of the Victorian Planning and Environmental Law Association (VPELA), 2020
- Recognised Urban Design Practitioner (Urban Design Group, UK), 2014
- Corporate Member of the Planning Institute of Australia, 2008
- MA Urban Design, Oxford Brookes University, UK, 1992
- Diploma Urban Design, Oxford Brookes University, UK, 1992
- Bachelor of Architecture, University of Auckland, NZ, 1990

Professional experience

- Director, Kinetica Studio Pty Ltd (formerly David Lock Associates (Australia) Pty Ltd), 1997 to present
- Urban Designer - Associate, David Lock Associates, UK, 1993 – 1997
- Architectural Assistant, Sipson Gray Associates, London, UK, 1990 – 1993
- Architectural Assistant, Kirkcaldy Associates, Auckland, NZ, 1988 – 1990

Area of Expertise

I have thirty years' experience in private practice with various architecture and urban design consultancies in New Zealand, England and Australia, and have practised exclusively in the field of urban design since 1993. I am the author of *'Essentials of Urban Design'* (CSIRO, 2015).

Expertise to prepare this report

I have been involved in the design and assessment of numerous growth area projects in Victoria. These have included:

- The Growth Area Plan for Armstrong Creek;
- PSPs for Cranbourne West and East;
- Master plans for numerous greenfield housing developments for VicUrban and private landowners; and
- Numerous independent urban design assessments of PSPs to inform panel hearings.

Other significant contributors

I was assisted in the preparation of this report by Michael Mattner (Consultant of **kinetica**).

Instructions which define the scope of this report

I have been requested to give expert evidence in relation to urban design aspects of the proposed Amendment C241 to the Whittlesea Planning Scheme.

I am engaged by Donnybrook JV Pty Ltd and have received written instructions from Gadens including various documents relating to the proposal.

Facts, matters and assumptions relied upon

- Review of planning controls and policies affecting the area.

Documents taken into account

- Whittlesea Planning Scheme Amendment C241 documentation;
- Exhibited Shenstone Park Precinct Structure Plan (VPA, September 2019);
- VPA Part A submissions, memo and appendices;

- DJV's Preferred Future Urban Structure Plan (October 2020);
- The Whittlesea Planning Scheme and Reference documents;
- Plan Melbourne 2017-2050;
- Precinct Structure Planning Guidelines;
- Draft for Public Engagement Precinct Structure Planning Guidelines;
- Urban Design Guidelines for Victoria
- North Growth Corridor Plan
- Northern Quarries Investigation Area - Draft Addendum to the Growth Corridor Plans: Managing Melbourne's Growth; and
- Various correspondences relating to the proposed amendment.

**Summary of
opinions**

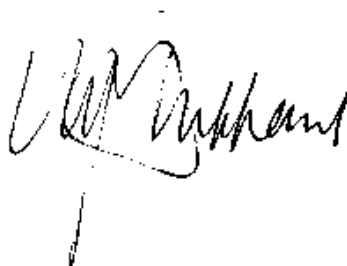
Refer to the conclusion of this statement.

**Provisional
opinions**

There are no provisional opinions in this report.

**Questions outside
my area of expertise,
incomplete or
inaccurate aspects
of the report**

This report is complete and accurate to the best of my knowledge.
I have made all the inquiries that I believe are desirable and appropriate
and confirm that no matters of significance which I regard as relevant
have to my knowledge been withheld from the Panel.

A handwritten signature in black ink, appearing to read 'Mark Sheppard', with a vertical line drawn below it.

Mark Sheppard

7.0 APPENDIX B: EXPERT INDEPENDENCE POLICY

Introduction

kinetica provides expert advice about planning and development to planning authorities, review authorities, government agencies, landowners, developers, development consultants and community members affected by development. Our experts are often called as witnesses to give their opinion as evidence. Expert witnesses furnishing their opinion in a court or tribunal are required to be independent. **kinetica** regards this requirement as fundamental to the services that it provides, and critical to the preservation of its reputation in the sector.

This policy has been developed to assist our clients and potential clients to understand the parameters within which we are prepared to accept commissions in a way that best preserves our independence and serves the interests of the process and our clients.

Policy

We adopt the following practices to ensure that the opinions provided by our experts are genuinely independent:

1. **No free advice in order to win a commission:** We charge a fee to formulate an opinion of the merits of a proposal. This ensures that the opinion is well-considered, and avoids any perception that it can be influenced by a commercial need to earn a commission.
2. **Authority to decline support:** We empower and require our experts to decline support for the client's position if they do not support it professionally, even if it risks the loss of a commission for further or future work.
3. **Consistent advice irrespective of the client type:** We do not restrict our services to a particular type or types of party involved in a development proposal or planning dispute, and require our experts to provide the same advice about a proposal irrespective of which party has requested that advice.
4. **Confined briefing for preliminary opinion:** We request that the instructor only provides material that is in the public domain to inform our expert's preliminary opinion, so that if the client declines to adopt the advice of our expert, they or another of our experts remains potentially free to advise another party if requested. This limits the potential for one of our experts to be engaged purely for the purpose of preventing them from being engaged by another party. **Our experts will not be precluded from giving evidence for another party where they have provided a preliminary opinion based on information that is not personal and/or confidential in nature.**

We do not accept commissions to give evidence for a second party in the same matter, or for the same party in the same area of expertise. When more than one **kinetica** expert is engaged to give evidence for the same party in the same matter, we employ the following procedures:

1. **No overlap in scope:** We ensure that there is no overlap in the scope of professional opinion sought by the two sets of instructions.
2. **Separate commissions:** We treat each commission as a separate job, with separate instructions, fee agreements, job codes and files.
3. **No discussion between experts:** The experts do not discuss the project in each other's presence, except if requested by and in the presence of an advocate or legal adviser to the client.
4. **Separate support teams:** No **kinetica** team member provides technical support for both experts, and team members supporting different experts are instructed not to talk to each other about the matter.
5. **Project meetings conducted in private:** All meetings and telephone conversations about the project undertaken in our office are held in an enclosed room to avoid any possibility of one expert or assisting team member overhearing the opinion of another.



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