Waverley Park, Mulgrave

Urban Design Evidence

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Prepared for City of Monash

Instructed by Best Hooper Solicitors

VCAT Application for Review No. P768/2014

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1 Introduction

I have been instructed by Best Hooper Solicitors to assess the urban design merits and visual impacts of alterations to a "permit approved" variation to an electrical easement at Waverley Park, Mulgrave.

The proposal seeks to amend the permit and the endorsed plans approved under planning permit STA/2001/000714. Currently the permit allows;

"Subdivision (up to 1500 lots), construction of up to 1250 dwellings, creation and alteration of access to a road in a road zone category 1, variation of an electricity easement, removal of vegetation, and construction and carrying out of buildings and works generally in accordance with:

- *The Waverley Park preferred Neighbourhood Character Report (March 2002), but modified in accordance with the recommendations in the report of the Panel on the redevelopment of the Waverley Park site (August 2002); and*
- *Other plans to be endorsed in accordance with the conditions applying to this permit."*

On the 8 June 2011 an Application To Amend Condition 50 of Permit No. STA/2001/000714 was lodged with the Planning Minister (the Responsible Authority). By the 28 April 2014 the permit was refused based upon the following 4 reasons;

1 *There was an implicit obligation by way of Condition 50 of Planning Permit No. STA/2001/000714 to underground the powerlines.*

2 *The proposal is contrary to the expectations of the Waverley Park community regarding visual amenity.*

3 *The proposal does not provide sufficient community facilities or improvements to Lake Park in accordance with the recommendations of the Panel Report (Monash Planning Scheme Amendment C20), dated August 2002.*

4 *The cost increase of undergrounding the powerline is not an overriding planning consideration.*

Subsequently, the applicant has lodged an Application to Review a Refusal to Grant a Permit with VCAT. In summary, the proposed main changes are;

- Amend Condition 50 of Permit from "*the existing powerline easement through the land must be removed and high voltage electricity transmission lines must be placed underground in a location and via a route which is to the satisfaction of S.P.I. PowerNet Pty Ltd or the relevant electricity authority*", to be replaced with *"'The alignment of the existing high voltage transmission line and associated easement may be varied to the satisfaction of the responsible authority and the relevant electricity authority"*
- Insert other new permit conditions.
- Amend the subdivision plan to reflect the proposed changes to the overhead powerlines and towers and the resulting alteration to the lots and open space layout.

Appendix C provides more details of the proposed changes.
The amended subdivision plans seek to:

- replace the existing traditional strain towers with poles, within the Waverley Park site, namely
  - a) two poles instead of a strain tower in the easement adjacent to the Monash Freeway; and
  - (b) a single pole instead of a strain tower in the centre of the easement.
- Alter the alignment of the existing power lines easement.
- Alter the layout of stages 7C and the remainder of Stage 9.
- Alter the arrangement of the open space areas to increase the open space contribution.

Since the Permit was issued, the undergrounding of the powerline, according to the applicant, has become difficult for a number of reasons which the applicant has detailed to VCAT in the Statement of Grounds dated 12 May 2014 and the Collie Revised Town Planning Report 12 August 2013.

1.1 Background

The development of the former Waverley Park Stadium and surrounding land (80ha site) has occurred since December 2001 when the AFL sold the site to property group Mirvac who proposed to turn the 80-hectare site into a "$700 million fully integrated residential community of national significance"(see Figure 1 overleaf).

The proposed development consists of;

- Up to 1500 lots providing 1250 dwellings to ultimately house approximately 4000 people.
- The retention of the football ground as well as a majority of the heritage-listed members grandstand.
- 8.5 Ha of open space
- Gymnasium, food store and café at the back of the Waverley Park grand stand.

I understand that all 12 stages of the plans have been approved and an aerial analysis of the existing conditions indicates that only Stages 6C, 7B and 7C and the remainder of Stage 9 remain undeveloped. I am not sure if any of these undeveloped lots have been sold.

The key issue delaying the completion of this project is the requirement to alter the powerlines to ensure that the lines have sufficient clearance over the proposed noise attenuation barrier along the boundary to the Monash Freeway.

The existing conditions of the Waverley Park site development and the powerline treatment and its easement are detailed at **Appendix A.**

1.2 Assessment considerations

In terms of the urban design and visual impact considerations of the proposed development, the principal issue in this review is whether the proposed changes to the powerlines are an acceptable response to planning and urban design policy.

The focus of my assessment is directed to the visual and aesthetic considerations of the proposal.

There are two proposals before VCAT:

1. Placing the powerlines lines underground

2. Placing the powerlines in a re-configured overhead condition.

My conclusion is that the urban design and visual impact of the overhead power line solution does not respond appropriately to the policy objectives and residential aspirations for the development of the Waverley Park site.

Further, there appear to be realistic alternatives to the Mirvac underground option that limit the visual impact on housing and the extent of site area required for the transmission stations. The detailed reasons for these conclusions are set out in this report.

The key questions to be addressed in relation to urban design and visual impacts of the proposal are addressed under the following headings;

- **What are the visual consequences of the existing condition?**
- **What are the visual consequences of the 2014 VCAT plans to retain the overhead power lines?**
- **What are the visual consequences of the underground powerlines?**

By way of context, the appendices attached to this report details the following;

Appendix A Description of the existing conditions
Appendix B Development summary of the endorsed plans dated 2.7.2013 – 220kV Underground Powerline option
Appendix C Development summary of the proposal VCAT Plans 2014– 220kV Overhead Powerline option –.
Appendix D A summary of the statutory controls and relevant policies is included at
Appendix E: CA & BS Gould - Resident letter of objection to the proposed overhead powerline proposal
Appendix F Assessment diagrams for the existing conditions, the Proposed VCAT 2014 overhead power lines, and the Proposed Endorsed 2013 underground power lines

The qualifications and expertise to undertake this assessment is detailed at **Appendix G**.

I defer to the expert evidence of others in relation to electrical engineering and other matters.

My evidence is based on plans provide to VCAT and circulated to parties to the appeal and other information relating to the Waverley Park redevelopment. These are detailed and summarised at **Appendix C**.

I have also undertaken a site survey visual analysis and prepared some additional plans and diagrams which are included in my evidence.

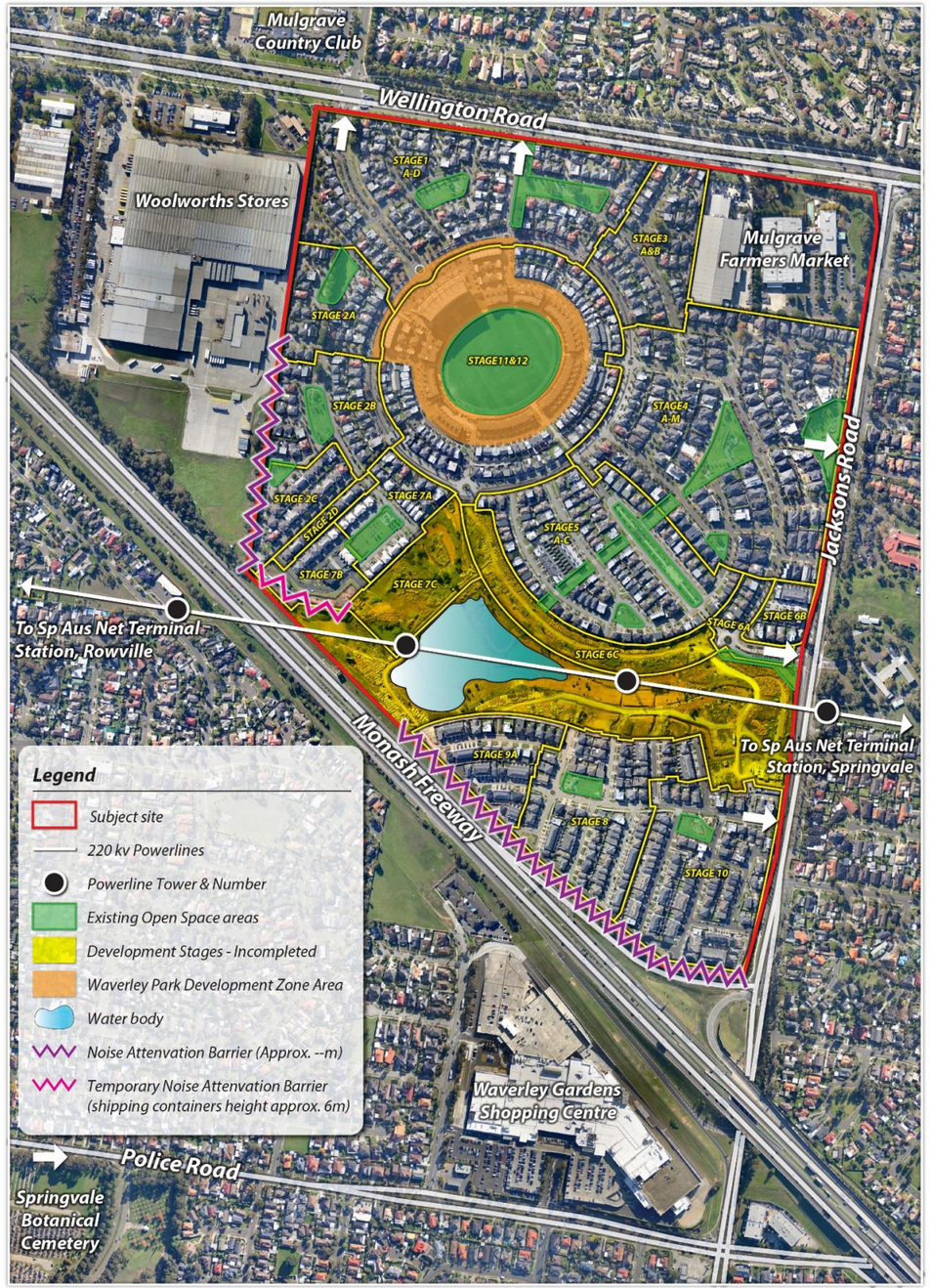


Figure 1 Existing Conditions diagram

2 Assessment

2.1 Preamble to assessment

At the present time there are 3 key influences on the existing condition of the overhead powerlines of the Waverley Park site;

- A permit condition No. 50 that requires the undergrounding of the power lines which stems from a Panel Hearing held in June 2002 1that reviewed the overall plans for the development of Waverley Park by Mirvac.
- An incomplete development program that includes the further provision of quite extensive new public open space generally along the alignment of the existing power easement, noise attenuation barriers to the Monash Freeway and completion of the final approximately 170 lot housing stages.
- A varying level of visual impact from the overhead power lines across the entire development site.

In relation to these influences, the expectation of local residents is apparent in objections, submissions and the formation of an action group[2] , not to mention protest posters in and around the site. **Appendix E** includes the objection from CA & BS Gould, who reside in the estate which, from my assessment, is typical of the basis of local opposition.

The extent of the development program yet to be completed is illustrated in **Figure 1** and the existing powerlines and towers in **Figure 2**.

The central part of my assessment is the consequence of the visual impact of the;

- existing powerlines (**Figure 2**),
- proposed replacement (VCAT 2014) overhead power lines, (**Figure 3a**) and
- permit approved and endorsed underground powerlines (dated 7.2.2013) (**Figure 3b**)

The location of the easements proposed for the overhead and underground powerline conditions are illustrated in Figures 3a and 3b overleaf.

The visual consequences are discussed in more detail in the following sections.

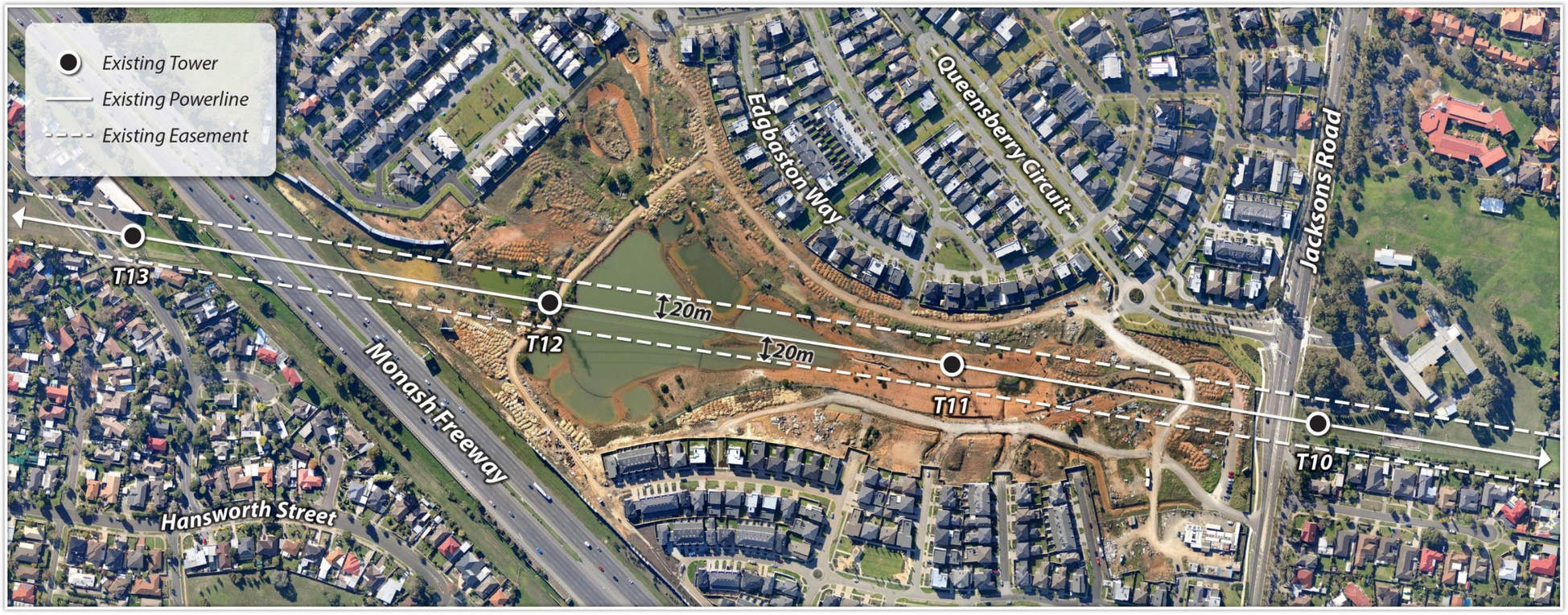


Figure 2 Existing location of the power lines and towers

[1] Panel Report August 2002, Monash Planning Scheme- Amendment C20 Permit No. STA/2001/000714

[2] WPRAG (Waverley Park Resident Action Group http://waverleyparkpowerlines.com

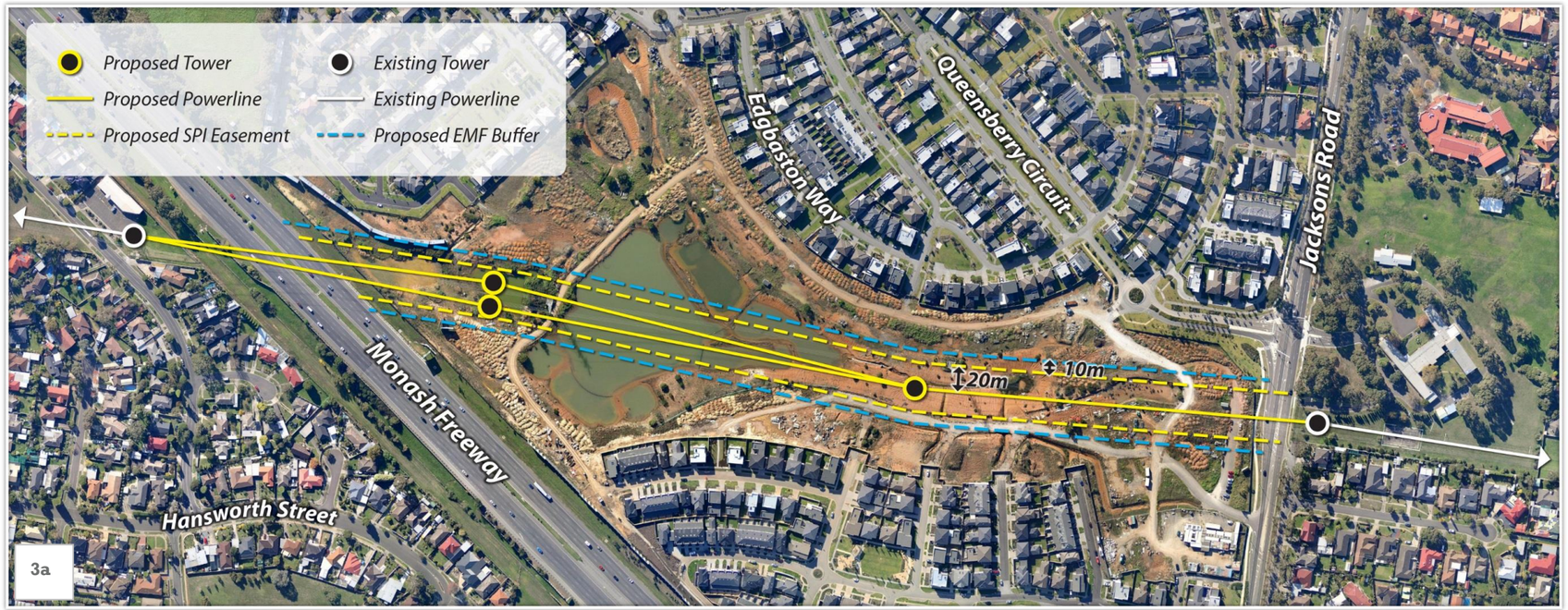


Figure 3a Diagram of the proposed overhead powerlines (VCAT 2014 Plans)

Figures 3b Diagram of the underground powerlines (endorsed plans 2.7.2013)

2.2 What are the visual consequences of the existing condition?

In order to understand the consequences of the existing condition of the overhead power lines on residents, I have prepared an assessment of visual impact that is illustrated in **Figure 3**. This is also included at **Appendix F**.

This plan identifies 3 levels of impact;

- **High** (Red) where towers and lines are clearly read from within the public realm
- **Medium** (Yellow) where towers and lines are often framed by buildings or masked by planting when viewed from the public realm and
- **Low** to **non-existent** (Green) where the towers and lines cannot be seen or are so distant as to be of no consequence.

The nature of the categories of impact are illustrated in typical photos of impact at **Figure 4** overleaf.

I understand that Mirvac have offered compensation to householders based on their own assessment of visual impact and to some extent the nature of their contracts with owners. This is detailed in the Further and Better Particulars regarding the Ex Gratia Cash Payments to Lot Owners[3], I have not seen the analysis carried out by Mirvac to determine the level of visual impact but understand that their assessment is that the visual impact is generally diminished beyond 100m.

As well as the visual impact from stationery points within the site, it is clear that with the introduction of a more extensive public open space (POS) network, (generally along the line of the current power easement) that all residents will have access to this POS.

In this case, even if they cannot see the power lines from their dwelling or street, they will experience it on a walk through the POS. It will, in this instance, affect all residents who live in the area to varying degrees.

The extent to which people dislike overhead power lines of the kind currently existing on the site is difficult to measure. No doubt a well-constructed social survey could measure it qualitatively. I have not had time to do that nor have the expertise.

What is clear on the site and in the anecdotal knowledge of most of us is that people generally do not like high voltage overhead power lines. The exception might be Daryl Kerrigan from 'The Castle'.

The presence of the lines is not just about the fact that they can be seen but for some, it also raises concerns about health hazards. In this instance, the reassurance of experts that they are not a hazard does not always allay the anxiety that seeing them each day raises in residents.

While the existing visual impact may ameliorate as street trees grow and the final housing stages are completed, my assessment is that the visual impact of the powerlines affects approximately 1/3 of the site daily and others more intermittently as they drive in and out of the settlement.

It is also clear that most residents appear to want them placed underground, as was the intention of Mirvac when they initially prepared the Master Plan for the site.

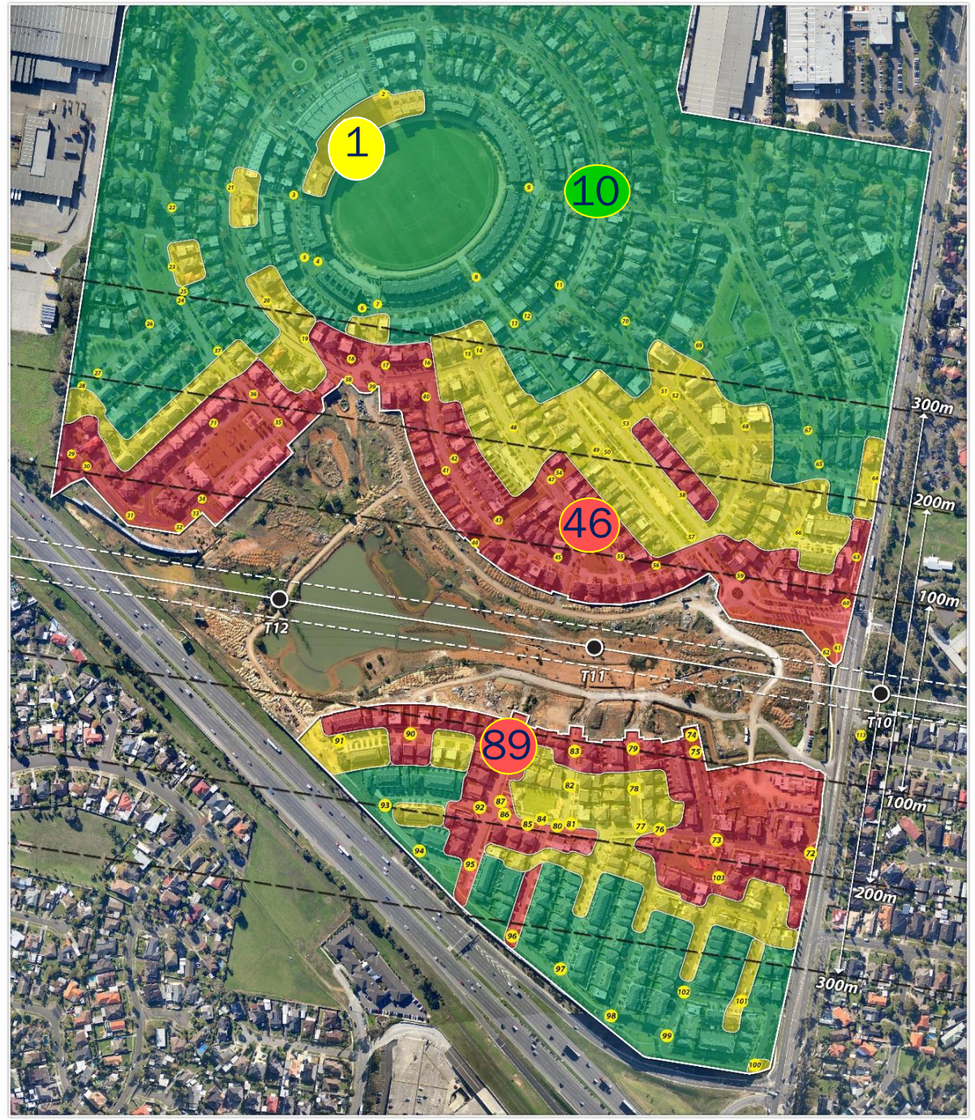


Figure 4 Visual Analysis of the visual impact of the powerlines - Existing Conditions

[3] Norton Rose letter as provided to VCAT on the 4 July 2014

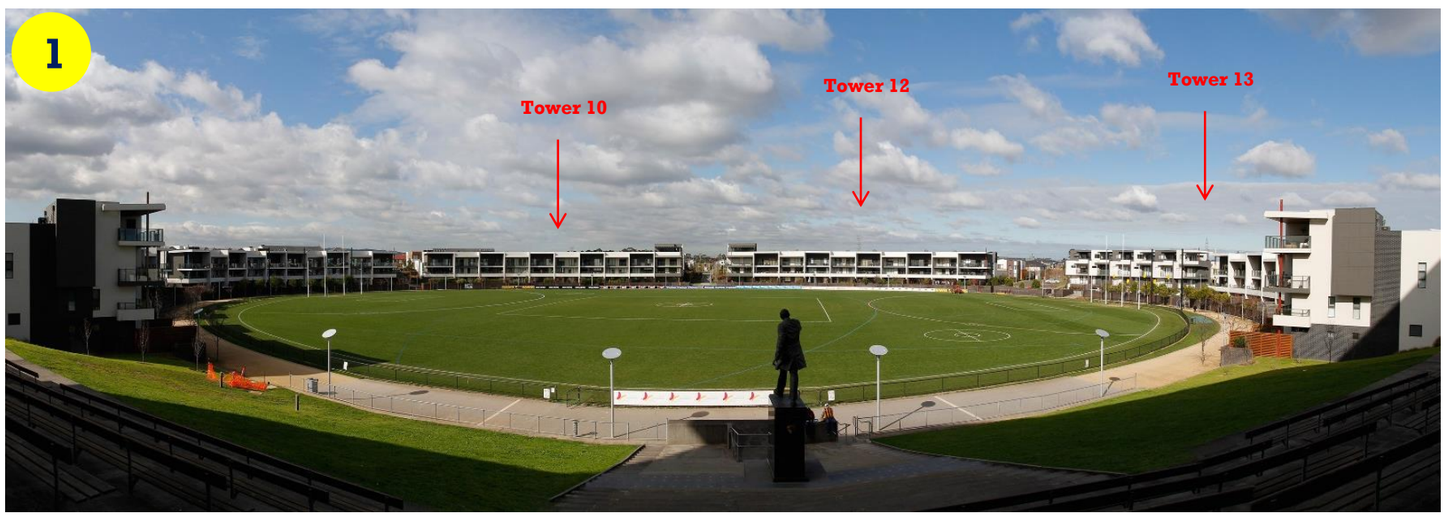


Figure 4 Photographic Analysis of the visual impact of the powerlines - Existing Conditions (the coloured numbered circles correspond to the numbers in Figure 3)

2.3 What are the visual consequences of the 2014 VCAT plans to retain the overhead power lines?

The overhead powerline plans for the site set out by the applicants are cited in **Appendix C**. In short these plans show;

- The two metal lattice style towers on the site (T11 and T12) with a height of approximately 40m being replaced.
- T12 will be replaced with 2 single columns (1500mm to 660mm width) 48m high with 9m separation between poles located further west from the existing pole by approximately 50m. Three triangular members up to 2.5m wide carry the transmission lines (drawing 60327503-SHT-00-EL-1101, revision A, dated 11 July 2014, prepared by AECOM).
- T11 will be replaced with a single pole 53.7m high. Located approximately 40m west of the existing tower. The pole is of similar width to the T12 replacement but has 4 cross members ranging from 7.8 to 9.7m as they descend down the pole. These members carry the transmission lines (drawing 60327503-SHT-00- EL-1102, revision A, dated 11 July 2014, prepared by AECOM).
- Outside the site T10 to the east across Jacksons Road requires replacement and has a permit for this with structure not shown in the plans.
- T13 on the west side of the Monash Freeway may require some upgrading to accommodate the proposed changes to T12.
- In terms of open space and landscaping the plans show a series of interconnected spaces running from Jacksons Road to the Freeway. These plans include a variety of sporting facilities including netball rings, sports court, picnic shelters and a series of water bodies. These plans are shown at Appendix C. (Above Ground Powerlines Proposal by MDG Dated 24.6.13)
- Planting shown in the plans is extensive along the abutting streets and through the POS including within the easement. The nature of and species proposed, is not shown on the plans.
- Changes to the easement of the power line are minor where it runs from Jacksons Rd in a straight line until it is approximately mid-way across the site. It then bends to the north at about 10 degrees running onto the Monash Freeway and slightly north of the existing alignment. The alignment of the easements is comparatively illustrated in **Figure 6**.

The effect visually of these proposals on the wider estate can be summarised as follows;

- The poles will be slimmer but taller by approximately 8m – 14m than the current lattice towers (at 40m) and therefore will carry transmission lines at a height that is taller than the existing condition. In making this assessment I note that the lines sag between towers and the depth of sag changes from winter to summer (lower in summer).
- The effect of planting along the roads will partly mask the presence of the poles and powerlines from the public realm and houses, on the assumption that the street trees grow to over 8m or more, are canopy type species with generous branch formations(, ie Plane tree rather than Palm trees), and are regularly spaced as shown in the landscape concept plan. If they are deciduous the 'screening' benefits will be less apparent in winter.
- The extent a POS (approximately 12.7Ha) will serve to separate the two precincts (north and south) of the settlement in a generally east west swathe of planted park land. Although the planting at mature height is unknown I have assumed that the power lines and poles, for regulatory reasons will remain well above the height of the planting which I understand is limited to 3m height maximum at maturity within the easement area[4]).

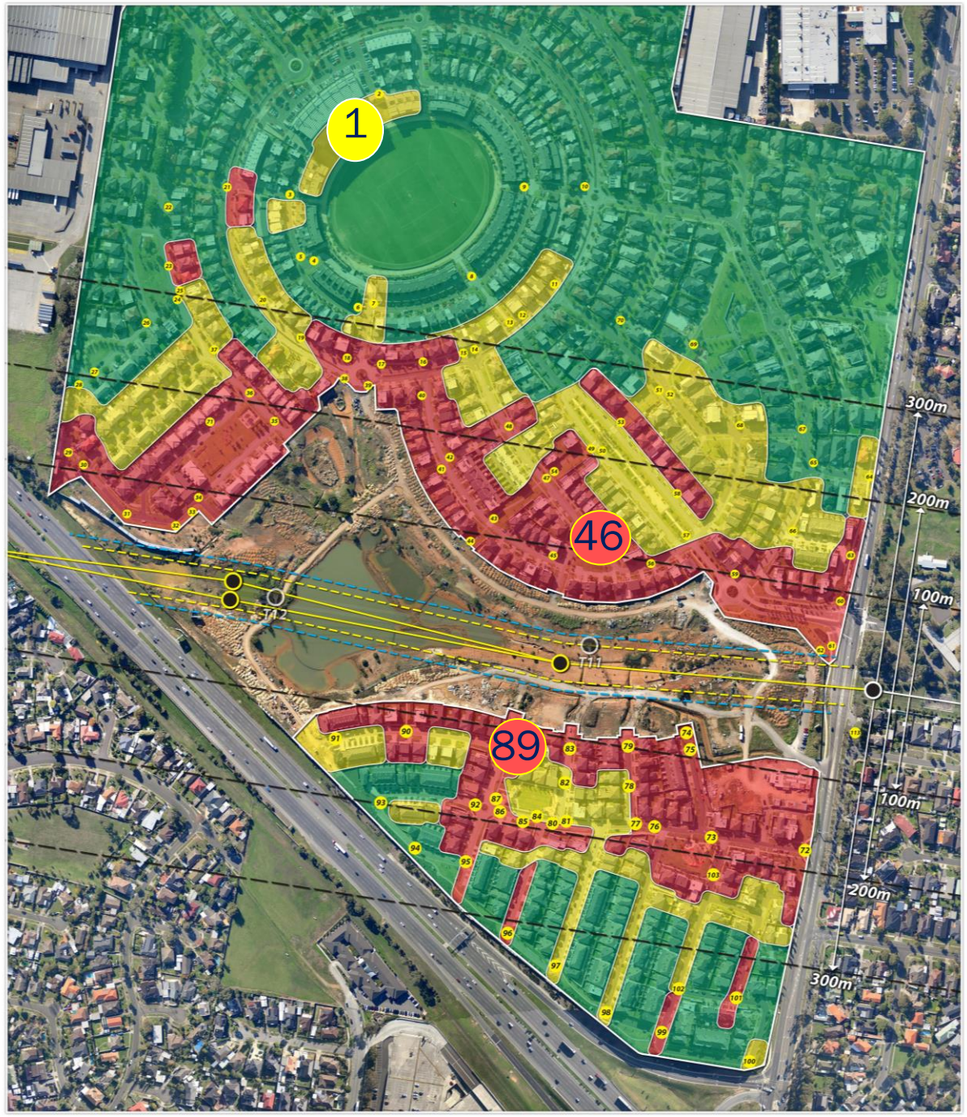


Figure 6 Visual Analysis of the visual impact of the powerlines – Proposed Overhead powerlines (VCAT 2014 plans)

[4] http://www.ausnetservices.com.au/Electricity/Safety+&+Preparedness/Transmission+-+Easement+Use.html

My visual assessment is that the impact of the power lines above ground will be similar in extent to the existing condition (see **Figure 6**). This is also included at **Appendix F**.

While the maturing of street trees will further mask the presence of the lines they will nevertheless be apparent to residents as they move through the estate.

The existing lattice towers are not just tall they are also broad. While the slimmer poles of the proposal will reduce the visual effect closer to the ground level, the 48m twin poles will combine to have a presence that along with the 58m single pole will be taller and the poles will still have wires strung from their principal. This slightly increases the visibility from a distance. This is reflected in the analysis diagram **Figure 6** and the photographic analysis at **Figure 7**.

While there will be some attenuation of the visual impact created by the pole, my assessment is that the consequences visually will be at the least the same as the existing condition and more obvious in other areas in terms of the extent and nature of visibility. This is shown indicatively in **Figure 7**.

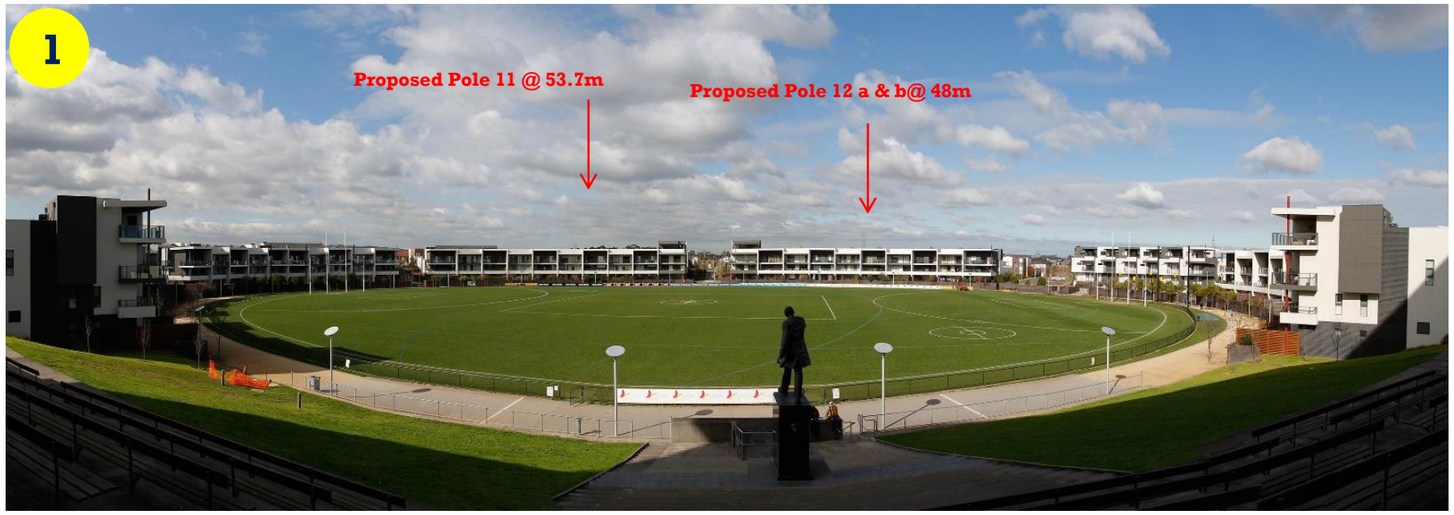


Figure 7 Photographic Analysis of the visual impact of the powerlines – Indicative location and size of the Proposed Overhead powerlines (VCAT 2014 plans) (the coloured numbered circles correspond to the numbers in Figure 6)

2.4 What are the visual consequences of the undergrounding of the power lines?

The nature of the undergrounding proposal is illustrated in plans shown in **Appendix B**.

In summary these plans show:

- The towers T11 and 12 removed and replaced with similar towers near the boundary with Jacksons Road and the Monash Freeway respectively.
- At the Jacksons Rd and Monash Freeway ends of the POS are two transmission stations indicatively shown in 'Artists Impressions 'of the compound, housing the replacement T11 and T12 and the line transfer infrastructure. The compounds scale at 4500sqm and 8500sqm respectively.
- A new 27m wide easement for the underground cable moved to the south of the current easement and running parallel to the southern road abutting the park land (see **Figure 10**) overleaf.
- Poles are shown in these compounds however it is unclear exactly what the height and dimensions might be (the Collie Report 2013 indicated 30m) although they are noticeably lower than the existing lattice structures
- The compound is shown fenced and partly solidly screened but not to a height that encloses the entire infrastructure. Planting is shown indicatively around the interfaces abutting the parkland and housing allotments.
- A series of 15 lots are shown at the western end of the site on the south side of the main entry road. These accord with the 2013 endorsed Masterplan for the site. These lots are shown on the area proposed for sporting courts and POS in the proposal for overhead line retention.

The positive and negative consequences of the undergrounding of the lines are canvassed in the report by Collie[5].

In essence, the applicants consider that the undergrounding option, while it has some visual amenity benefits, has a greater cumulative negative consequence because;

- The costs of construction are prohibitively expensive at $45 Million and significantly more costly than anticipated in 2002 at $12 Million.
- Visually more of a blight on the ground plane area and in the vicinity of the built form of transmission stations.
- The transfer stations and underground cable poses a safety risk and maintenance cost to the community[6].
- Loss of land and sports facilities to the transmission stations that could otherwise form part of the park.
- Visual intrusion of infrastructure associated with the transmission stations.
- Introduction of 15 new allotments near the principal entry road off Jacksons Road.
- Safety and maintenance issues associated with the undergrounding of the transmission lines

The positive consequences are that the transmission lines are buried in the manner foreshadowed by the permit condition No.50, meeting the residents expectations, and that of the Panel and Minister for Planning who supported the proposal.

I defer to the report of Professor Kalam in relation to the **costs** and **issues of safety**.

In relation to the **visual impact** of the transmission stations, my assessment is limited in part because the plans are primarily 'artist's impressions' rather than detailed designs.

My analysis is made upon the following plans;

- The permit No. STA/2001/000714 endorsed plans (dated 2.7.13);
  - Subdivision Masterplan
  - Landscape Masterplan
- Below Ground Powerline Proposal by MDG dated 24.6.13
- Lake and wetlands – Landscape Concept plan Underground Powerline Option by Mirvac Dated - 15.9.9(this aligns with 7.2.13 endorsed plan)
- Transition Enclosure (if Powerline Below Ground} Proximate to Existing Dwellings, Appendix J, Collie Report 2013

The east and west compounds are shown screened with little or no vegetation around them to mask their presence, except for the 15 lots which will presumably be developed with 1 and 2 storey housing.

It seems that this may represent a 'worst case scenario' by the applicants.

Based on there being no ability to better integrate these facilities, they will still have a local and confined visual impact, contained mainly to the eastern and western ends of the estate.

They will of course be seen through roadside planting and across housing from the main entry road off Jacksons Road. In addition they will be seen from the south where they abut housing around Mowlan Court and in the west where they abut the Monash Freeway and estate housing on the northern quarter.

The towers and enclosures are located near the 'edge' of the development rather than being located in the centre. The reduced width of the underground easement, and ability to put a road over the underground cable means that extensive landscaping, with no impediments to height, can be located in the linear parkland and between the towers at the eastern and western ends of the estate. This would serve to screen and mask the towers from internal views within the housing and linear POS of the estate.

My assessment is that the extent to which the existing and proposed transmission, lattice structures or poles visually affects local residents would be substantially reduced by the undergrounding scenario presented by the applicants. This is despite the effect of the transmission stations which are relatively contained.

Additionally, I would expect that with a more rigorous approach than an 'artist's impression' the place of these transmission stations could be made less visually overt in the public realm.

I acknowledge that there are regulatory matters to be considered and that this may limit the height and nature of any planting as well as screening structure around the transmission stations. However it is clear that from the drawings I have been given that the plans are only indicative and could surely be improved by better addressing the architecture of the screening walls and the nature of planting at close and more distant quarters.

Overleaf, **Figure 10** provides my visual impact analysis diagram of the effect of the transmission stations on the whole estate (this diagram is also included at **Appendix F**). **Figures 8** and **9** show indicatively a depiction of the location of the transmission station of the endorsed underground powerline option (dated 7.2.2013).

In summary then, my conclusion is that even if the proposal is built as shown in the 'artists impressions' and indicative landscape plans ,it will substantially reduce the visual impact of the transmission infrastructure on the estate as a whole.

[5] Revisied Town Pllanning Report Application to Amend Planning Permit STA l 2001 l 000714, Waverley Park, Mulgrave, August 2013, Collie

[6] SPAusNet letter to Mirvac dated 11 March 2011

Figure 8 Photographic Analysis of the visual impact of the powerlines - underground powerlines (Endorsed 2.7.13 plans) view from the eastern side of Jacksons Road towards the review site

Figure 9 Photographic Analysis of the visual impact of the powerlines - underground powerlines (Endorsed 2.7.13 plans). Looking towards the location of what would be the western transmission station

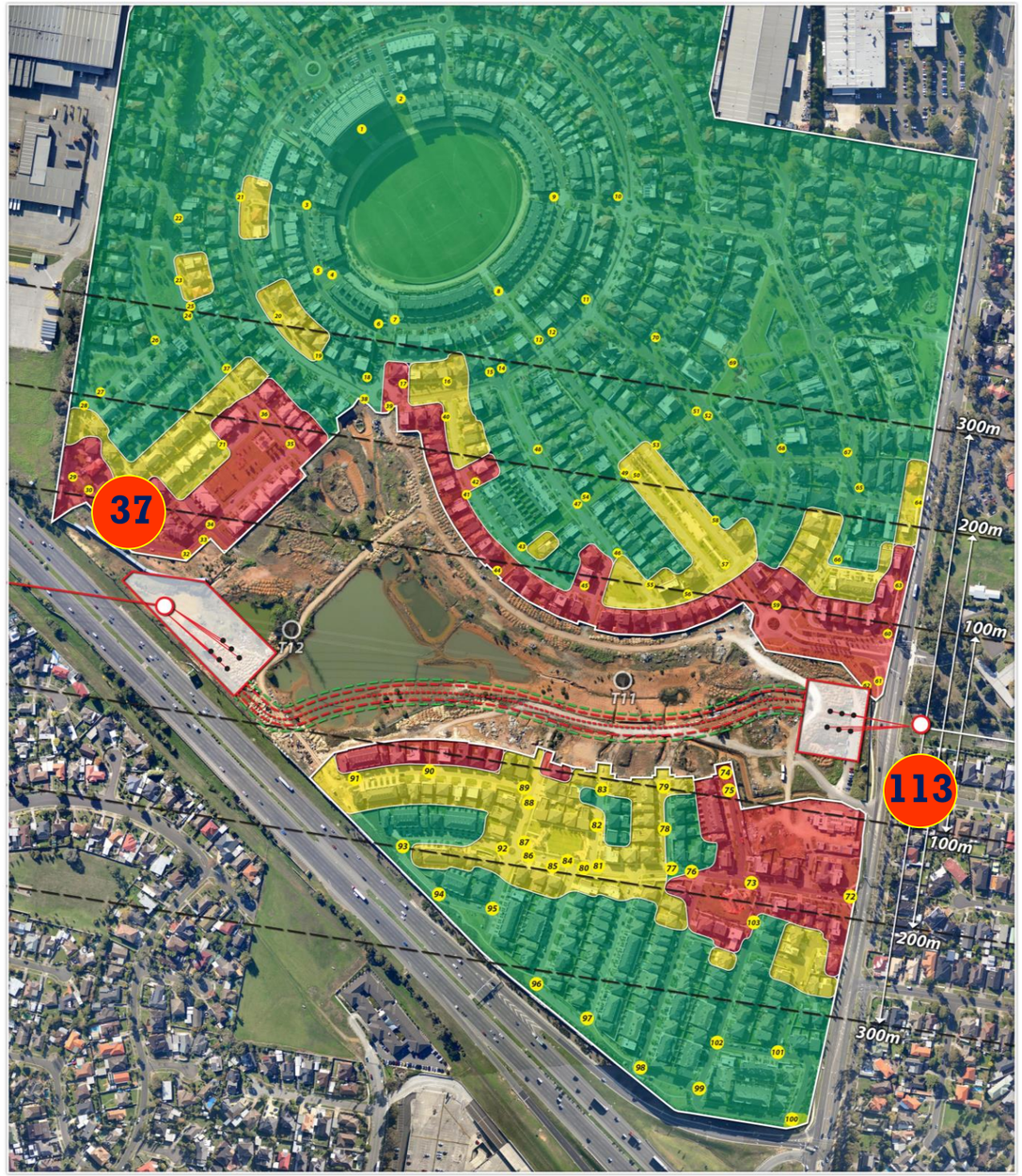


Figure 10 Visual Analysis of the visual impact of the powerlines –underground powerlines (Endorsed 2.7.13 plans)

2.5 Can the undergrounding consequences be improved visually and aesthetically?

In the evidence of Professor Kalam a number of alternative methods of implementation for undergrounding are suggested. I defer to his evidence in providing greater detail regarding the design and safety requirements for powerlines and transmission stations.

His key suggestions in terms of visual and aesthetic considerations are;

- The transmission station appears to be of a scale that is exaggerated (at 4500sqm and 8500sqm). The 220kV lines would not require such an extensive system or area for undergrounding the powerlines. For example a larger 400-500kV facility requires a transmission enclosure of 2500sqm.
- There is potential for the 220kV transmission infrastructure that is proposed to be placed on the ground in the applicants' proposal could be placed on the tower to be then taken from overhead to the underground cabling (see Figures 11 & 12). The section that goes from the tower to underground would need to be secured from public access. This would substantially reduce the size of the transmission station.
- The technology and skill exists for underground cabling to be installed and maintained in Victoria and around the world. For example underground cable powerlines are used in Melbourne between Brunswick to Wonthaggi.

My conclusions are that there is potential to reduce the size and scale and consequently the visual impact of the transmission stations as follows;

- The transmission of the overhead cables to the underground cabling on the tower structure would reduce, if not remove the need for an enclosure. This would significantly reduce the visual impact of that illustrated in the underground indicative plans and the 'artists' impression'.
- The powerline towers would still need to be on the site but could be located near the road edge and be potentially smaller than indicated on the applicant's plans. The enclosures could be screened with earth mounding and vegetation techniques to reduce their visual impact the immediate neighbours.

Figure 12 example of a 100kV tower and overhead lines being transitioned on the tower structure to cables that then go underground (images extracted from Professor A. Kalam report 1 August 2014).

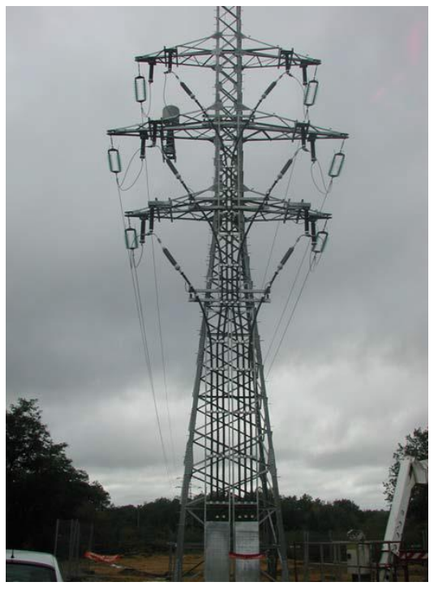


Figure 11 a & b examples of tower and overhead lines being transitioned on the tower structure (at 90kv)to cables that then go underground (images extracted from Professor A. Kalam report 1 August 2014).

3 Conclusion

In terms of the visual and aesthetic consequences of the proposal to reconfigure but retain the overhead powerlines, my conclusion is that the undergrounding concept will substantially reduce the visual impact of the transmission infrastructure on the site.

Furthermore, I consider there is a very real prospect that the nature and form of the enclosures to the transmission stations could be redesigned to make their presence less visually overt in the immediate context of their site location.

Appendix A: Description of the existing site and powerline conditions

The subject site

Waverley Park, Mulgrave is a 80Ha site which is bounded by;

- Wellington Road to the north
- Jacksons Road to the east, and
- the South Eastern freeway to the south and south west.

Vehicle access to the site is via three entries from Jacksons Road and two entries from Wellington Road

The site has a fall from north to south and west to east of up to 22m.

The 220 kV overhead power lines run east west and dissect the southern portion of the site sitting within a 40m wide easement. The location of the two existing power pole towers (T12 and T11) is indicated in Figure A2.

T12- approx. 150m east of the Monash Freeway

T11- approx. 240m west of Jackson Road

The towers are approximately 40m in height and the distance between tower is approximately 340m.

The entire Mirvac redevelopment site of the Waverley Park site consists of 12 Stages with a total of 1250 lots, with approximately 170 lots still to be developed.

Stages 1 to 10 are located in the General Residential Zone Schedule 2. Stages 11 and 12 relate to the Waverley Park stadium area and are under a Comprehensive Development Zone control, they include town house development and apartment buildings.

To the north and south of the power lines are the recently development residential areas. The areas near the existing power lines are still to be developed (see Figure A2). Figure A3 illustrates the site prior to the redevelopment By Mirvac.

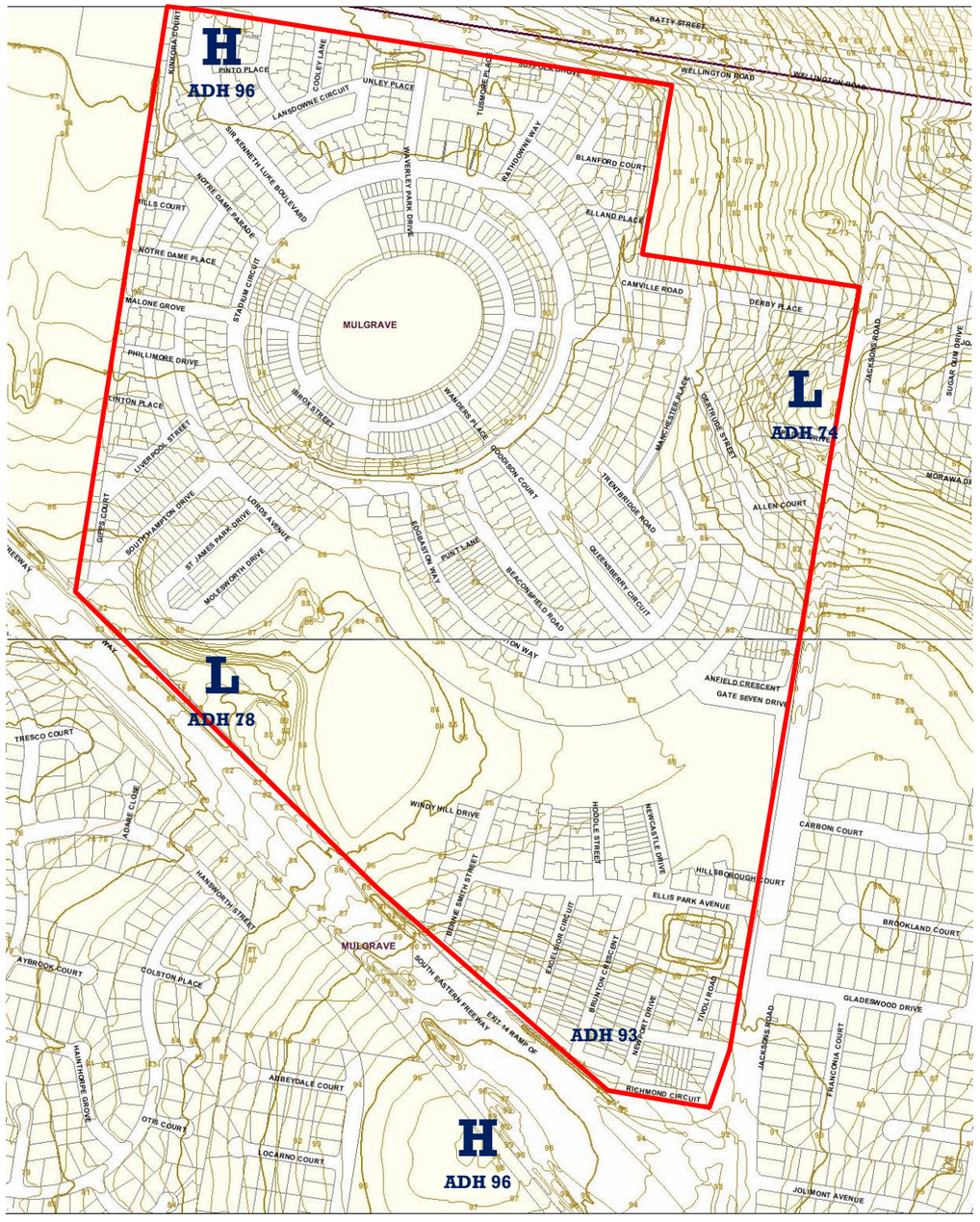


Figure A1 site and contour map for the review site

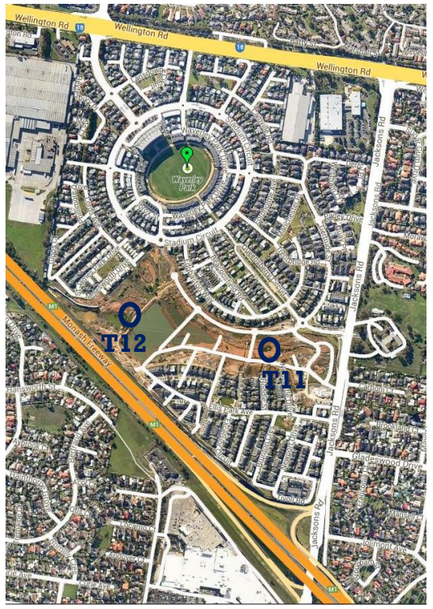
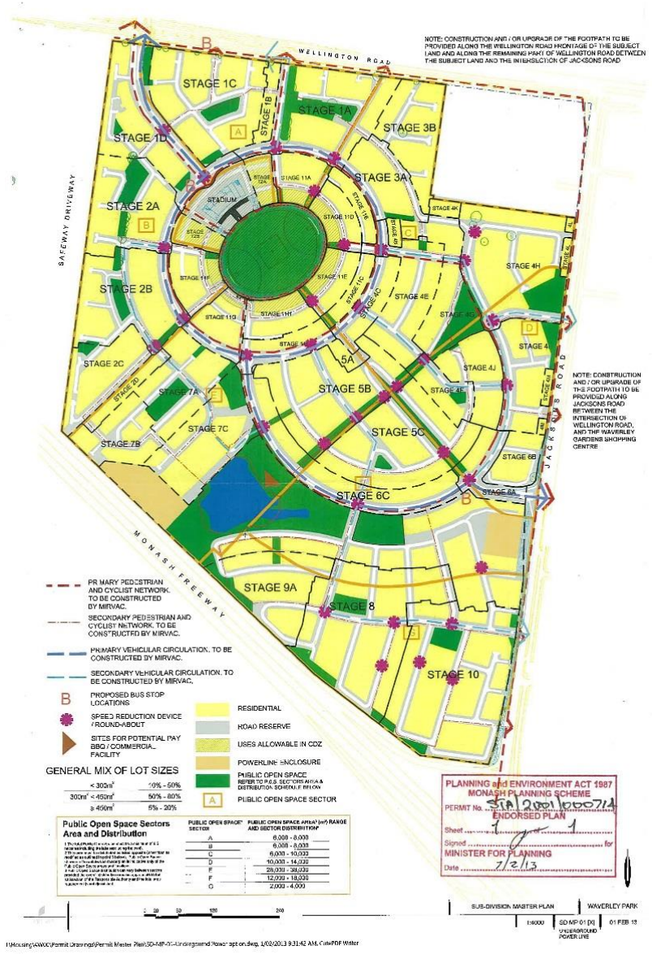
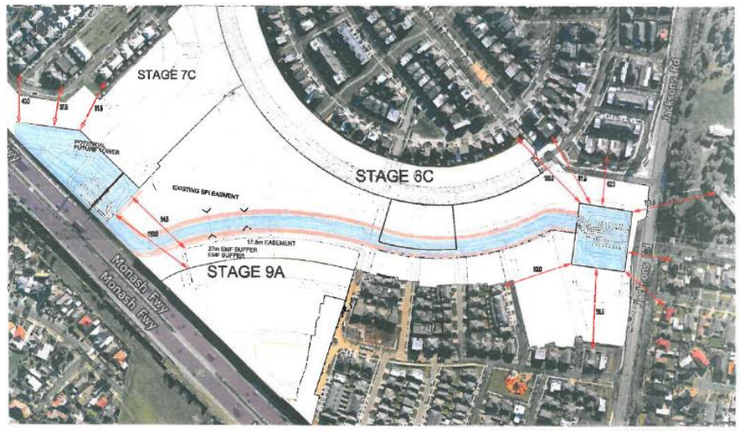


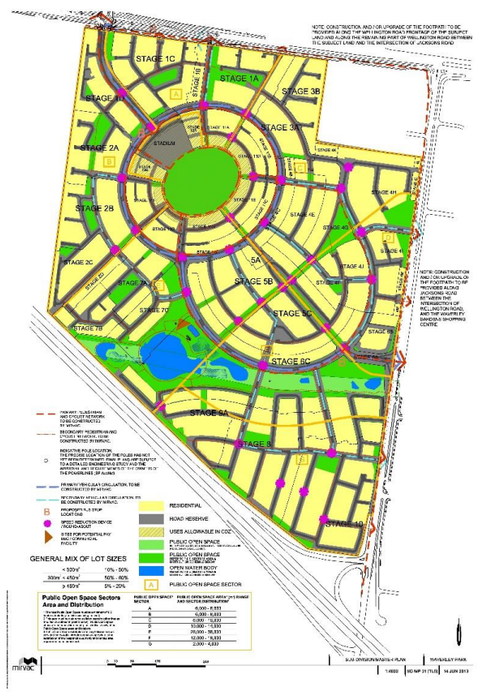
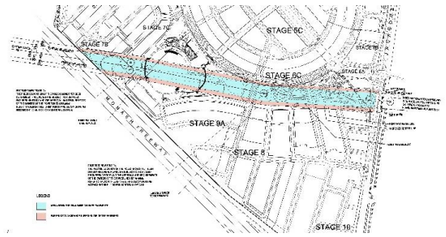
Figure A2 Review site

Figure A3 Review site prior to redevelopment (extracted from Panel Report August 2002)

Appendix B: Development summary of the Endorsed Plans dated 7.2.2013 – 220kV Underground powerline option

Current Endorsed Subdivision Masterplan Permit No. STA/2001/000714 dated 7.2.2013	Underground powerline treatment and associated easement requirements	Current Endorsed Subdivision Landscape plan Permit No. STA/2001/000714 dated 7.2.2013
	COST 45 Million Lifespan of underground cables is 40-60 years.  Source: Collie Report Aug 2013 - Appendix J Underground powerlines ▪ 220kV Underground cables with a curved cable arrangement ▪ Total underground cable easement 27m wide easement comprising of; – 17.5m easement – additional 9.5m of EMF easement ▪ Site has a 1m deep trench ready for the underground powerline (Figure 2.1,p.12) Transmission stations ▪ Western transition area 8500sqm Tower 12a & B – height not known in height close to the Monash Freeway ▪ Eastern transition area 4500sqm Tower 11a - not known in height but close to Jacksons Rd ▪ Distance between transmission enclosures aprox. 530m? ▪ Each enclosure requires 6 poles of up to 30m in height Note: The Collie Report says that detailed plans have been prepared for the underground option (these have not been provided)	 Based upon the endosed landscape plan the open space area contribution near the powerlines (in areas E & F) is approximately 47,100 sqm (4.7Ha) (Collie report Appendix M, Figure 2) including the easement area but not including the road reserves and street tree planning areas
Total Open space area ranges between 70,000-100,000sqm (Min of 8.5Ha must be provided excluding the oval) Those open space areas near the power line easement and remaining to be completed are; Area E 28,000 – 38,000sqm Area F 12,000 – 18,000sqm		

Appendix C: Development summary of the proposal VCAT 2014 – 220kV Overhead Powerline option

Proposed Subdivision Masterplan	Powerline treatment and the associated easement requirements	Landscape plan	Proposed permit condition changes	Community Benefits Package (CBP)
 Total Open space area ranges between 70,000-100,000sqm. (7-10Ha) Min of 8.5Ha must be provided excluding the oval) Those open space areas near the power line easement and remaining to be completed area include; Area E 28,000 – 38,000sqm Area F 12,000 – 18,000sqm Note: that the proposed SPI powerline easement is not included in the open space calculations. The approximate open space area is 12.7Ha including the easement.	 Extract from VCAT plans TL-TP110a Rev D 220kV Overhead lines Angled offset line from existing There are 3 poles proposed on site, namely; ▪ T12 (a & b)- “Strain Twin Pole- Double Circuit” – Approx.100m from Monash Freeway – Height 48m with 9m separation between centre of twin poles – 28 m to lowest line ▪ T11a- “monopole double circuit” – approx. 280m from Jackson Road – Height of pole 53.7m – 35m to lowest line Distance between poles (approximately 340m) Total easement 60m wide easement comprising of; – 40m wide SPI easement – additional 20m of “EMF prudent avoidance buffer” <u>COST 7 Million</u> plus community benefit package Lifespan of overhead lines is about 30-40 years.	 Source: MDG Dated – 24.6.13 landscape concept plan of overhead transmission lines proposal. I note that the Statement of Changes indicates that the landscape application plan have not been amended to indicate the proposed poles Based upon the landscape plan the open space area contribution is approximately 67,655 sqm (6.7Ha)(Collie report Appendix M, Figure 2) including the easement area.	**Amended condition 50** *“The alignment of the existing high voltage transmission line and associated easement may be varied to the satisfaction of the responsible authority and the relevant electricity authority"* **New conditions** *"Before removal of the existing powerline and construction of the replacement powerline and supporting structures, plans to the satisfaction of the responsible authority and the relevant electricity authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided".* *'The removal of the existing powerline and construction of the replacement above ground powerline and supporting structures must be completed within 2 years of the date agreement is reached with the relevant electricity authority and by no later than 3 years from the date this permit is amended to include this condition or such later dote to the satisfaction of and approval in writing by the responsible authority".*	The CBP intends to redistribute the funds originally allocated to underground the powerline into a Community Benefit Package In summary, the allocated $15 Million CBP is to provide: ▪ $8.5 million to distributed by an ex-gratia payment to property owners based on (among other things): ▪ the purchase price of the properly: ▪ the date of purchase: ▪ the type/size of house, inclusions, land size, distance and orientation to the powerline: ▪ the proximity of the house to other site features that may impact on value such as parks and major roads: ▪ Independent studies of the impact of powerlines and electrical infrastructure on property values. ▪ $6.5 million to fund additional open space enhancements, within and outside Waverley Park. ▪ Funds to provide, improve and upgrade the quality, amenity, access, walking paths and sporting facilities.

Appendix D: Planning controls and policies

Planning Controls

The Waverley Park site is covered by the following Zones and Overlays within the Monash Planning Scheme.

Zones

Clause 32.08 General Residential Zone Schedule 2 (GRZ2)

Purpose is;

"To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To encourage development that respects the neighbourhood character of the area.

To implement neighbourhood character policy and adopted neighbourhood character guidelines.

To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.

To allow educational, recreational, religious, community and a limited range of other nonresidential uses to serve local community needs in appropriate locations."

Clause 37.02 Comprehensive Development Zone Schedule 1 (CDZ1)

"Waverley Park Comprehensive Development Plan"

Purpose is;

"To designate land suitable for urban development.

To provide for development of land generally consistent with the Waverley Park Comprehensive Development Plan, August 2002.

To facilitate a range of uses including Office, Retail, Dwelling (in apartment buildings) and Minor sports and recreation facility.

To ensure that non-residential uses do not cause loss of amenity to people in areas set aside and used for dwellings."

This zone covers the part of Waverley Park associated with the retained and re-used portion of the previous football stadium, the oval and the proposed ring of apartment buildings around the oval, together with their access roads.

Overlays

Clause 43.05 Neighbourhood Character Overlay Schedule 1 (NCO1) "Waverley Park Neighbourhood Character Area"

2.0 Neighbourhood character objective

"The objective for Waverley Park is to create a neighbourhood character that:

- *Exhibits a planned higher dwelling density and built form intensity.*
- *Reflects the coordinated planning, design and building of a new community including lots, streets, other infrastructure, dwellings, other buildings, open spaces and the landscape.*
- *Is maintained into the future by additions and alterations being consistent with the original character as constructed by the developer of Waverley Park."*

This policy refers to the Waverley Park Concept Plan, August 2002.

The Clause 43.05 Neighbourhood Character Overlay 1 (NCO1) Statement of neighbourhood character says;

"The preferred neighbourhood character of Waverley Park is for a concentrated and intensive built form of individual dwellings, terraces and townhouses, and multi-storey apartment buildings, within a framework of local streets, prominent precinct parks and a broader open space and pedestrian circulation system.

The preferred neighbourhood character is the result of integrated site, built form and lot planning, design and development for the whole of Waverley Park by its single developer.

The design and preferred neighbourhood character are intended to be implemented through full construction by the developer."

The preferred neighbourhood character of Waverley Park incorporates (amongst others):

- *"The retention and promotion of significant views and vistas within the site.*
- *A generally concentric (based on the oval) main road pattern reminiscent of the previous radial street layout.*
- *Precincts based on structured open spaces and clearly delineated circulation paths that provide permeability, passive surveillance of public areas and greater safety.*
- *Provision of a lake as a main water feature and sited generally in the area of the existing lake."*

Clause 43.01 Heritage Overlay HO88

This heritage overlay covers the "566-634 Wellington Road and 2 Stadium Circuit and Jacksons Road, Mulgrave Waverley Park. It is also included on the Victorian Heritage Register Ref No H1883

State Planning Policy Framework (SPPF)

The SPPF sets down how it is to operate at Clause 10. In particular Clause 10.04 notes that;

"Planning and responsible authority should endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations."

The key themes and policies in the SPPF influencing the proposal and my assessment are contained in the following Clauses.

Clause 15 Built environment

- **15.01-1 Urban design**
- 15.01-2 Urban design principles
- 15.01-3 Neighbourhood and subdivision design
- 15.01-4 Design for safety
- 15.01-5 Cultural Identity and Neighbourhood Character

Clause 16 housing

- 16.01-2 Location of residential development

Clause 19 Infrastructure

- 19.03-3 Stormwater

Planning Scheme Amendments

Planning Scheme Amendment C20 related to the Waverly Park rezoning did the following to the Monash Planning Scheme

- Rezone land known as Waverley Park from a Special Use Zone-1- Waverley Park to partly Residential 1 and partly a Comprehensive Development Zone;
- Introduced a Neighbourhood Character Overlay over part of the land;
- Made various alterations to the Municipal Strategic Statement;
- Made various alterations to the Residential development and character policy in the Local Planning Policy Framework;
- Introduced two new incorporated documents into the Monash Planning Scheme; to allow the land to be redeveloped to create a new residential area with some mixed use precincts, namely;

In addition, the planning permit No. STA/2001/000714, was the subject of a Panel Hearing along with AM C20 which reviewed the proposed rezoning of the Waverley Park and the associated planning permit application for the site.

The Panel report dated August 2002 details the Panel's findings.

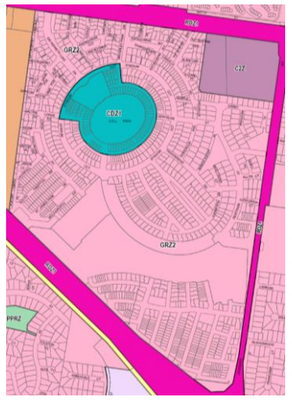


Figure D1 Zone Map Extract

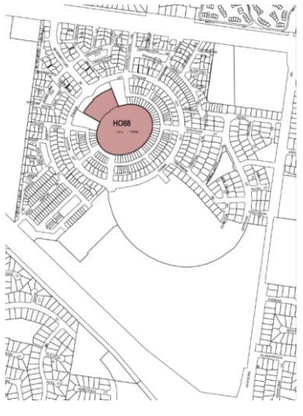


Figure D2 Heritage Overlay Extract

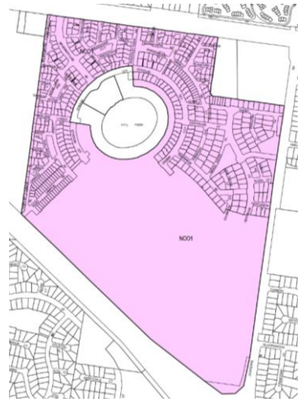


Figure D3 Neighbourhood Character Overlay Extract

Appendix E: CA & BS Gould - Resident letter of objection to the proposed overhead powerline proposal

8 Ibrox Street
Mulgrave
VIC 3170
Tel: 9560 8060
cagould@sky.com
bsgould@sky.com

2nd June 2014

VCAT Ref: P768/2014

Relating to MIRVAC appeal against the Planning Minister's rejection of MIRVAC's proposed changes to Planning Permit Number STA 2001/000714B

Dear Tribunal,

We object to any alterations to the decision by the Minister for Planning, Matthew Guy, for any changes to the Planning Permission issued under STA 2001/000714 which are proposed in the application to Amend a Planning Permit number STA 2001/000714B – to put Power Lines underground.

My wife and I bought our house (Lot Number 833) off-plan in Waverley Park. Our understanding at that time was that the power lines would be removed and placed underground. Matthew Guy has decided against MIRVAC's request for an Amendment to the Planning Permit. This shows that MIRVAC are applying to leave the power lines above ground. If they do remain above ground MIRVAC will have reneged on their contract with us and the conditions of the original planning permit.

A representative of MIRVAC has promised payments to us as individual householders to try and gain our acceptance of any proposed change. We object to this attempt to bribe householders in this way. We also have been told that the money they might save by not putting the power lines underground will be used to beautify the park areas. This we object to as well. It is again a bribe to sway the minds of residents or owners in the properties on Waverley Park.

We understand that the Monash Council is also adamant that the Planning Permit is adhered to.

We entered into a contract with MIRVAC based on the information that we had at the time. MIRVAC, at that time, had a contract to put the power lines underground. This was part of the panning permit issued to MIRVAC for the right to build houses here. We and many more owners / occupiers have kept our side of our contracts. MIRVAC, if they do not put the power lines underground, are, in our minds, in breach of their contract.

We believe that:

1. For as long as the power lines remain above ground our house prices are, and will continue to be, diminished or devalued and our houses more difficult to sell.
2. The view from our estate will be marred as long as the power lines remain above ground
3. We do not imagine that we will use any area near to the overhead power lines for recreational activities and we certainly will never expose our Grandchildren to any possible dangers there
4. We believe that there is less danger from underground power lines and less chance of interruptions from lightning strikes if the power lines are underground

To summarise, we believed that we WOULD enjoy the parkland, the views from our estate, and be safe in the knowledge that the power lines, once buried, would be a safer environment than with them left above ground. Before we purchased this house we had already looked at buying a new property in another suburb but had rejected that one because there were power lines nearby.

We would urge you VCAT to keep MIRVAC to the promise they made to us that the power lines would be put underground:

a) it was a condition of our purchase
b) the decision by the Planning Minister in our favour after his department's long and hard consideration
c) and the support from Monash Council for the Power Lines to be put underground,

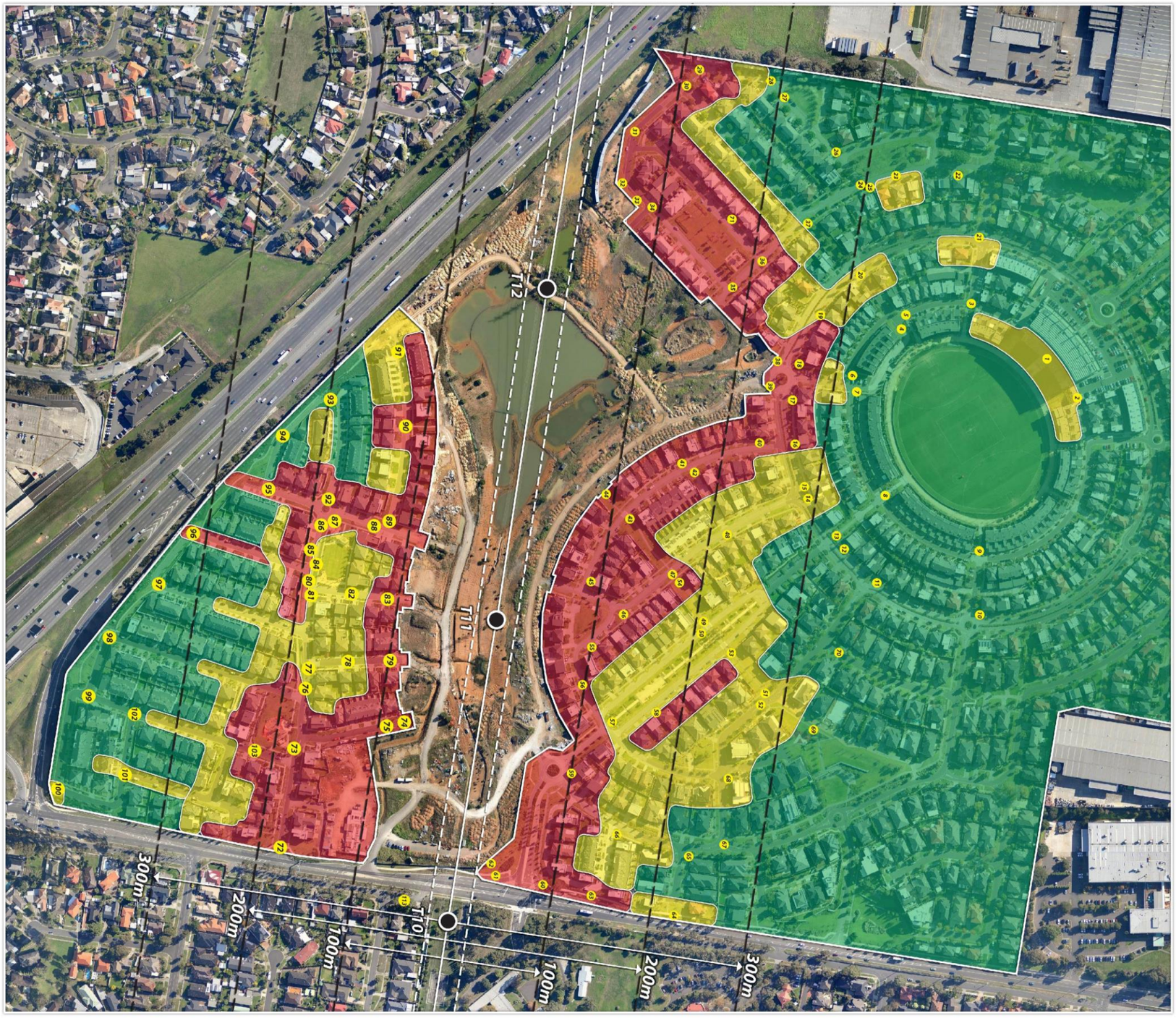
and not be persuaded by MIRVAC's quest to save money at our expense.

Yours Sincerely

C.A.Gould B.S.Gould (Mrs)

Appendix F Assessment diagrams for the; Existing conditions, Proposed VCAT 2014 overhead power lines, and the Proposed Endorsed 2013 underground power lines

Existing conditions



Proposed VCAT 2014 overhead power lines

Proposed Endorsed 2013 underground power lines

Appendix G: Witness statement

Name and address

Tim Biles

Message Consultants Australia Pty Ltd

2/398 Smith Street, Collingwood 3066

Qualifications

- Bachelor of Arts, Flinders University 1969
- Diploma of Town Planning and Regional Planning, Melbourne University 1972
- Fellow, Planning Institute of Australia

Areas of expertise

I have practiced in the field of town planning since 1970. My experience includes working in strategic and statutory planning for local government authorities and private consulting dealing with a variety of residential, commercial, industrial and conservation issues.

I give planning and urban design advice to a wide range of commercial and local government clients involved in the preparation of a range of commercial and residential projects.

I have also led a series of townscape plan studies as well as landscape and urban design programs across country Victoria and Melbourne.

Expertise to prepare this report

As a qualified town planner with 42 years in practice I have had to assess and provide strategic and land use planning advice on a wide range of town planning and urban design issues.

Introduction

I have been requested by City of Monash to prepare an urban design and visual assessment of a proposal for overhead power lines on land at Waverley Park, Mulgrave.

Investigations and research

In preparing this evidence I have:

- Inspected the site and locality.
- Reviewed the permit application material and amended application material.
- Reviewed the Monash Council officer's assessment report.
- Reviewed the Planning Minster's Grounds of Refusal.
- Reviewed the statement of grounds pertaining to the VCAT appeal.
- Reviewed the planning controls and urban design and planning policy that applies to the site.
- The Panel report and documentation for Monash Planning Scheme Amendment C20;
- The current planning permit and associated endorsed plans;
- The proposed Community Benefits Package.

I note that my involvement in this matter commenced after the lodgement of the application for review with VCAT.

In accordance with the Tribunal's Practice Note No. 2, I confirm that my instructions are to:

- Review the proposal against the statutory and policy provisions of the Monash Planning Scheme.
- Address whether the proposal is acceptable visual and urban design outcome for the site.

My evidence is based upon the amended plans and material circulated to all parties, namely;

- Subdivision Master Plan (drawing SD MP 01 ITL51, dated 14 June 2013, prepared by Mirvac
- Waverley Park Proposed Power Line Plan, drawing TLTP1100a, revision D, dated 11 July 2014, prepared by Mirvac
- .220kV Waverley Park Development (drawing 45M270KNU, revision A, dated 8 July 2014, prepared by Vatmont Industries
- 220kV Waverley Park Development(drawing 48M 160KNU, revision A, dated 8 July 2014, prepared by Valmont Industries
- Waverley Park Development 220kV Transmission Line Strain Twin Pole-Double Circuit (drawing 60327503-SHT-00-EL-1101, revision A, dated 11 July 2014, prepared by AECOM)
- Waverley Park Development 220kV Transmission Line Mono Pole-Double Circuit (drawing 60327503-SHT-00- EL-1102, revision A, dated 11 July 2014, prepared by AECOM).

Summary of opinions

My conclusions are summarised in the preamble and conclusion of this report.

Declaration

In accordance with the Tribunal's Practice Note No. 2, I declare that I have made all the inquiries that I believe are desirable and appropriate and that no matters of significance which I regard as relevant have to my knowledge been withheld from the Tribunal.

I prepared this report with assistance from Susan Mitchell and Gokhan Karpat at Message Consultants Australia Pty Ltd.

T W Biles