Appendix - Shenstone Park Part B Submission

VPA Response to Donnybrook Joint Venture preferred Future Urban Structure (responding to panel direction dated 5th November 2020)

Overview

The Victorian Planning Authority (VPA) has reviewed the proposed Donnybrook Joint Venture Future Urban Structure (DJV FUS) (Document 54a). The review has incorporated feedback from Victorian School Building Authority (VSBA) as a key government stakeholder.

In summary, VPA does not support any changes proposed in the DJV FUS.

A detailed response is provided in each section below.

Strategic planning context

VPA has considered the DJV FUS based on state-level strategic planning documents. Two relevant planning documents are the Growth Corridor Plan and the Melbourne Industrial and Commercial Land Use Plan (MICLUP).

VPA Part A (Section 3.1 and 3.5) has outlined the strategic context for the amendment. It is VPA view that the DJV FUS has not adequately considered the North Growth Corridor Plan and MICLUP. In particular, residential land is substantially increased under the proposal when compared to the North Growth Corridor Plan. It is also located within proximity to Woody Hill Quarry that risks the sterilisation of existing and future quarry operations of state significance. Map 2 and 8 of MICLUP identify the Shenstone Park PSP area as regionally significant industrial land. The DJV FUSdoes not outlinel how the plan has appropriately responded to MICLUP and the North Growth Corridor Plan.

Plan Melbourne and State Government extractive resources policy recognise the need to identify and protect State significance stone resources for Melbourne's future needs. These strategic policy documents are outlined in Part A (Document 48) and the Quarry Statement (Document 36).

Mapping concerns

The DJV FUS design has been calculated using CAD based on a PDF supplied by VPA (as described in the note on page 2 of the DJV FUS). This is not the most accurate method to draw an alternate Future Urban Structure and therefore the land use area and spatial arrangement of uses may be different in reality to that assumed on the plan.

Government School Location

Submission 28 (VSBA) outlined significant concerns with the exhibited location of the government primary school and community facility in Shenstone Park PSP. These concerns were related to topography, physical features (including location of stony knolls), road frontages, cultural heritage and drainage.

The exhibited school location had a difference of approximately 4m vertical elevation (244m AHD – 240m Australian Height Datum AHD) with the presence of stony knolls across the site (Figure 1). VSBA submitted that the exhibited school location was constrained by topographical and geological

challenges (Submission 28). In consultation with VSBA and City of Whittlesea, the VPA subsequently relocated the school location to flatter terrain in the Part A FUS.

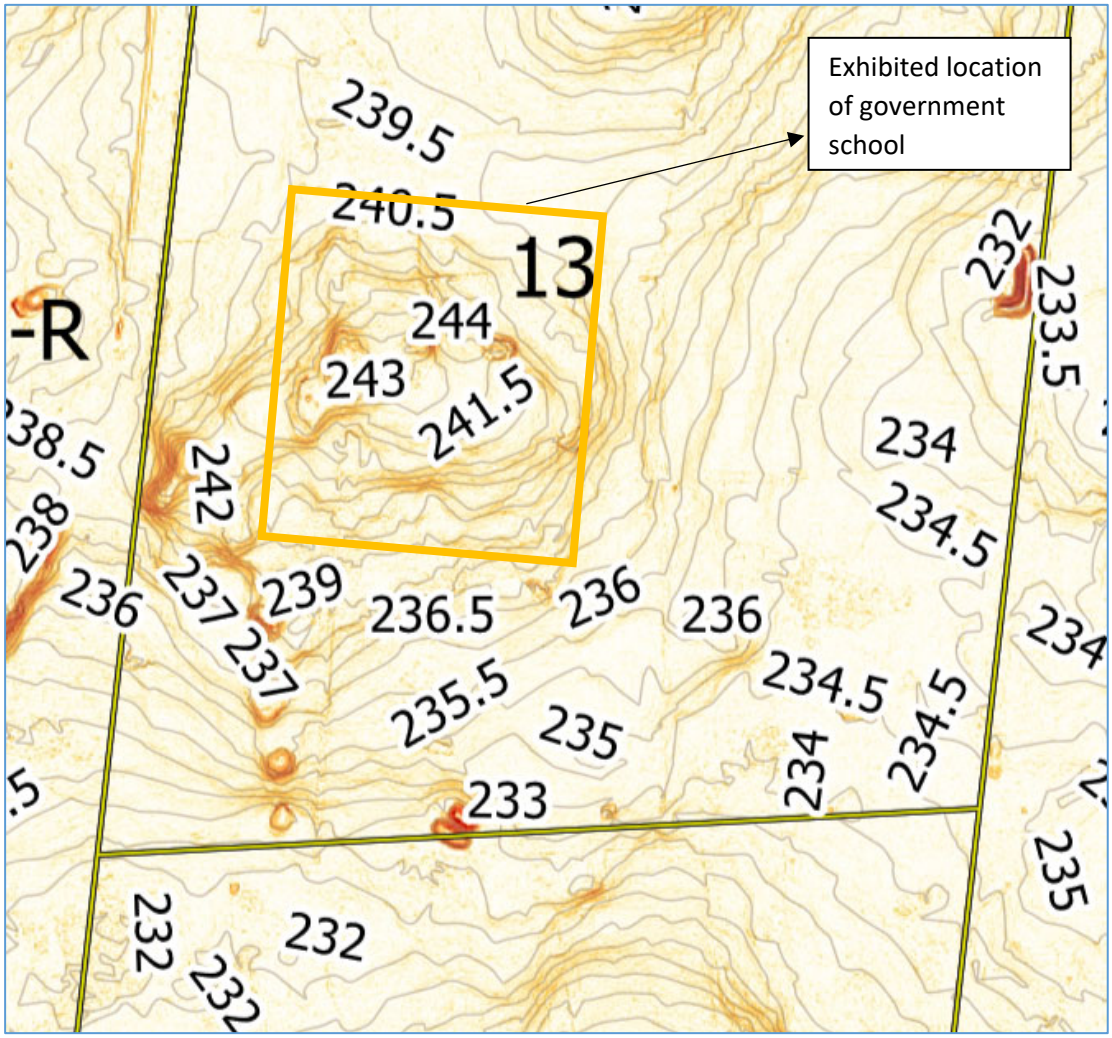

Figure 1 Indicative location of exhibited government school with contours (AHD)

VPA has overlaid the proposed location of the government primary school and community facility in the DJV FUS with available contour information (AHD) at the VPA. Based on contour information, there is a difference of approximately 7m elevation (240m AHD – 233m AHD) across the site (Figure 2). This is approximately 3 vertical metres greater than the elevation difference for the exhibited school location that was considered by VSBA to be unsuitable for the development of a future government school.

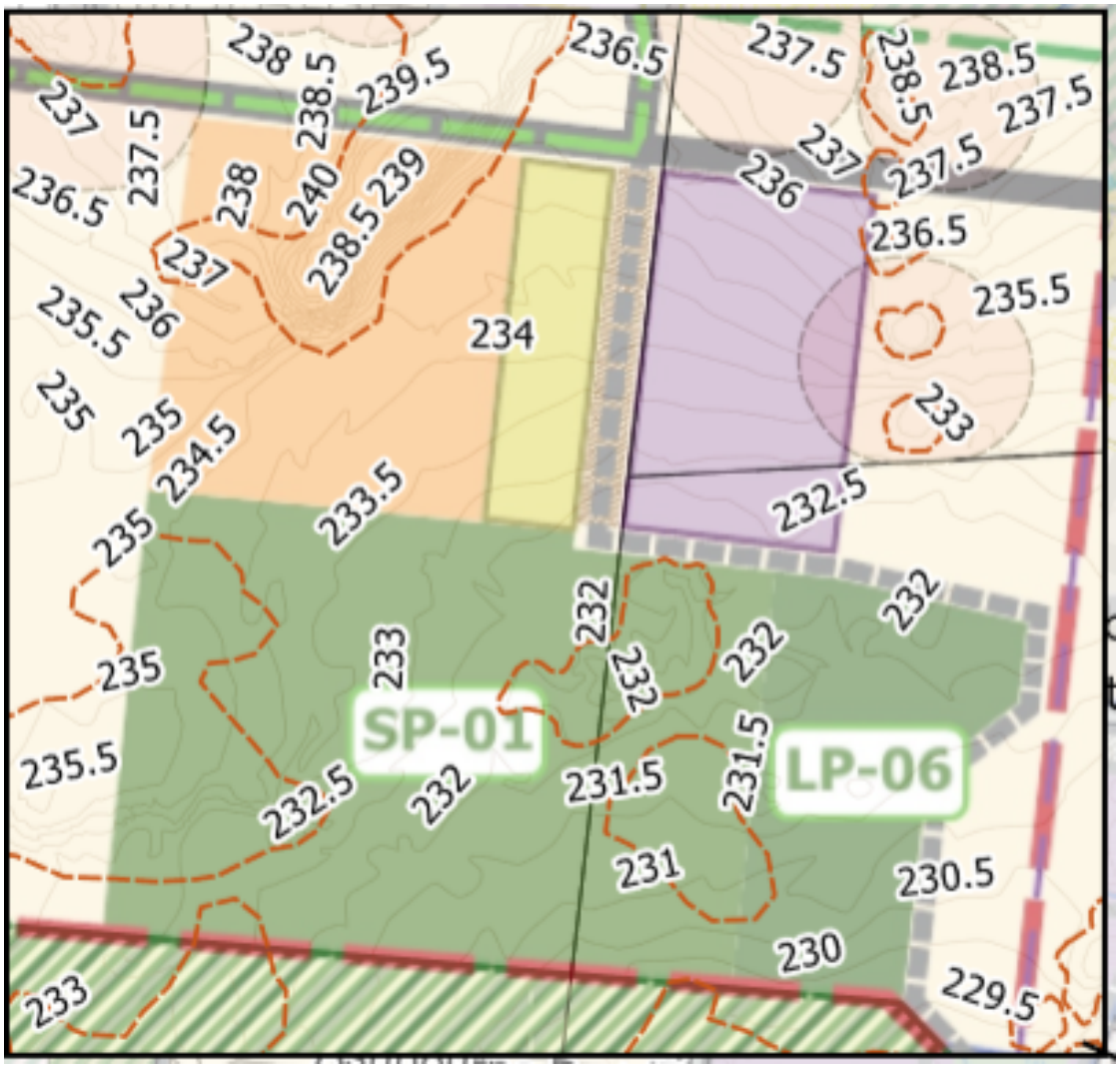

Figure 2 Location of DJV FUS preferred government school (orange shading) with contours (AHD) Shenstone Park PSP

In addition to the difference in elevation across the site, the proposed government primary school in the DJV FUS also shows a large stony knoll on the northern side of the site (Figure 2). The red shading in Figure 3 represents slopes >20%. It is clear from Figure 3 that the central and northern areas of the site would require extensive earthworks to provide usable space for school buildings – let alone a flat playing field.

It is likely the location of the government school (DJV preferred FUS) would require significant earthworks (including disposal of rock) to construct buildings and facilities. VPA does not believe it is appropriate to increase the future delivery cost of community infrastructure by siting the school on a site with additional physical constraints compared to VPA proposed location (shown in VPA Part A FUS).

In additional physical constraints, VSBA also request a school location with at least 2 (preferably 3) road frontages - of which one must be a connector road. The preferred FUS put forward by DJV has not adequately responded to this requirement which is an elemtnet within the current and proposed PSP guidelines.

VPA has also requested the dimensions of the community centre of the DJV FUS. It is important the dimensions of the site provide a usable footprint. This is particularly important for the delivery of kindergarten space as required by government policy. VPA has requested a map showing the dimension of the community facility from DJV so that an accurate assessment can be made.

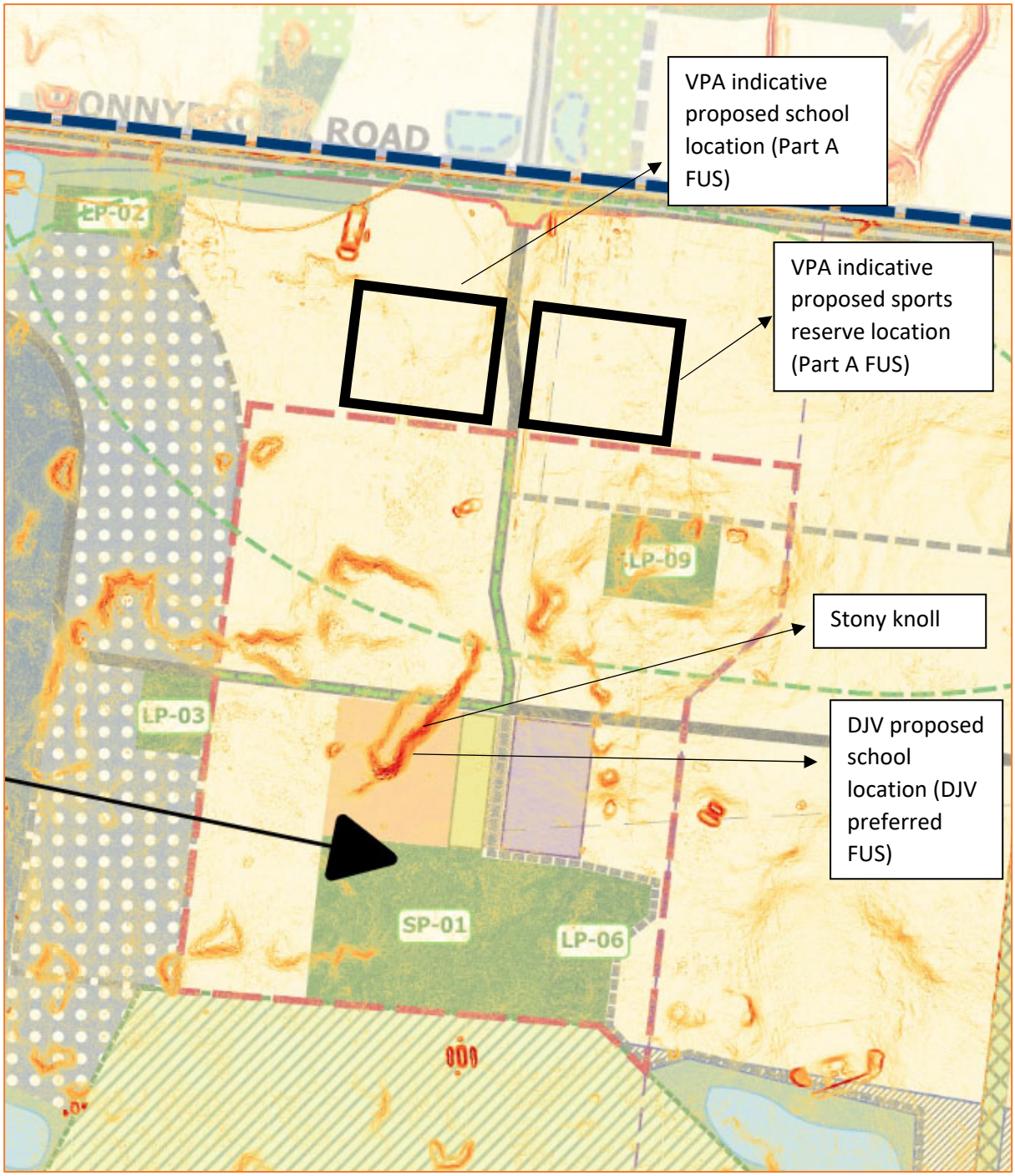

Figure 3 DJV FUS Location of school and community facility with overlay of slope (red shading >20% slope, orange shading 10-15%, yellow <5%)

VPA preferred school and community centre location shown on the Part A FUS in the northern part of the PSP, is far less constrained by physical features and topography. Based on an analysis of slope, the preferred VPA location grades less than 5% across the site. The relatively flat topography will assist in the efficient delivery of a government primary school which will provide a benefit to the wider community.

Local Sports Reserve

Open space is an integral part of liveable communities. The DJV FUS has only provided 8.00 ha of sports reserve compared to 8.45 ha provided in VPA Part A FUS. The location of the sports reserve in the DJV FUS is likely to be constrained from expanding by buffers from the Woody Hill Quarry to the west. VPA does not believe it is an appropriate design solution to reduce the size of the sports reserve so that it can 'fit' the developers desired FUS.

In addition to the difference in the overall size of the sports reserve between the DJV FUS and VPA Part A FUS, there is also a difference in the topography and physical constraints of the location. Figure 2 shows an elevation difference of approximately 4 metres from the north western to the south eastern corner of the land for the DJV sports reserve site. In addition to the difference in elevation across the site, the south western corner of the site shows slopes of 10-15% (Figure 3). In contrast, the VPA preferred location for the sports reserve has slopes of less than 5% across the site (Figure 3).

VPA does not support the location of the sports reserve as shown in the DJV FUS. Previous panels (Mitchell and Whittlesea GC 102, panel report pg. 28) have acknowledged the position of councils in relation to the shortfall between the funds collected pursuant to the standard capped community and recreation levy, and the actual cost of delivering the community and recreation infrastructure (although it was acknowledged it was beyond panel's remit to make formal recommendations in relation to the capped community and recreation levy). Given previous panels have acknowledged the position of council, VPA does not believe it is appropriate to identify a site that has additional physical and topographical constraints which is likely to increase the cost of delivery when there is an alternative available. VPA's preferred location minimises the physical and topographical constraints of the site which is likely to increase the efficiency of delivery (including cost) and result in better outcomes for the community with more space for active recreation.

Buffers

As outlined in VPA Part A submission, buffers are an important constraint which must be considered in the Shenstone Park PSP area. DJV has not provided a buffer plan to support their preferred FUS. In the absence of information provided by DJV, VPA has undertaken an analysis of buffers consistent with the VPA buffer plan to respond to the plan (Figure 4). VPA has included a 500m dashed line to provide an indication of impact distances in expert evidence.

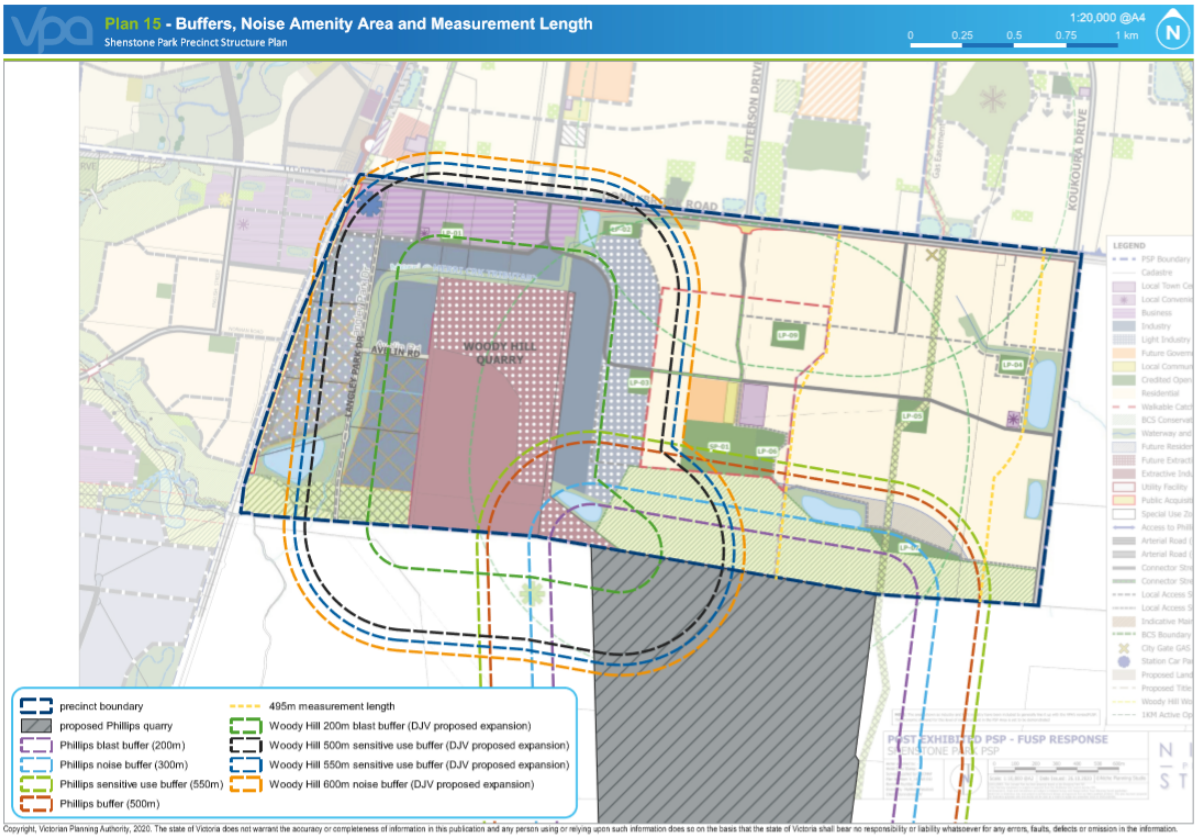

Figure 4 - DJV Future Urban Structure with 500m, 550m and 600m buffer overlay on the plan

Woody Hill Quarry Buffers (North)

The proposed FUS provided by DJV has expanded the Woody Hill Quarry to the north on 870 Donnybrook Road. While this recognition of the policy support for the quarry expansion is welcomed, there are two key impacts of the proposed northern expansion area based on DJV plan that the VPA considers render this proposal unsuitable being the Sensitive Use Buffer (500 & 550m) and Blast buffer (200m) (Figure 4).

As outlined in VPA Part A submission, there is an existing approved and gazetted PSP to the north of Shenstone Park – Donnybrook Woodstock PSP. Based on a 500m sensitive use buffer from Woody Hill Quarry, the sensitive use buffer would extend into the approved and gazetted Donnybrook Woodstock PSP area (black dashed line). VPA strongly object to any quarry buffers extending into the Donnybrook Woodstock PSP.

The east west connector road on the western side of the precinct provides an important link between the residential area and the future station car park which is proposed on Property 4 (40 Langley Park Drive). Based on a 200m radius, the blast buffer is likely to extend over the east west connector road. VPA contend that land use planning should appropriately manage any risk to the public and should not plan for connector roads to be located within the blast buffer.

Woody Hill Quarry Buffers (East)

Whilst the DJV FUS has proposed a reduction of the eastern quarry expansion area (compared to the VPA Part A FUS), land use on the eastern side of Woody Hill Quarry still has not appropriately responded to the quarry. The VPA oppose any reduction in expansion area on the eastern side of the quarry.

Even with the reduced quarry expansion area shown on the DJV FUS, based on a 500m or 550m sensitive use buffer (Figure 4), there is a large area of proposed residential development within the sensitive use buffer (black dashed line). VPA contends it is completely inappropriate to show residential land use within the sensitive use buffer of the Woody Hill Quarry.

In addition to the sensitive use buffer, VPA has applied a noise buffer of 600m which is shown in the buffer plan of the VPA Part A FUS. The VPA has avoided any community uses (including active open space) within a 600m noise buffer of the quarry. It is clear from Figure 4 that the noise buffer extends into the proposed sports reserve in the DJV FUS. VPA believes it is inappropriate to locate active open space within the noise buffer and therefore does not support the DJV proposed plan.

Phillips Quarry Buffers

Similar to Woody Hill Quarry, VPA has also drawn 200m, 500m & 550m buffers from the Phillips Quarry to indicate the possible impact on the DJV FUS. Similar to Woody Hill Quarry, DJV should provide their plan with the buffer constraints shown on a plan.

The red and green dashed lines (Figure 4) show an indicative sensitive use buffer located 500 & 550m from the boundary of the Phillips Quarry. It is clear that the sensitive use buffer extends over the sports reserve. VPA does not support sensitive use buffers which extend over the sports reserve.

Walkable Catchment Area

Similar to the extent of residential area contained within a 500m or 550m sensitive use buffer on the eastern side of Woody Hill Quarry, DJV show a significant portion of the walkable catchment proposed within the sensitive use buffer. Based on calculations provided by DJV, there is likely to be approximately 5 ha of walkable catchment land within the sensitive use buffer. VPA contends it is completely inappropriate to show any walkable catchment within the sensitive use buffer of the Woody Hill Quarry.

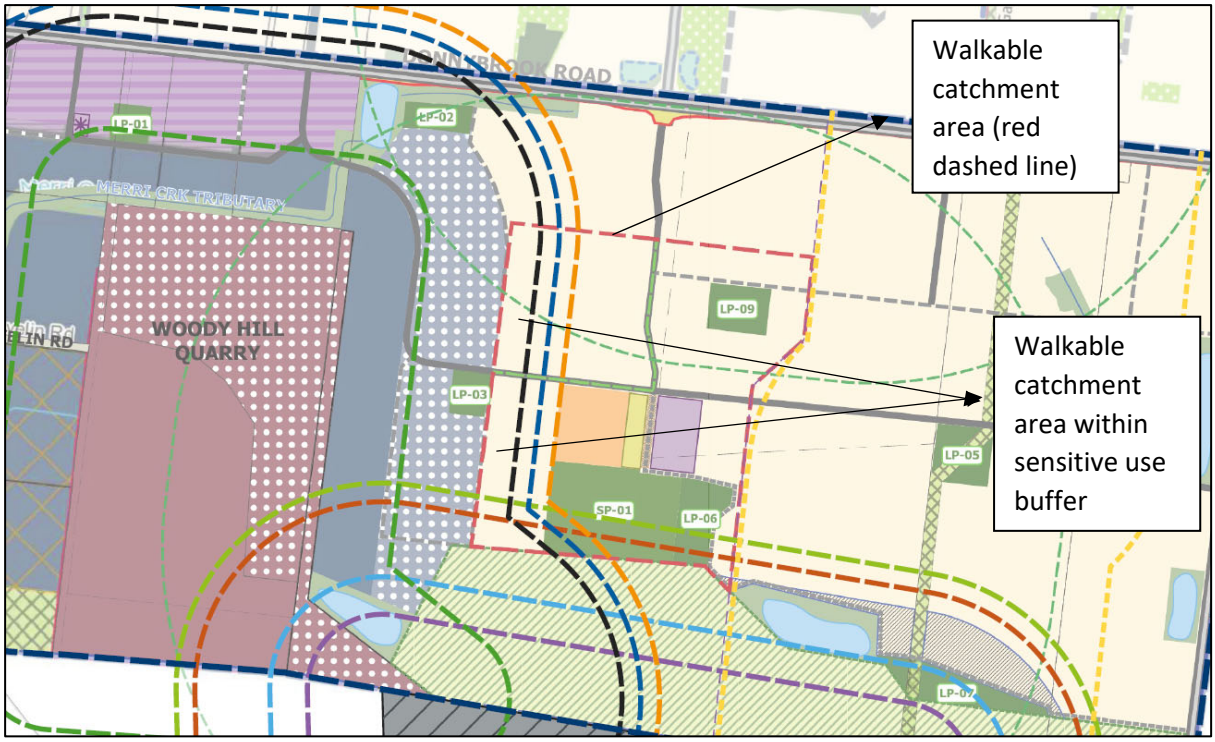

Figure 5 DJV FUS showing the location of the Walkable Catchment

One of the implications of the walkable catchment is an applied residential growth zone. It is wholly inappropriate to encourage a higher density and built form within a sensitive use buffer from the quarry. It is the VPA's position that the walkable catchment must be wholly located outside the sensitive use buffer and gas measurement length. Based on a walkable catchment outside all buffers, the figures provided in the 'preferred FUSP land use budget' would vary greatly. The DJV FUS proposes a walkable catchment that is highly constrained by buffers. Further, the changes do not substantially increase the area of residential land within the walkable catchment compared to Part A FUS.

Bushfire Requirements

In December 2019, Country Fire Authority (CFA) reiterated advice that Shenstone Park was within a Bushfire Prone Area (Submission 29). VPA used the recommendations of the background bushfire report (Terramatrix) to achieve CFA requirements. This included creating a modified buffer around the perimeter of the development through the road network (Submission 29 - CFA). Written confirmation was provided in December 2019 that CFA supported the amendment.

VPA does not support the road network in the DJV FUS because it has not adequately considered bushfire requirements such as 'a modified buffer around the perimeter of development' and other bushfire requirements. VPA has considerable concerns about the interface of Conservation Area 28 and the proposed development.

Figure 6 shows the interface between Conservation Area 28 and proposed development. Although partially obscured by the walkable catchment boundary (red dashed line), there is no local road or separation between Conservation Area 28 and the proposed development. That is to say, the boundary local road sought for bushfire safety reasons is absent – as a consequence the separation is lacking between the BCS area and the active open space, and in turn the school, community facilities and town centre. It is unclear how the DJV FUS could be suitably amended to include a

local road along the conservation area boundary. If the school and community centre were moved further north (west is constrained by buffers), this would exacerbate the topographical and physical constraints on the DJV preferred government school; as the large stony knoll present extends to the north east (Figure 3).

VPA has significant concerns that the interface does not meet current bushfire requirements and DJV has not advanced written evidence that the proposed configuration meets current bushfire requirements.

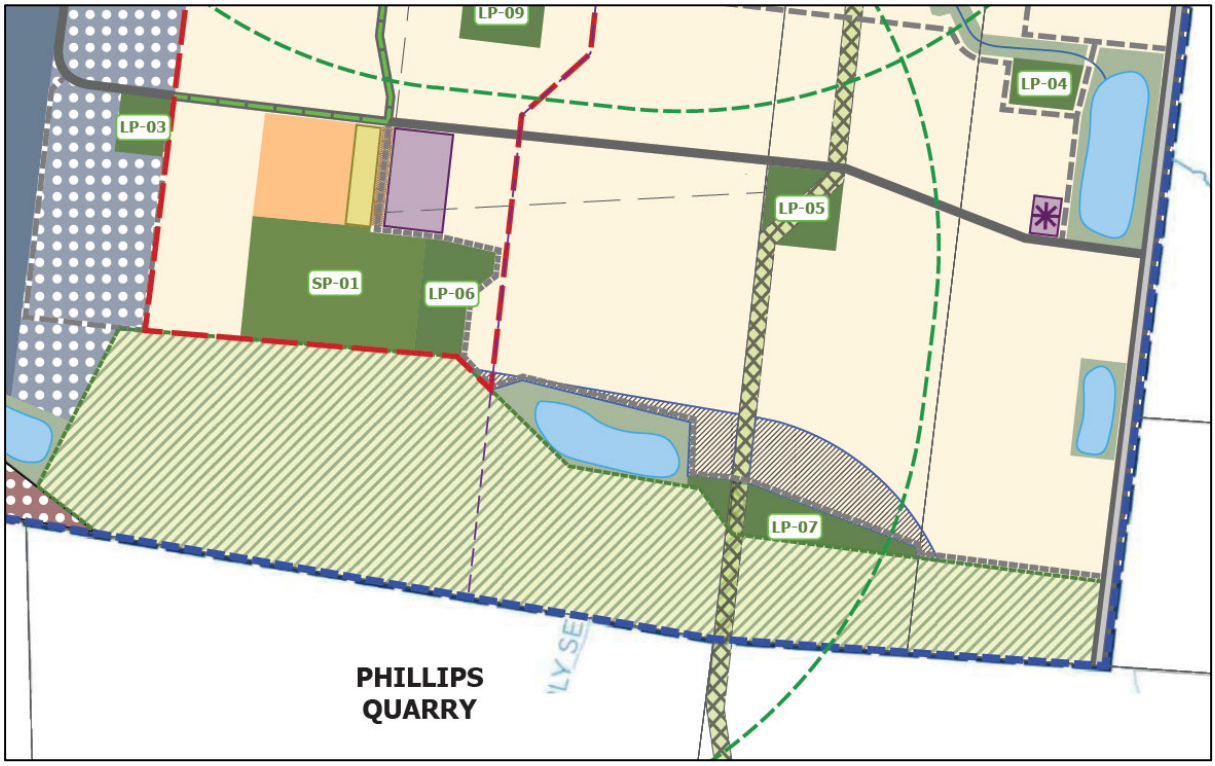

Figure 6 - DJV FUS showing the proposed interface of development and Conservation Area 28

Tributary of Merri Creek

The Tributary of Merri Creek runs in a west - south west direction on the western side of the precinct. The DJV FUS effectively proposes to straighten the alignment of Tributary of Merri Creek across the northern section of 870 Donnybrook Road (Barro) from that of VPA Part A FUS.

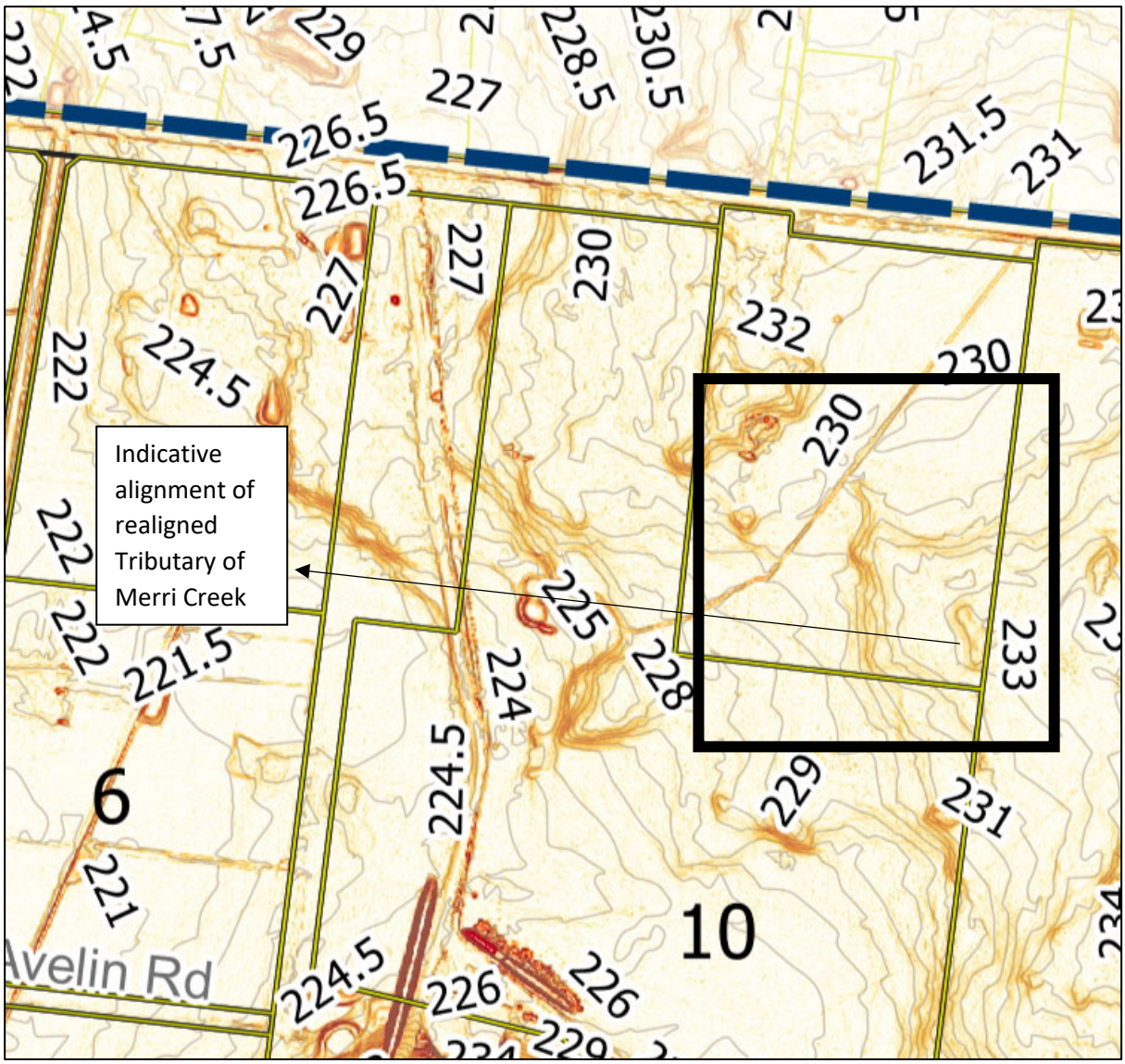

Figure 7 Contour information (AHD) for 870 and 910 Donnybrook Road

The key problem with moving the waterway into the south eastern corner of the property is that there is an existing high point at approximately 233m AHD elevation. The existing alignment of the waterway is approximately 230m AHD elevation. In order to realign the waterway, a minimum of 3m excavation would be required to in the south eastern corner of 910 Donnybrook Road to ensure the water flows downhill.

Melbourne Water has previously written to the submitter for 910 Donnybrook Road (30 June 2020) to advise that further design would be required to demonstrate the alignment proposed by the DJV FUS could function. VPA has been advised by Melbourne Water that no information has been submitted in support of a revised alignment. Based on topographical constraints and an absence of design by the submitter, VPA believe it is inappropriate to alter the alignment of Tributary of Merri Creek up approximately 3.0 vertical metres through a knoll on 910 Donnybrook Road.

In addition to a conveyance function, there are additional issues with 'cutting' into a hill. Melbourne Water's Constructed Waterway Design Manual provides design criteria including battering to safety on each the side of a waterway. A greater level of 'cut' to the invert of a waterway is likely to require additional battering to achieve the required safety batters. It is inappropriate to show a waterway corridor width without factoring the increased waterway battering through the south eastern corner

of 910 Donnybrook Road. Further, such deep excavations for a constructed waterway are contrary to the recommendations of Dr Sandercock.

Transport

VPA does not support the internal road network as shown in the proposed DJV FUS. The key change proposed in the DJV FUS is the removal of an east west connector road through the precinct. Figure 8 shows the VPA proposed Public Transport and Pathways Plan (Plan 11) from the Part A PSP. It is important to note that the connector road network also provides an off road bike path to encourage active transport within the precinct. A reduction in the connector road network in the precinct will discourage active transport which is not desirable in proximity to Donnybrook Station.

The connector road network also provides a network of bus capable roads in the precinct (Figure 8). Based on preliminary analysis by VPA, the connector road network proposed by DJV may reduce accessibility to the bus network which may increase car dependency within the precinct.

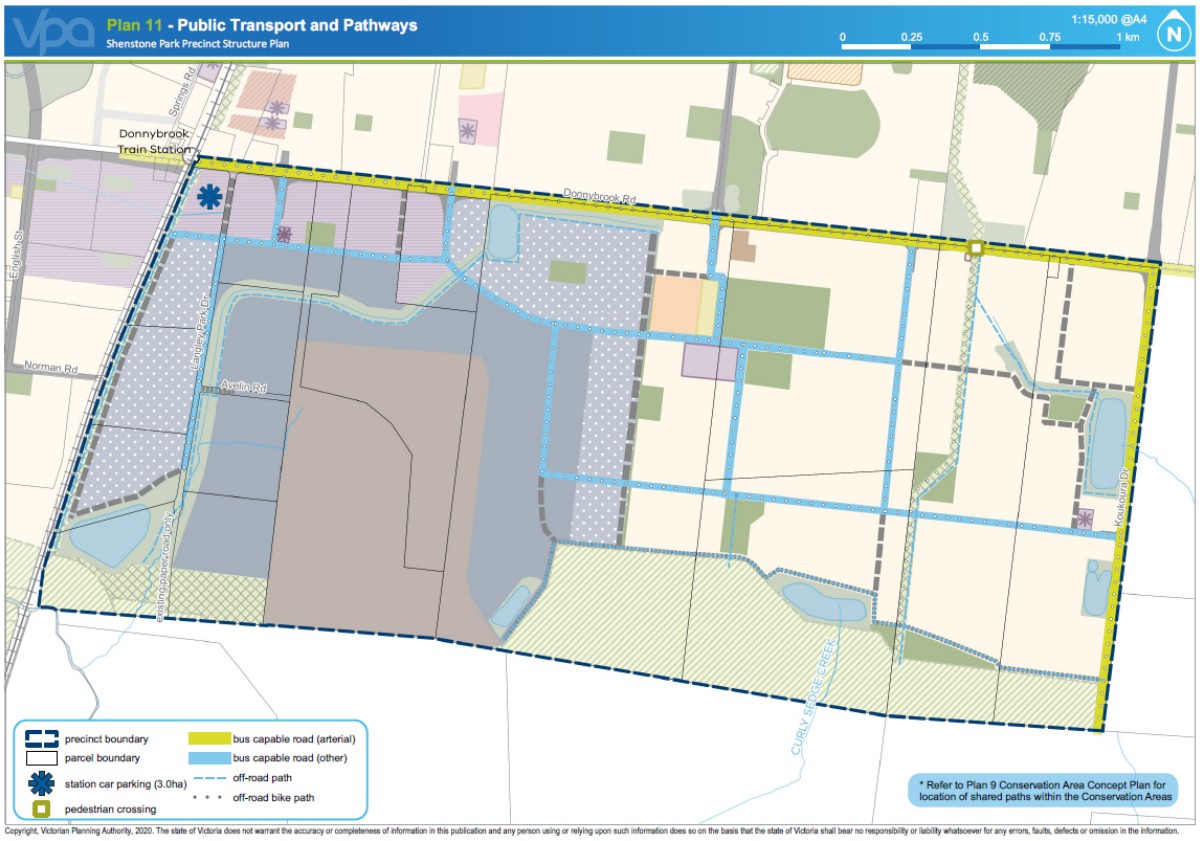

Figure 8 - VPA proposed Plan 11 Public Transport and Pathways (VPA Part A FUS)

In addition to removal of an east west connector on the eastern side of the precinct, there are other changes to the road network proposed by DJV on the western side of the precinct. Figure 9 shows the indicative location of a future station car park in the north western corner of the precinct. The proposed FUS from DJV has removed the connector road status from the western portion of the east west connector road leading to the car park. VPA (as whole of government) does not support a local road which services the future station car park – it must be a connector road.

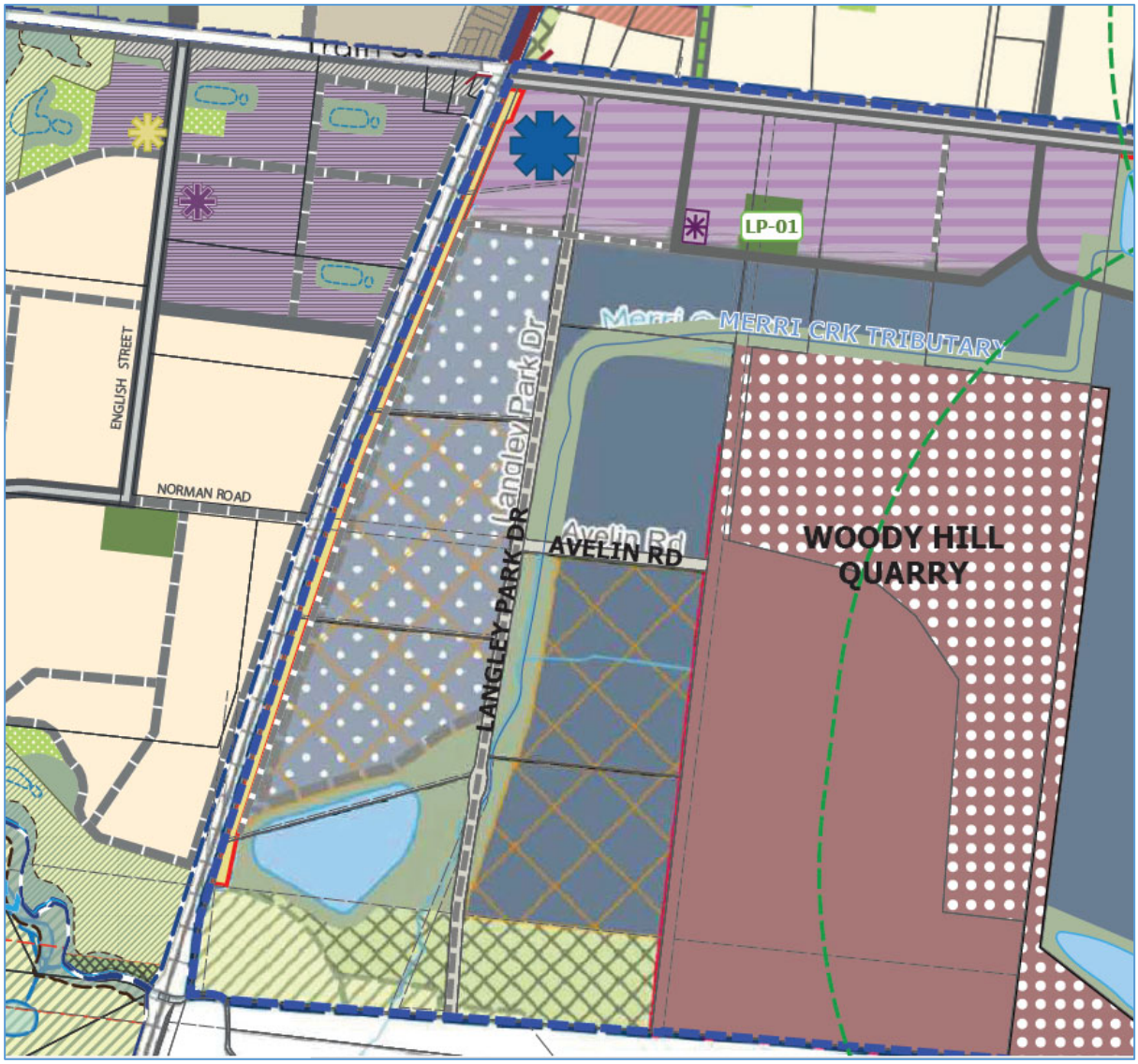

Figure 9 - DJV FUS preferred road network (western side of precinct)

In addition to a downgraded east west connector to a local road, DJV also propose to downgrade Langley Park Drive to a local road (Figure 9), but to extend the road through the drainage reserve to the southern boundary of the PSP. VPA does not support this change of road status and certainly does not support a road through the middle of a future constructed waterway (in the south). From a public safety perspective, it is very dangerous to locate a road through the centreline of a waterway. The crossing of the waterway would require a long-span bridge across the Tributary of Merri Creek, a costly project for a road that will not service any landowner in the precinct.

Heritage

The DJV FUS does not show a heritage place at 1030 Donnybrook Road. VPA does not support this change. Heritage is an important part of the urban fabric and must be protected. VPA supports the position of Whittlesea Council in keeping the heritage place located at 1030 Donnybrook Road.

Summary

In summary, VPA does not support the preferred FUS put forward by DJV.

The proposal does not adequately consider and reflect key strategic planning polices and documents and there are concerns with the mapping methodology undertaken to provide the FUS.

A more detailed analysis of the FUS reveals numerous topographical, physical, transport, bushfire, buffer, drainage and policy issues with the proposal from DJV.

After extensive consultation with submitters, VPA have developed the VPA Part A FUS. This plan has considered the constraints identified above and better responds to these constraints to form an integrated land use plan to guide future development of this area.