

**Draft Amendment C244melt
Referral 12 – Melton East Precinct Structure Plan and
Infrastructure Contributions Plan**

VPA Projects Standing Advisory Committee Report

Planning and Environment Act 1987

15 September 2025

Planning Panels Victoria acknowledges the Wurundjeri Woi-wurrung People as the traditional custodians of the land on which our office is located. We pay our respects to their Elders past and present.

Planning and Environment Act 1987

VPA Projects Standing Advisory Committee Report pursuant to section 151 of the PE Act

Melton Planning Scheme Draft Amendment C244melt

Referral 12 – Melton East Precinct Structure Plan and Infrastructure Contributions Plan

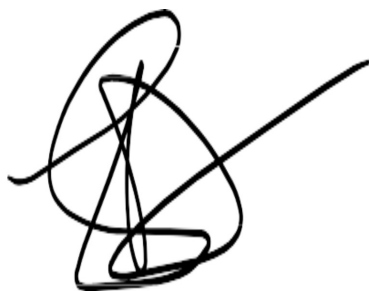
15 September 2025

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Tim Hellsten, Chair

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John Hartigan, Member

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Shannon Davies, Member

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Glossary and abbreviations

3L Alliance	3L Alliance on behalf of Yingde Investments Pty Ltd
AEP	Annual Exceedance Probability
AH Act	<i>Aboriginal Heritage Act 2006</i>
AHNA	Affordable Housing Needs Assessment, VPA, February 2025
Background Report	Melton East Precinct Structure Plan Background Report, March 2025
BCS	<i>Biodiversity Conservation Strategy for Melbourne's Growth Corridors</i> , Department of Environment and Primary Industries, June 2013
CHMP	Cultural Heritage Management Plan
CIA	Community Infrastructure Assessment, ASR Research, 2024
Committee	Victorian Planning Authority Projects Standing Advisory Committee
Council	Melton City Council
Cultural Values Assessment	<i>Aboriginal Cultural Values Assessment, Unearthed Heritage, 18 December 2024</i>
D#	Document number (refer Appendix H)
DoE	Department of Education
draft Amendment	draft Melton Planning Scheme Amendment C244melt
DSS	Development Services Scheme
DTP-Transport	Department of Transport and Planning (for Head, Transport for Victoria)
EAO	Environmental Audit Overlay
FDR	<i>Kororoit Creek Upper and High Street Melton DSS Design, Functional Design Report</i> , Alluvium, February 2025
FMHA	Flood Modelling and Hazard Assessment
G#	PSP Guideline (number)
GRZ	General Residential Zone
Growland	Mt Cottrell Land Pty Ltd
ha	hectare
Heritage Impact Assessment	<i>Aboriginal Cultural Heritage Impact Assessment (redacted version)</i> , <i>Unearthed Heritage</i> , 27 February 2025
ICO4	Infrastructure Contributions Overlay Schedule 4
ICP	Melton East Infrastructure Contributions Plan, March 2025

ICP Guidelines	<i>Infrastructure Contributions Guidelines</i> (Department of Sustainability and Environment, March 2021)
IPO6	Incorporated Plan Overlay Schedule 6
Km/hr	Kilometres per hour
LCA	Melton East PSP Land Capability Assessment, Jacobs, 2024
MD infrastructure contributions	<i>Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans, February 2021</i>
MSA	Metropolitan Strategic Assessment
NAC	neighbourhood activity centre
NDA	net developable area
PE Act	<i>Planning and Environment Act 1987</i>
Planning Scheme	Melton Planning Scheme
PPTN	Principal Public Transport Network
PPN30	<i>Planning Practice Note 30: Potentially contaminated land</i>
precinct	Melton East precinct
PSP	Melton East Precinct Structure Plan, March 2025
PSP Guidelines	<i>Precinct Structure Planning Guidelines: New Communities in Victoria</i> (VPA, 2021)
R#	PSP Requirement (number)
RAP	Registered Aboriginal Party
RCZ3	Rural Conservation Zone Schedule 3
School Toolbox	<i>Victorian Government School Site Selection Criteria – Toolbox</i> (October 2021)
SHW	seasonal herbaceous wetlands
UFZ	Urban Floodway Zone
UGZ13	Urban Growth Zone Schedule 13
VPA	Victorian Planning Authority
Water Act	<i>Water Act 1989</i>
WWCHAC	Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation
Xingsi	Xingsi Ru-De Kong Meng Association Ltd and KN Line & YL Lin Huangwith Associated Ltd
Yale	Yale Asset Development 2
YWY	YWY Unit Pty Ltd

Overview

Draft Amendment summary

The draft Amendment	Draft Melton Planning Scheme Amendment C244melt
Common name	Melton Precinct Structure Plan and Infrastructure Contributions Plan
Brief description	The draft Amendment seeks to facilitate development of the Melton East precinct in accordance with the vision for urban growth outlined in the Melton East Precinct Structure Plan. It proposes to introduce the Melton East Precinct Structure Plan and Melton East Infrastructure Contributions Plan into to the Melton Planning Scheme, and make associated zone and overlay changes
Subject land	Land in the Melton East Precinct Structure Plan (see Figure 2)
The Proponent	Victorian Planning Authority
Planning Authority	Victorian Planning Authority
Council	Melton City Council
Public consultation	3 March to 31 March 2025
Submissions	31 referred (see Appendix C)

Committee process

The Committee	Tim Hellsten (Chair), Shannon Davies and John Hartigan
Supported by	Chris Brennan, Senior Project Officer and Gabrielle Trowse, Project Officer, Planning Panels Victoria
Directions Hearing	27 May 2025, in person at Planning Panels Victoria and online
Committee Hearing	7, 8, 9, 10, 14, 15, 16, 17, 18, 24, 25 and 30 July and 1, 4, 5 and 6 August 2025 500 Bourke Street, Melbourne and online 21, 22 and 23 July 2025 Planning Panels Victoria and online
Site inspection	Unaccompanied, 17 June 2025
Parties to the Hearing	Refer Appendix D
Citation	VPA Projects SAC Referral 12 – Melton East Precinct [2025] PPV
Date of this report	15 September 2025

Executive summary

The Melton East Precinct Structure Plan area (the precinct) spans 1,005 hectares within the Western Growth Corridor and the City of Melton, located approximately 35 kilometres north-west of Melbourne and 3 kilometres east of the Melton township. The precinct adjoins several completed Precinct Structure Plan areas including Toolern, Paynes Road, Rockbank and Rockbank North.

The precinct includes several features which have influenced its planning including:

- frontage to Western Freeway
- Kororit Creek including its escarpment and areas subject to flooding
- areas of significant biodiversity values including seasonal herbaceous wetlands and Growling Grass Frog habitat
- areas of Aboriginal cultural heritage value and sensitivity and structures of post-contact heritage significance.

The Victorian Planning Authority (VPA) has undertaken detailed planning for the precinct. The Melton East Precinct Structure Plan (PSP), Melton East Infrastructure Contributions Plan (ICP) and the draft Melton Planning Scheme Amendment C244melt (draft Amendment) are the culmination of this planning process.

The PSP vision is for a sustainable focused precinct delivering a range of neighbourhoods which leverage the values of Kororoit Creek conservation area and wetlands. It aims to accommodate over 12,000 dwellings and 2,000 jobs.

The draft Amendment proposes to amend the Melton Planning Scheme to, among other changes:

- introduce the PSP and ICP as incorporated documents
- apply the Urban Growth Zone Schedule 13 (UGZ13) and Rural Conservation Zone Schedule 3 and remove the Urban Floodway Zone
- apply the Infrastructure Contributions Overlay Schedule 4 (ICO4)
- apply the Public Acquisition Overlay to land required for road construction projects
- apply the Heritage Overlay, Environmental Significance Overlay Schedule 5, Environmental Audit Overlay and the Incorporated Plan Overlay Schedule 6 to particular land parcels.

The VPA undertook public consultation on the draft Amendment, PSP and ICP from 3 March to 31 March 2025. A total of 41 submissions were received including from landholders. The VPA referred 31 submissions to the Victorian Planning Authority Projects Standing Advisory Committee (Committee) for advice and recommendations on specific issues within the following issue themes:

- drainage land take and flooding
- staging and infrastructure
- ICP
- residential densities
- transport network
- affordable housing
- community Infrastructure
- Aboriginal cultural heritage.

Procedural issues

The Committee dealt with several procedural issues including the scope of referred issues. The Committee has summarised these procedural issues in Appendix E of this Report.

The Committee determined that its scope was limited to the issues included in Table 1 of the letter of referral consistent with its Terms of Reference (referred issues). The VPA provided an amended referral letter on 30 May 2025 which extended the issues to include schools given the nature of post-exhibition changes to their location in the PSP.

Response to submissions

Throughout the Hearing process the VPA and Melbourne Water (in relation to drainage land take) sought to respond to unresolved issues including:

- Melbourne Water and VPA provided a joint response identifying proposed changes relating to proposed drainage assets
- Melbourne Water produced revised Development Services Scheme (DSS) plans
- those identified in evidence and submissions
- VPA produced a series of memos on specific matters, Day 1 and Final Day versions of Amendment documents which included changes in response to issues both within and outside the scope of referred issues.

This greatly assisted the Committee and helped narrow the unresolved issues. The VPA made many changes to the Amendment documents, including drafting and corrections to improve clarity. Not all are addressed in this Report. The Committee's has adopted the Final Day changes unless specifically identified. The Committee has not reviewed or considered the changes relating to matters outside the referred issues identified in the letter of referral.

Overarching findings

Strategic justification for development of the precinct for predominantly residential growth is clear. There is strong support in various relevant strategic plans and the Planning Scheme and the need for more housing in Melton is well established.

The key challenge for the PSP and ICP is its relatively low NDA and the high transport infrastructure costs applied through the supplementary levy. This was central to concerns about economic viability and deliverability of the PSP. Submissions explored opportunities to optimise NDA and minimise ICP levies without compromising the provision of basic and essential infrastructure.

The PSP has the key job of accommodating housing growth and combined with the ICP should encourage and facilitate timely provision of housing and infrastructure. While the Committee considers the PSP provides a fundamentally sound land use and development framework it has not achieved the necessary balance in terms of NDA and infrastructure costs. There are opportunities to further explore increases in NDA and reduce the ICP rates without impacting on the environmental and Aboriginal cultural heritage values of the precinct or creating an unreasonable financial burden on Melton City Council.

The Committee concludes the draft Amendment:

- is supported by, and implements, the relevant sections of the Planning Policy Framework
- is consistent with the relevant Ministerial Directions and Practice Notes
- is generally well founded and strategically justified
- should proceed subject to addressing the specific issues discussed in this Report.

Findings on referred issues

Aboriginal cultural heritage

It is appropriate for the PSP to include Aboriginal cultural heritage provisions (R33, G32 to G34, and Plans 10 and 11) in addition to the *Aboriginal Heritage Act 2006* (AH Act) and Regulations. The Final Day PSP provisions, subject to minor changes, provide for the early recognition of areas of potential Aboriginal cultural heritage sensitivity and appropriately complement the statutory Cultural Heritage Management Plan process under the AH Act.

Drainage land take and flooding

The location and size of drainage areas as shown in the Final Day PSP provide an appropriate envelope and land take within which to subsequently resolve detailed design of required Melbourne Water infrastructure.

That said:

- the PSP should address opportunities to adjust the road network to minimise encumbered areas not required for drainage purposes
- the VPA is encouraged to work with Melbourne Water to support the completion of the DSS if practicable before the PSP and ICP are finalised to more accurately reflect NDA opportunities and reduce the ICP levy.

The location of drainage assets outside of areas of Aboriginal cultural and ecological sensitivity is strategically justified, in conjunction with the Final Day PSP provisions including the 'Progressive certainty' note which provide a pathway for the relocation of DSS assets to sensitive locations.

The removal of the Urban Floodway Zone is appropriate having regard to flood safety risk and implementation of development outcomes in the PSP, subject to:

- the Final Day UGZ13 with additional minor changes
- Melbourne Water being identified as a determining referral authority within the 'Area of flood risk' in the Clause 66.04 schedule
- an additional PSP note relating to the 'Area of flood risk'.

The timing of Melbourne Water's flood mapping is critical to identify opportunities for additional NDA. If it can be completed in the short term without impacting on the timing of the Amendment the outcomes should be included in the PSP and ICP.

Transport network

The Committee concludes the proposed PSP road network is appropriate subject to the Final Day changes to the PSP. However, the following project changes are required to ensure the transport projects meet the need for them or are essential for the precinct's development:

- the reclassification of Taylors Road as a Secondary Arterial Road within a 34-metre-wide reservation and posted speed of 60 km/hr
- delete of Bridge BR-02.

Residential densities

The Final Day PSP requirements and guidelines about housing typologies and subdivision design are broadly appropriate having regard to the density mix proposed by the PSP. This includes an Amenity Area decision guideline to encourage higher densities for activity centre catchments and a mix of housing typologies without specifying the number of typologies to be provided. Further changes are recommended to ensure consistency in density provisions in the Amenity Area.

Affordable housing

While it is appropriate for the PSP to include an objective and guidelines for affordable housing in the PSP, the identified 12 per cent target and informing content has not been sufficiently tested. In the absence of related local policy and an existing policy and legislative framework that is focused on voluntary provision the PSP should be further amended to remove specific targets and content which does not assist decision making.

Community Infrastructure

The Day 1 PSP location and size of sports reserves within the precinct appropriately balances community needs while maximising NDA subject to reducing SR-01 to 8 hectares and reflecting this change in the ICP.

The Day 1 location and size of schools within the precinct is generally appropriate and balances community need while maximising NDA subject to the relocation of Nissen Hut P-6 and the eastern non-government school (consistent with the VPA's Closing submission mapping).

Staging

The Infrastructure and Development Staging Plan in the Final Day PSP in conjunction with the related requirements and guidelines in Section 3.7 of the PSP will allow for the orderly development of the precinct. Notwithstanding this, the PSP Staging Plan should include the delivery of infrastructure relevant to the staging of a land parcel and be amended to include land parcels 67 and 68 in Stage 1.

Infrastructure Contributions Plan

The projects proposed in the Final Day ICP are strategically justified and fulfil the principles of need and nexus subject to the Committee's recommendations in relation to specific transport projects.

The VPA's Final Day ICP costings are appropriate.

The number of sports reserves provided in the precinct is appropriate, including the regional active open space subject to the VPA's Final Day changes including the reduction of SR-01 to 8 hectares.

Recommendations

Based on the reasons set out in this Report, the Committee recommends that:

Amendment

- 1. Draft Melton Planning Scheme Amendment C244 must be prepared and approved as exhibited subject to the changes recommended in this Report.**

Precinct Structure Plan

- 2. Amend the Melton East Precinct Structure Plan consistent with the Victorian Planning Authority Final Day version (Document 169) with further changes to:**
 - a) include the Committee's changes in Tables 6, 7, 9, 12, 13, 14 and 16 of this Report**

- b) include in 'Section 2.3 General Notes' an 'Area of flood risk' note to provide additional guidance about potential residential use and densities if Melbourne Water's flood modelling and mapping or Flood Modelling Hazard Assessment identifies a reduced area of risk
 - c) designate Taylors Road between Leakes Road and Mt Cottrell Road as a 'secondary arterial road' with a posted speed of 60 kilometres per hour
 - d) delete Bridge BR-02 and the land for it
 - e) reduce the size of SR-01 to 8 hectares
 - f) amend the location of the Nissen Hut P-6 and eastern non-government school consistent with the Victorian Planning Authority's Closing submission mapping (Figure 26 of this Report)
 - g) resolve the role of the Melbourne Water identified 'green slither' surplus drainage areas adjacent to wetlands K3, K4 and K6 where practicable, including through adjustments in the road network and update Maps and Tables accordingly
 - h) confirm whether the mapping of the 'waterway & drainage' extent for wetland K4 is required to extend west of Paynes Road into parcels 68 and 69
 - i) insert a note on 'Plan 10 Aboriginal Cultural Values' and 'Plan 11 Predicted Archaeological Sensitivity' to clarify that mapping represents areas of potential sensitivity only, subject to investigation, and does not substitute for statutory assessment under the *Aboriginal Heritage Act 2006*.
3. Review the changes to SR-01 (to 8 hectares) and SR-02 (location) to ensure they have the appropriate dimensions to accommodate the delivery of future sporting infrastructure and facilities before finalising the Amendment.

Infrastructure Contributions Plan

- 4. Amend the Melton East Infrastructure Contributions Plan consistent with the Victorian Planning Authority Final Day version (Document 170) with further changes that include the Committee's changes in Tables 8 and 15 of this Report.

Urban Growth Zone Schedule 13

- 5. Amend Urban Growth Zone Schedule 16 consistent with the Committee recommended version in Appendix I.

Infrastructure Contributions Overlay Schedule 4

- 6. Amend the Infrastructure Contributions Overlay Schedule 4 consistent with the Victorian Planning Authority Day Final Day version (Document 171g) and any consequential changes to reflect the recommended changes to the Melton East Precinct Structure Plan and Melton East Infrastructure Contributions Plan.

Clause 66.04

- 7. Amend the Clause 66.04 Schedule consistent with the Victorian Planning Authority Final Day version (Document 171).

General recommendation

- 8. The Victorian Planning Authority undertake a final check of all Amendment documents to ensure they reflect the final Melton East Precinct Structure Plan and Melton East

Infrastructure Contributions Plan and the Committee's recommendations for document changes.

Further recommendation

- 9. The Victorian Planning Authority work with Melbourne Water to:**
 - a) confirm the timing of its flood modelling and mapping for Kororoit Creek and if this work can be suitably completed prior to the finalisation of the Precinct Structure Plan, amend the 'Area of flood risk' and make other consequential changes to the Precinct Structure Plan and Infrastructure Contributions Plan**
 - b) to update the High Street Melton Development Services Scheme and Kororoit Creek Development Services Scheme where practicable to do so before the Melton East Precinct Structure Plan and Infrastructure Contribution Plan are gazetted and amend the Amendment documents accordingly.**

1 The Committee

1.1 Terms of Reference and referral letter

The VPA Projects Standing Advisory Committee (Committee) was appointed by the former Minister for Planning on 22 July 2020. The Committee's purpose is set out in its Terms of Reference dated 17 July 2020 (see Appendix A) as follows:

... to provide timely advice to the Minister for Planning and the VPA on specific matters referred to it related to various proposals, including but not limited to structure plans, infrastructure and development contribution plans, framework plans, development plans and any associated draft planning scheme amendment and planning permits.

The Terms of Reference explains the Victorian Planning Authority (VPA) will provide a letter of referral to the Committee Chair:

...seeking its advice on particular matters or unresolved issues raised in the submissions and/or any other relevant matter.

The VPA referred the Melton East Precinct Structure Plan (PSP), Infrastructure Contributions Plan (ICP), Native Vegetation Precinct Plan and draft Melton Planning Scheme Amendment C244melt (draft Amendment) to the Committee on 30 April 2025 (see letter of referral at Appendix B). This is Referral 12 to the Committee.

The Terms of Reference requires the Committee to consider:

- a. The relevant components of the referred plan and associated draft planning scheme amendment and any associated planning permit (if relevant) that relate to the submissions or issues referred to it
- b. The referred submissions
- c. *Plan Melbourne 2017-2050* (Plan Melbourne)
- d. Any relevant Regional Growth Plan or Growth Corridor Plan
- e. The applicable Planning Scheme
- f. Relevant State and local policy
- g. Any other material referred to it.

(i) Response to Terms of Reference

Table 1 sets out the Report outcomes specified at section 20 of the Committee's Terms of Reference and the relevant chapters where the matters are addressed.

Table 1 Response to Terms of Reference outcomes

Outcome	Report Chapters
Whether the referred elements of the draft amendment are appropriate.	Chapters 4 - 10
A summary and assessment of the issues raised in submissions referred to the Committee.	Chapters 3 - 10, Appendix E
Any other relevant matters raised in the course of the Committee process.	Chapters 4 - 10
A list of persons who made submissions considered by the Committee.	Appendix C (Referred submissions only)
A list of tabled documents.	Appendix H
A list of persons consulted or heard, including via video conference.	Appendix D

(ii) Response to referral letter for advice on specific issues

Table 2 sets out the relevant chapters of the Report that address the advice and recommendations sought in the referral letter on specific issues.

Table 2 Response to Committee referral letter matters

Issue	Report Chapters
Drainage land take and flooding	Chapter 5 and Appendix I
Staging and infrastructure	Chapter 9
ICP	Chapter 10
Residential densities	Chapter 7
Transport network	Chapter 6
Affordable housing	Chapter 7 and Appendix I
Community Infrastructure	Chapter 8
Aboriginal cultural heritage	Chapter 4

1.2 Referred submissions and issues

(i) Consultation and key issues

The VPA undertook targeted public consultation on the draft Amendment including the PSP and ICP from 3 March to 31 March 2025. A total of 41 submissions were received, including from:

- precinct landholders
- Melton City Council (Council)
- government authorities and servicing authorities including Melbourne Water, Environment Protection Authority (EPA), Greater Western Water and Powercor
- Department of Transport and Planning for Head, Transport for Victoria (DTP-Transport), Homes Victoria, Department of Education, Department of Health and Department of Justice and Community Safety
- Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation (WWCHAC) who are the Traditional Custodians and Registered Aboriginal Party (RAP) for the area
- other interest groups.

The VPA referred 31 unresolved submissions to the Committee. The referral letter sought advice in relation to the referred submissions on eight specific referred issues set out in Table 1 of the referral letter (referred issues), each with specific questions:

- drainage land take and flooding
- staging and infrastructure
- ICP
- residential densities
- transport network
- affordable housing
- community infrastructure
- Aboriginal cultural heritage.

1.3 Committee process and approach

(i) Procedural issues

Procedural issues included:

- focus of submissions and evidence on the referred issues
- expansion of referred issues relating to the location of schools
- the Committee's site inspection arrangements
- request for documents relating to affordable housing modelling and unredacted versions of Aboriginal cultural values and impact assessments
- hearing conduct in relation to evidence in chief and cross examination
- parties electing to rely on original submissions or providing addendum submissions rather than attending the Hearing.

These issues are explained in Appendix E.

(ii) Narrowing of unresolved submissions

Throughout the Hearing process the VPA and Melbourne Water sought to respond to unresolved issues identified through submissions and evidence. This included:

- Melbourne Water and VPA providing a joint response identifying proposed changes to the PSP relating to proposed drainage assets
- Melbourne Water producing revised Development Services Scheme (DSS) plans
- VPA submitting six memos responding to conclaves and specific submission issues, Day 1 and Final Day versions of all Amendment documents (which included changes in response to issues both within and outside the scope of referred issues).

This greatly assisted the Committee and helped narrow the unresolved issues and has helped provide for a more effective PSP and associated planning provisions.

(iii) Amendment documentation including Day 1 document versions

Table 3 identifies the documents relevant to the referred issues (provided by the VPA including exhibited technical background, exhibited Amendment documents, documents provided post-exhibition and the VPA's Day 1 changes in response to submissions). The VPA's Day 1 changes are summarised in Appendix F.

Table 3 Amendment documents

Document	Doc #
Exhibited documents	
<i>Melton East Precinct Structure Plan, March 2025</i>	D3a
<i>Melton East Precinct Structure Plan Background Report, March 2025</i>	D3c
<i>Infrastructure and Development Staging Plan, March 2025</i>	D3b
<i>Infrastructure and Development Staging Plan Background Document, March 2025</i>	D3d
<i>Integrated Water Management – Issues and Opportunities Report, Alluvium, May 2023</i>	D3e
<i>Aboriginal Cultural Values Assessment (redacted version), Unearthed Heritage, 18 December 2024 (Cultural Values Assessment)</i>	D3f

Document	Doc #
<i>Aboriginal Cultural Heritage Impact Assessment</i> (redacted version), Unearthed Heritage, 27 February 2025 (Heritage Impact Assessment)	D3g
<i>Integrated Transport Assessment</i> , AECOM, February 2025	D3j
<i>Strategic Transport Modelling</i> , AECOM, January 2025	D3k
<i>Utilities Servicing Assessment</i> , Aurecon, 19 September 2022	D3l
<i>Community Infrastructure Assessment</i> , ASR Research, 30 October 2024	D3m
<i>Final Concept Design with Final Cost Estimates</i> (Parts 1 and 2), SMEC, 20 February 2025	D3o
<i>Affordable Housing Needs Assessment</i> , VPA, February 2025	D3p
<i>Land Capability Assessment</i> , Jacobs, 15 August 2024	D3q
<i>Sodic Soils Assessment</i> , Jacobs, 26 April 2023	D3v
Post-exhibition document	
<i>Consultation Report</i> , VPA, April 2025	D7
Affordable Housing Needs Assessment Model (AHNA) Method Report, SGS, 19 July 2024	D31
Draft Melton East ICP Peer Review Assessment, Urban Enterprise, 29 May 2025	D40
Day 1 document versions	
Melton East Precinct Structure Plan, June 2025 ¹	D38
Infrastructure Contributions Plan Supplementary Levy, June 2025	D43
Infrastructure and Development Staging Plan Background Document, March 2025	D42
ICP Transport Concept Designs & Costs: Supplementary Design Report, SMEC, 26 June 2025	D44
Estimated construction costs, Rev 3, SMEC, 24 June 2025	D44a
Urban Growth Zone Schedule 13 (UGZ13)	D39c
Infrastructure Contributions Overlay Schedule 4 (ICO4)	D45
Clause 66.04 Schedule	D39i

(iv) Final Day Amendment documents

As part of its closing submissions the VPA provided Final Day versions of the:

- PSP (D169)
- ICP (D170)
- UGZ13 (D171c)
- ICO4 (D171g).

The key changes are summarised in the specific issue chapters below.

Following the Hearing:

¹ The PSP (Table 25) and ICP (Table 16) Land Use Budget was amended on 2 July 2025 (D86)

- parties were given the opportunity to provide drafting comments on the VPA's Final Day version of Amendment documents. Several parties made comments (documents D188 to D203)
- the VPA provided a response to drafting comments (document D207).

The Committee's Report refers to the Amendment and documents in the following way:

- draft Amendment/PSP/ICP
- Day 1 version
- Final Day version.

(v) Experts and expert conclaves

Table 4 sets out the experts relevant to the referred issues. Some experts provided evidence on more than one of the referred issues. ICP experts were permitted to provide supplementary evidence statements given the delayed circulation of the Day 1 ICP.

Expert conclaves were conducted before the Hearing on two issues which were followed by agreed statements:

- Transport network (D105)
- ICP (D123).

Subject matter experts unable to attend conclaves were able to provide supplementary evidence statements in response. The conclave outcomes are discussed in Chapters 5, 6, 8, 9 and 10 of this Report.

Table 4 Experts

Issue theme	Expert	Firm	Party	Document
Drainage, land take & flooding	Warwick Bishop	Water Technology	Melbourne Water	D61
	Lance Lloyd	Lloyd Environmental	Melbourne Water	D62
	Rob Swan	HARC	Council	D47
	Michael Mag* ³	Stormy Water Solutions	3L Alliance	D57
	John Mathios	DPM Consulting	Grange Haven Growland Yale	D53 D72 D70
	Chris Beardshaw	Afflux	Maximise Group	D60
	Andrew Matheson	Taylors	YWY Grima Family	D50 D52
	Nick Hooper* ⁵	Taylors	YWY Grima Family	D50 D51
	Alan Brennan	Nature Advisory	Yale	D67
	Benjamin Mentha	AECOM/Colliers	VPA	D64
Transport network	John-Paul Maina	Impact	VPA	D66
	Jo Garretty	Salt3	Council	D48
	Hilary Marshall* ³	Ratio	3L Alliance	D77
	Jason Walsh	Traffix Group	Maximise Group	D55

Issue theme	Expert	Firm	Party	Document
ICP, staging and infrastructure	Knowles Tivendale	Movement and Place	Growland	D75
	Tim De Young* ³	Eukai on transport	Yale	D68
	Paul Shipp* ⁴	Urban Enterprise	VPA	D63 ^{SE D115}
	Glen Chrzanowski	SMEC	VPA	D65
	Chris McNeil* ⁵	Ethos Urban	3L Alliance	D58 ^{SE D117}
	Awais Chaudry [#]	Hatch	3L Alliance	D76
	Mark Hrelja* ⁴	Hill PDA	Growland Yale	D73 ^{SE D109} D69 ^{SE D109}
Community Infrastructure	Jonathon Fetterplace* ^{1,2,3,5}	A Different City	Council	D46
	Evan Granger* ^{1,5}	Urbis	Grange Haven	D54
Residential densities & affordable housing	Jason Black* ^{1,2,3,4,6}	Insight Planning	3L Alliance	D56 ^{SE D101}
	Sarah Horsfield* ^{3,4,6}	Urbis	Growland Yale	D74 D71
Cultural heritage	Oona Nicholson	Ecology & Heritage Partners	Growland	D59

* Expert who provided evidence on more than one theme issue: 1 (Drainage, land take and flooding), 2 (Transport network), 3 (ICP), 4 (Community infrastructure), 5 (Residential densities and housing affordability), 6 (Cultural heritage)

SE - Supplementary evidence provided

Expert not called

1.4 Committee Report and recommendations

The Committee's Report focuses on the referred issues and deals with these issues under the following headings:

- Strategic context and justification
- Aboriginal cultural heritage
- Drainage
- Transport
- Housing
- Community infrastructure
- Staging
- Infrastructure Contributions Plan
- Drafting.

The Committee has:

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

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

The Committee adopts the VPA's Day 1 version of the Amendment documents (including requirement and guideline numbers) as summarised in Appendix F, unless otherwise specified.

The Committee's recommendations are based on the VPA's Final Day version of the Amendment documents which incorporates the majority of the Day 1 changes and other minor corrections. It supports those changes unless specifically identified. The Committee has considered the drafting submissions from parties to the Final Day PSP and UGZ13 and the VPA's response in forming its recommendations.

The Committee's recommended version of UGZ13 is based in the Final Day version.

1.5 Limitations

The Committee:

- has confined its considerations to the referred issues and the related matters in the referred submissions
- has not undertaken a detailed review of the Amendment documentation beyond issues relevant to the referred issues
- notes the final version of the ICP and ICO4 should be updated to reflect any recommended changes to the PSP in response to the Committee's recommendations (refer to Chapter 11)
- anticipates the VPA will review all Amendment documents prior to their finalisation to ensure consistent drafting and mapping and the inclusion of updated cross referencing of documents and planning controls
- has not reviewed or commented on the VPA proposed changes to the draft Amendment Explanatory Report as this is largely administrative and will be informed by the final version of Amendment documents.

The VPA's Part A submission (D36) provided an overview of its position in relation to several issues outside the referred issues including:

- activity centres
- bushfire
- sustainability
- noise
- utilities
- post contact heritage
- other matters.

Some of these issues were also explored in Hearing submissions and evidence and addressed by the VPA including through its Day 1 and Final Day documents. It proposed a range of minor changes to correct errors, add clarity or refer to more recent versions of guiding documents. As identified above the Committee has not considered these matters in detail but broadly supports the VPA's approach to resolve or address these issues through appropriate PSP, ICP and UGZ13 changes. The Committee's recommended version of the UGZ13 for example includes changes proposed by the VPA to non-referred matters such as acoustic reports but has not considered the merits of these changes.

In relation to some of the referred issue chapters the Committee has discussed related but out-of-scope submission issues and made several observations and suggestions but refrained from making recommendations. The VPA is encouraged to explore these suggestions when finalising the draft Amendment.

2 Melton East Precinct

2.1 The precinct and context

(i) The precinct

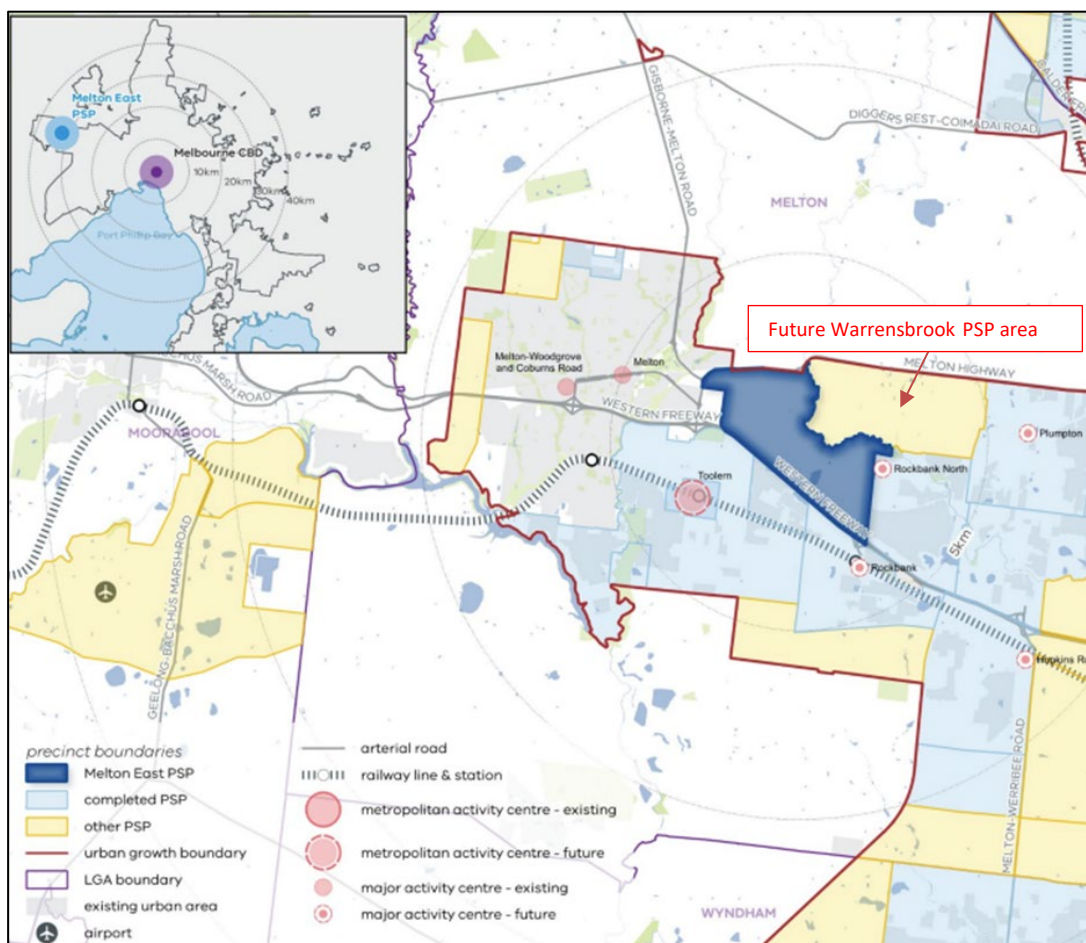
The PSP area (the precinct) spans 1,005 hectares (ha) within the Western Growth Corridor and the City of Melton and located approximately 35 kilometres north-west of Melbourne and 3 kilometres east of the Melton township (see Figure 1). The precinct is located on Wurundjeri Woi-wurrung country.

The precinct is bound by:

- Kororoit Creek to the north-east
- Melton Highway to the north-west
- Western Freeway to the south
- Leakes Road to the east.

The precinct adjoins several completed Precinct Structure Plan areas including Toolern, Paynes Road, Rockbank and Rockbank North (which provides for a future Major Activity Centre on Leakes Road as shown in Figure 1). The PSP proposes road and pedestrian bridge connections over Kororoit Creek to the future Warrensbrook PSP area to the north.

Figure 1 Regional context and location of the Melton East precinct

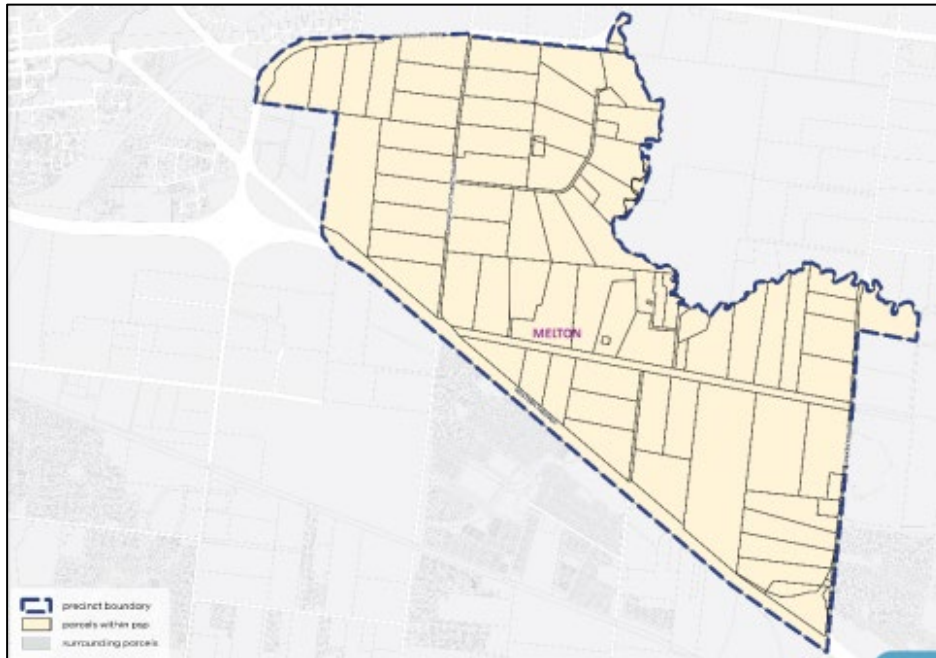


Source: Melton East Precinct Structure Plan – Plan 1 Regional Context (with Committee's notation)

(ii) Existing land use and surrounds

The precinct extent and lot pattern is shown in Figure 2.

Figure 2 Subject land – Melton East Precinct

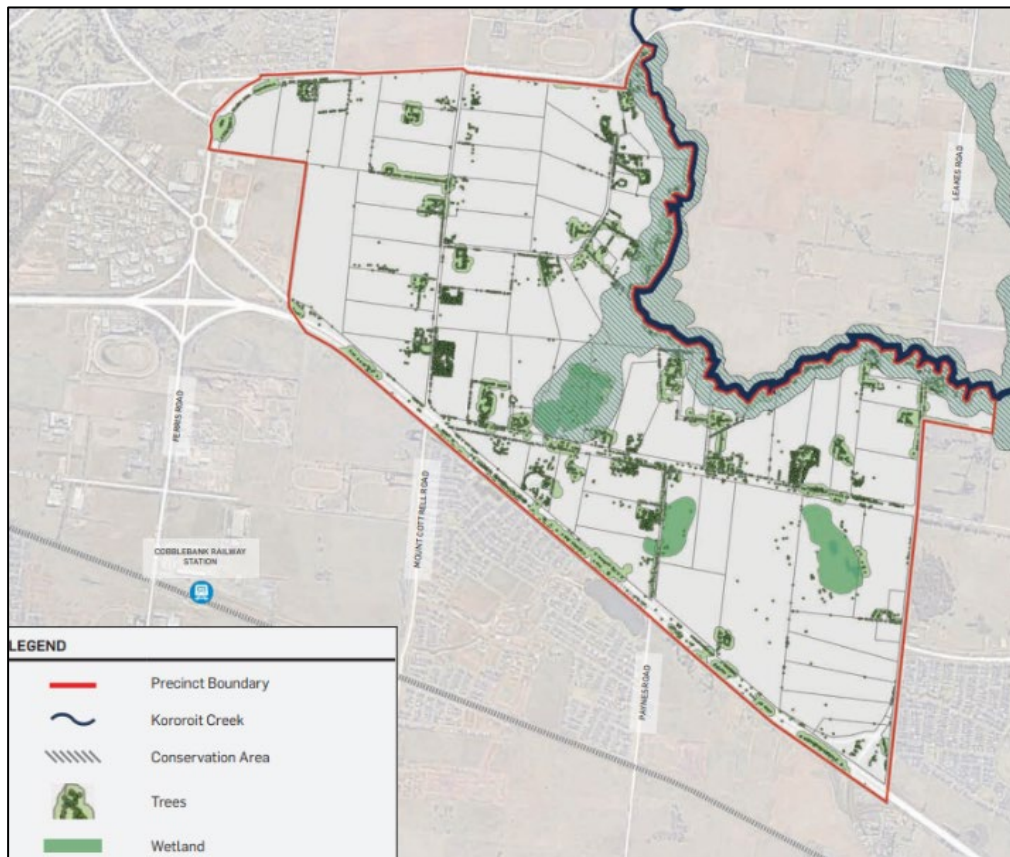


Source: Background Report Figure 9

The precinct comprises 86 land parcels ranging from 1.6 to 55 ha. Most of the land parcels are within the Urban Growth Zone except for area along Kororoit Creek or conservation area which are within the Urban Floodway Zone (UFZ) or Rural Conservation Zone. The precinct comprises predominantly small rural holdings used for hobby farms, agriculture (grazing and horticulture) and rural living. A service centre (service station, truck stop, fast food and café) is located on the precinct's southern edge on the Western Highway.

Site features (refer Figure 3) include:

- a relatively flat topography with gentle fall from north to east with some natural depressions reflective of the historic Victorian Volcanic Plain
- plains and grasslands (Western Grasslands) with areas of denser native vegetation (shrubs and trees) along roadsides and pockets within individual land parcels
- Kororoit Creek and wetlands
- areas of significant biodiversity including seasonal herbaceous wetlands (SHW) identified in the *Biodiversity Conservation Strategy for Melbourne's Growth Corridors, 2013* (BCS) Conservation Area 15 (Kororoit Creek) to protect Growling Grass Frog habitat
- areas of Aboriginal cultural heritage value and sensitivity
- post-contact heritage sites including drystone walls, heritage cottages and a Nissen Hut.

Figure 3 **Precinct features**

2.2 The proposal

(i) Melton East Precinct Structure Plan

The PSP has been prepared by the VPA. It includes:

- a vision, purpose and performance targets
- requirements (R#) and guidelines (G#) for achieving objectives (O#)
- a precinct infrastructure plan and land use budget details.

The PSP vision is:

Melton East will be a sustainability-focused precinct delivering a network of walkable, safe and attractive neighbourhoods which leverage the natural beauty of the Kororoit Creek conservation area and wetlands. As an important piece in the Melton Economic Corridor located along the Western Freeway, the PSP will unite the surrounding precincts and key destinations, including Cobblebank Metropolitan Activity Centre, Aintree Major Town Centre and the Melton Township.

The Day 1 PSP aims to provide a net developable area (NDA) of 507.1 ha (50.45 per cent of the precinct, 5.22 ha higher than exhibited) to provide for approximately 11,651 dwellings (to accommodate 36,117 residents, a reduction in the exhibited 40,000 population target) and 2,000 jobs.

The Day 1 PSP Plan 2 Place Based Plan (Figure 4) identifies:

- flood risk, waterway and conservation areas
- an arterial and connector road network and public acquisition areas
- residential areas including areas of increased density

- commercial areas including a light industry area, two neighbourhood activity centres (NACs) (north NAC and central NAC) each with an adjoining business/small local enterprise precinct, and two local convenience store locations
- community facilities and infrastructure including emergency services facilities, government and non-government schools (including amended locations)
- unencumbered, credited and uncredited open space including regional open space
- an indicative electrical substation location.

Figure 4 Day 1 PSP Plan 2 Place Based Plan

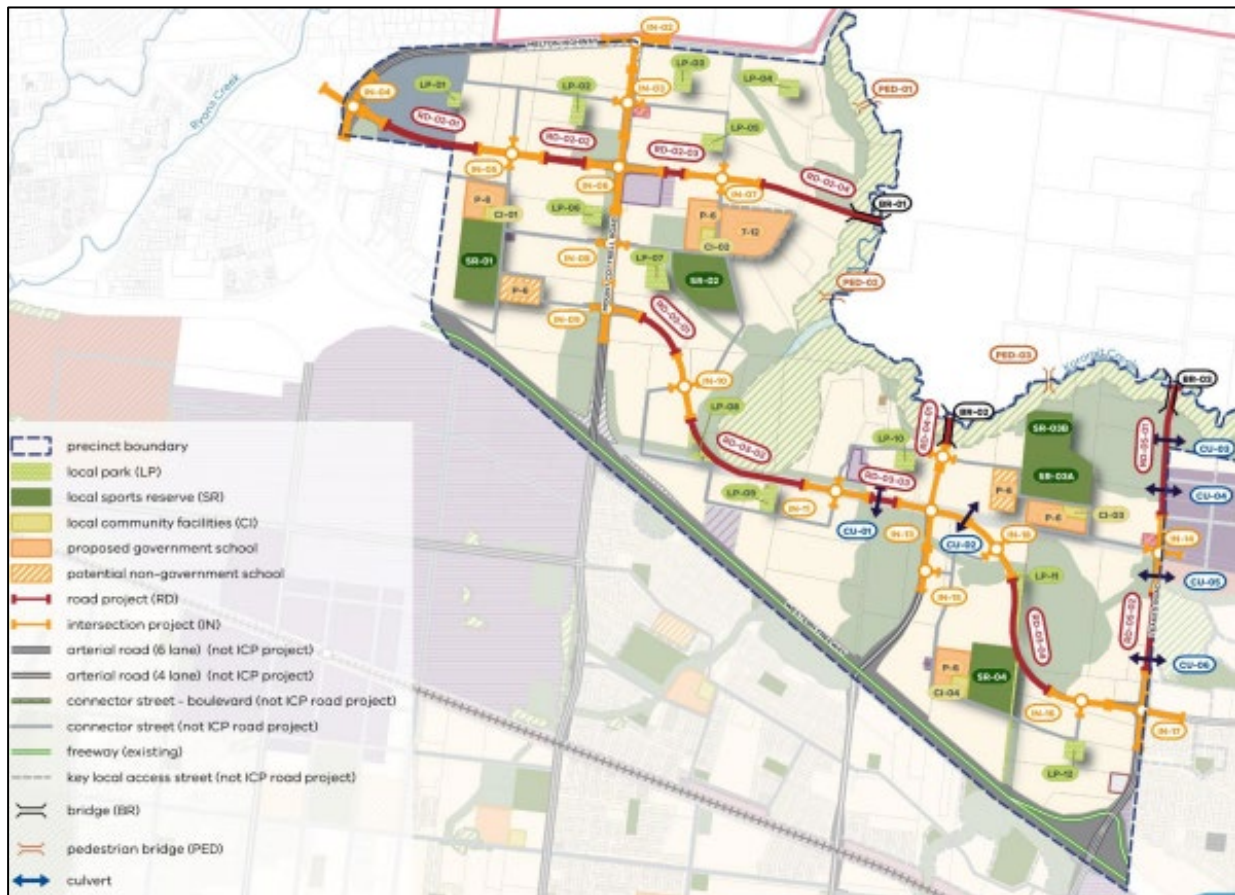


The Day 1 PSP (and ICP) land budget includes:

- 139 ha for transport infrastructure and land (27.43 per cent of NDA)
- 33 ha for community and education facilities (6.5 per cent of NDA)
- 52.64 ha of credited open space, including local parks and sports reserves (10.38 per cent of NDA)
- 268.65 ha of uncredited open space including regional open space, flood risk and conservation areas, waterway and drainage land and Kororoit Creek escarpment area (26.73 per cent of the precinct and 52.98 per cent of NDA).

In addition to Plan 2, the Day 1 PSP includes a number of plans to guide development, including:

- Plan 12 Community Infrastructure (refer Chapter 8)
- Plan 13 Infrastructure and Development Staging (refer Chapter 9)
- Plan 14 Precinct Infrastructure Plan (refer Figure 5) which includes a new intersection IN-18, redesign of Taylors Road, removal of IN-01, movement of a connector road near the industrial precinct and change of IN-12 from a signalised intersection to a roundabout
- Table 23 Precinct infrastructure, Table 24 Summary land use budget and Table 25 Property-specific land use budget
- standard road cross sections
- Conservation Area Concept Plan and interface cross-sections.

Figure 5 Day 1 PSP Plan 14 Precinct Infrastructure Plan

(ii) Melton East Infrastructure Contributions Plan

The ICP includes details of:

- transport, community and recreation construction projects to be funded
- project costs and staging (Short, Medium, Long), cost apportionment and development levies to be applied (standard levy and supplementary levy) across two classes of development – ‘residential’ and ‘commercial and industrial’
- public purpose land for transport project construction, sports reserves and local parks
- timing for delivery of the funded infrastructure
- implementation and administration.

The Day 1 ICP includes 36 construction projects using the following project codes:

- Transport
 - RD – road (9 projects all supplementary levy projects)
 - IN – intersection (13 standard and 3 supplementary levy projects)
 - BR – bridge (3 supplementary levy projects)
 - CU – culvert (6 standard levy projects)
 - PED – pedestrian (2 supplementary levy projects)
- Community and recreation
 - CI – community infrastructure (4 standard levy projects for multi-purpose community centres and land)
 - SR – sports reserve (8 standard levy projects including sports fields, pavilions and other related infrastructure, in addition to land other than for SR-03B).

The Day 1 ICP includes the following NDA ha levies:

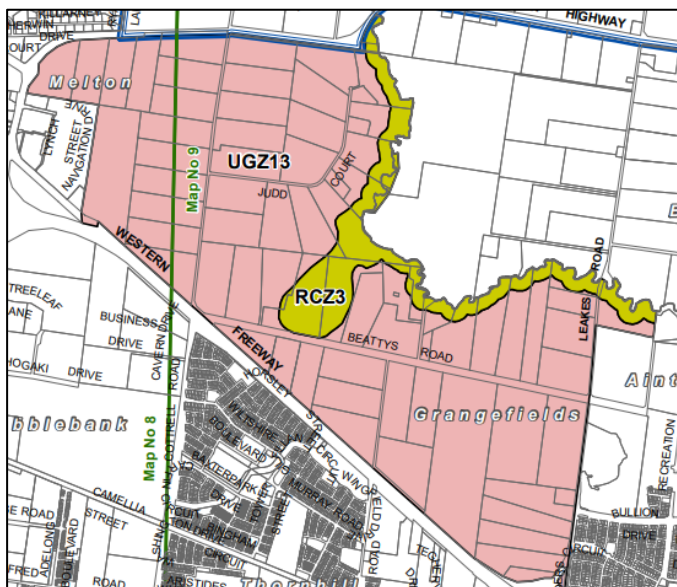
- standard levy:
 - residential development: \$256,650.00 (no change)
 - commercial land industrial: \$147,562.00 (no change)
- supplementary levy:
 - residential development: \$342,933.55 (a reduction of approximately \$93,095)
 - commercial land industrial: \$342,933.55 (a reduction of approximately \$93,095).

2.3 Draft Amendment

The draft Amendment seeks to facilitate development within the precinct in accordance with PSP and ICP. Specifically, the draft Amendment proposes to amend the Planning Scheme to:

- introduce the PSP and ICP as incorporated documents in Clause 72.04
- rezone the precinct to UGZ13 and Rural Conservation Schedule 3 (RCZ3) and remove the existing UFZ – refer Figure 6
- apply the:
 - ICO4 to all UGZ13 land
 - Environmental Significance Overlay Schedule 5 to land within the BCS and RCZ3
 - Incorporated Plan Overlay Schedule 6 (IPO6) to land within the BCS and RCZ3
 - Environmental Audit Overlay (EAO) to properties in the precinct identified as having high potential for contamination
 - Heritage Overlay to an identified heritage place (Beattys Road Nissen Hut) (HO207)
 - Public Acquisition Overlay Schedules 14 and 15 to portions of 24 properties for road construction.

Figure 6 Proposed precinct zoning



2.4 Land parcels relevant to referred submissions

PSP Plan 15 identifies the land parcels that make up the precinct (see Figure 7). The parcels relevant to the referred submissions are identified in the issue specific chapters of this report.

Figure 7 PSP land parcels (Day 1 version)



Source: Day 1 PSP Plan 15 Land Use Budget

3 Strategic context and justification

3.1 Strategic context

This chapter identifies the planning context and Planning Scheme provisions relevant to the draft Amendment (refer Table 5 summary). Appendix G summarises relevant strategies, guidelines and Planning Scheme provisions relevant to the draft Amendment and referred issues not set out in this and other Chapters of this Report.

The Explanatory Report and VPA's Part A submission sets out in detail how the Amendment addresses the Municipal Planning Strategy and Planning Policy Framework, relevant Ministerial Directions and Practice Notes. That detail is not repeated here.

The expert evidence statements of Mr Black and Mr Granger in particular, included an analysis of the relevant strategic and legislative context of the Amendment which broadly aligned with the VPA's assessment.

The Committee notes that the changes introduced to the Planning Policy Framework by Amendment VC283 were not addressed in the submissions and evidence which predated the circulation of these documents.

Table 5 Planning context

	Relevant references
Planning and Environment Act 1987 (PE Act)	- Part 1 section 4, Objectives - Part 3AB, Infrastructure Contributions
Municipal Planning Strategy	- Clauses 02.03-1 (Settlement), 02.03-2 (Environmental and landscape values), 02.03-3 (Environmental risks and amenity), 02.03-5 (Built environment and heritage), 02.03-6 (Housing), 02.03-8 (Transport), 02.03-9 (Infrastructure)
Planning Policy Framework	- Clauses 11.01-1S (Settlement), 11.01-1R (Settlement – Metropolitan Melbourne), 11.02-1S (Development capacity), 11.02-2L (Structure planning for growth area), (Managing growth), 11.02-3S (Sequencing of development) - Clause 12.01-2S (Native vegetation management) - Clauses 14.02-1S (Catchment planning and management), 14.02-2S (Water quality) - Clauses 16.01-1S (Housing supply), 16.01-2S (Housing affordability) - Clauses 18.01-1S (Land and transport integration), 18.02-2S (Movement system), 18.01-3S (Sustainable and safe transport), 18.02-1S (Walking), 18.02-2S (Cycling) - Clauses 19.03-1S (Development and infrastructure contributions plans), 19.03-2S (Infrastructure design and provision), 19.03-3S (Integrated water management)
Relevant strategies, policies and plans	- <i>Victoria's Housing Statement: The Decade Ahead 2024-34</i> - <i>Plan for Victoria</i> - <i>West Growth Corridor Plan</i>, Growth Areas Authority, June 2012 - <i>Biodiversity Conservation Strategy for Melbourne's Growth Corridors</i>, 2013 - <i>Moving Melton – Melton Integrated Transport Strategy</i>
Planning scheme	- General Residential Zone (GRZ)

	Relevant references
provisions	- Residential Growth Zone (RGZ) - Urban Growth Zone (UGZ) - Urban Floodway Zone (UFZ) - Transport Zone 2 (TZ2) - Environmental Audit Overlay (EAO) - Environmental Significance Overlay (ESO) - Infrastructure Contributions Overlay (ICO) - Public Acquisition Overlay (PAO)
Ministerial directions	- <i>Ministerial Direction on the Form and Content of Planning Schemes</i> - <i>Ministerial Direction 1: Potentially Contaminated Land</i> - <i>Ministerial Direction 11: Strategic Assessment of Amendments</i> - <i>Ministerial Direction 12: Urban Growth Areas</i> - <i>Ministerial Direction 19: Ministerial direction on the preparation and content of amendments that may significantly impact the environment, amenity and human health</i> - <i>Ministerial Direction 22: Climate change consideration²</i> - <i>Ministerial Direction on the preparation and content of infrastructure contributions plans and Ministerial reporting requirements for infrastructure contributions plans</i> (MD on infrastructure contributions)
Planning practice notes/guidelines	- <i>Planning Practice Note 30: Potentially contaminated land (PPN30)</i> - <i>Planning Practice Note 45: Aboriginal Heritage Act 2006 and the planning permit process</i> - <i>Planning Practice Note 46: Strategic Assessment Guidelines</i> - <i>Planning Practice Note 47: Urban Growth Zone</i> - <i>Precinct Structure Planning Guidelines: New Communities in Victoria</i> (VPA, 2021) (PSP Guidelines) - <i>Infrastructure Contributions Guidelines</i> (Department of Sustainability and Environment, March 2021) (ICP Guidelines)

3.2 Strategies relevant to the precinct

(i) Victoria's Housing Statement and Plan for Victoria

Victoria's Housing Statement: The Decade Ahead 2024-2034 sets out the Victoria's target to build 800,000 homes in Victoria over the next decade. The precinct is identified as one of twenty-one priority planning projects (residential) to contribute towards the delivery of 60,000 homes and sustainable supply of greenfield land over this period.

Plan for Victoria (2025) identifies a target of 109,000 new dwellings for the Melton municipality by 2051, with 104,000 of these to be delivered in greenfield areas. Plan for Victoria was introduced

² Ministerial Direction 22 was introduced on the 11 September 2025 and after the completion of the hearing. The Committee has not considered whether the Amendment addresses the matters set out in the direction.

into the Planning Scheme through Amendment VC283 as a policy reference including in Clauses 11.02-3S and 11.03-2S and background document on the 2 September 2025.

(ii) West Growth Corridor Plan

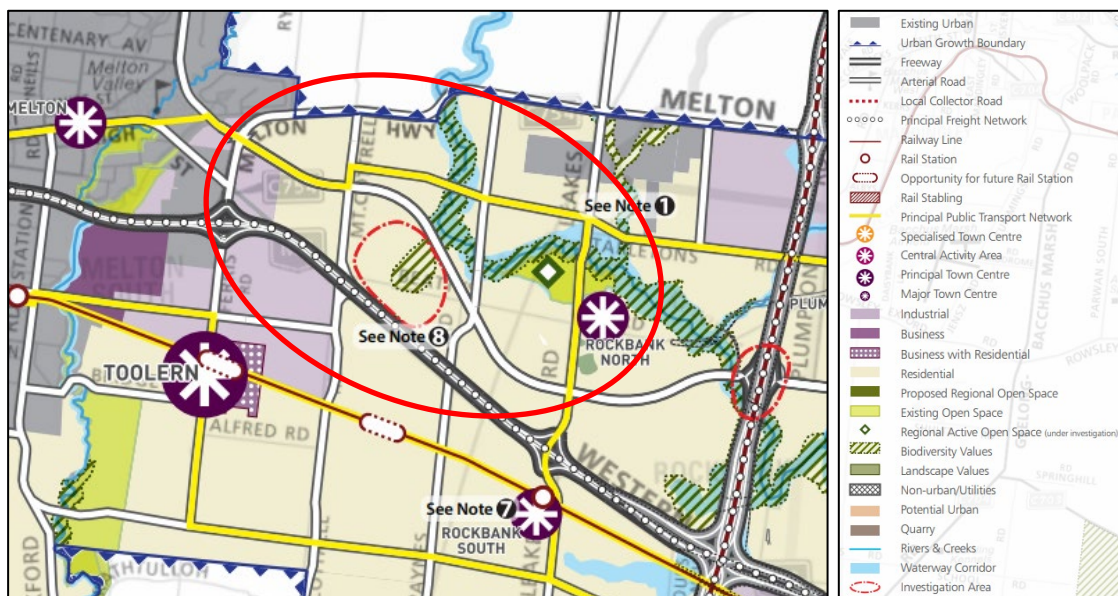
The Committee's Terms of Reference require it to consider any relevant Growth Corridor Plan.

The *Growth Corridor Plans: Managing Melbourne's Growth*, June 2012 identify four Growth Corridors to accommodate close to half of Melbourne's new housing and much of the city's future supply of industrial land over a thirty to forty year horizon. The Growth Corridor Plans provide a framework to guide the planning of new communities in each of the Growth Corridors.

The precinct is located within the Western Growth Corridor (Figure 8) which includes land in the municipalities of Melton and Wyndham. The precinct and adjoining PSP areas identified in the West Growth Corridor are anticipated to accommodate a future population of approximately 377,000 people and 164,000 jobs. The West Growth Corridor Plan, amended to an incorporated document through Amendment VC283, identifies the Melton East precinct will develop primarily as a residential area including:

- a waterway corridor and areas of biodiversity value
- an area of Regional Active Open Space
- an arterial road and Principle Public Transport Network (PPTN) network
- the Rockbank North Major Activity Centre east of Leakes Road within the Rockbank North precinct.

Figure 8 West Growth Corridor Plan



Source: West Growth Corridor Plan (section). Added: Approximate PSP location within red outline

(iii) Melbourne Strategic Assessment

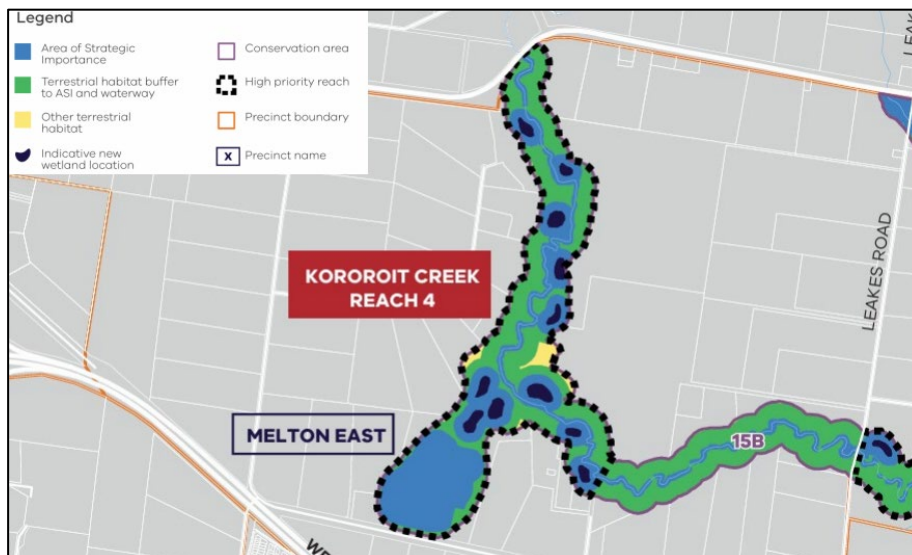
The Melbourne Strategic Assessment (MSA) was undertaken in 2009 in response to the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* and focuses on matters of national environmental significance. Four conservation strategies were developed as part of the MSA commitments, including the BCS, a policy and background document in the Planning Scheme.

The BCS is the overarching strategy for the protection of biodiversity in the growth corridors. It sets out conservation measures required for matters of national environmental significance and state significance including:

- the protection and management of land of high biodiversity value within defined conservation areas and areas outside the Urban Growth Boundary
- offset requirements for the removal of native vegetation and threatened species habitat on land not required for conservation and suitable for urban development
- salvage and translocation requirements for certain threatened species prior to removal of habitat on land not required for conservation and suitable for urban development.

The BCS identifies 36 conservation areas within the growth corridors that will be protected and managed in perpetuity. The precinct contains *Conservation Area 15 (Western Growth Corridor: Growling Grass Frog corridors (north))* along the Kororoit Creek corridor, including the central SHW (Figure 9). The conservation area purpose is to protect the future populations of Growling Grass Frogs by connecting populations in the Kororoit Creek and Toolern Creek.

Figure 9 Areas of Strategic Importance in Conservation Area 15



Source: Growling Grass Frog Masterplan for Melbourne's Growth Corridors (2017), Jason Black evidence p31 (D56)

3.3 Precinct Structure Planning Guidelines 2021

The PSP Guidelines define a PSP as:

...a high-level strategic plan that sets out the preferred spatial location of key land uses and infrastructure to guide decisions on staging of development, subdivision permits, building permits and infrastructure delivery.

The PSP Guidelines:

...provide the framework for preparing PSPs that guarantees quality outcomes while also being flexible, responsive and supportive of innovation by setting aspirational goals for our future communities. The approach provides a transitional model enabling 20-minute neighbourhoods to evolve over time and achieve the objectives as the area matures.

The PSP Guidelines provide the framework for preparing a PSP including minimum standards, general planning principles (F) and performance targets (T).

3.4 Infrastructure Contributions Plan Framework

The ICP planning framework includes:

- relevant provisions of the PE Act (in Part 3AB)
- the Ministerial Direction on infrastructure contributions
- ICP Guidelines
- Clause 19.03 (Development infrastructure) of the Planning Scheme which includes Ministerial Direction on infrastructure contributions and ICP Guidelines as policy documents.

Ministerial Direction

The Ministerial Direction on infrastructure contributions identifies that [Committee's emphasis]:

- a standard levy can only be used to fund allowable items specified in the Ministerial Direction
- a supplementary levy can only be included:
 - if the estimated cost of plan preparation costs, works, services or facilities (other than State infrastructure) to be funded will exceed the total amount collected from the standard levy
 - if the estimated cost of the supplementary levy items unable to be funded from the standard levy will be equal to, or exceed, 10 per cent of the total amount that will be collected from the transport construction component of a standard levy
 - to fund allowable works, services and facilities which include (subject to cost limits):
 - arterial road within a 34 or 41 metre road reservation
 - signalised intersections or roundabouts at intersections of arterial roads or of an arterial and connector road
 - arterial road bridges
 - pedestrian or cyclist bridges over a waterway corridor
 - culverts
- the works, services or facilities to be funded are, in the opinion of the planning authority, **essential** to the development of the ICP plan area and identified in the PSP.

ICP Guidelines

The ICP Guidelines identify a number of ICP principles including [Committee's emphasis]:

- funded infrastructure should be **basic and essential** to the health, well-being and safety of the community, and secure public purpose land required for construction of that infrastructure. It should be planned and designed to be fit for purpose ('basic') to avoid unnecessary additional costs ('gold plating') that could impact the provision of other essential infrastructure
- **timely and orderly** provision of infrastructure with orderly sequencing to avoid unreasonable additional burden on infrastructure providers
- **need and nexus** – infrastructure to be funded must relate to the development of the ICP land and likely to be used
- **equity** - development which contributes to the need for infrastructure should pay a fair and reasonable contribution to its provision proportionate to the need it will generate
- there be **certainty** about the infrastructure contributions imposed and infrastructure that can be funded and are strategically justified.

3.5 Strategic justification

(i) Discussion

Strategic basis of the Amendment

No submissions or evidence opposed the strategic basis of the Amendment.

There is a strong strategic foundation for preparing the PSP and ICP and establishing a residential precinct with an employment component. This is consistent with:

- Plan for Victoria (as introduced through VC283), Plan Melbourne (as previously referred to in the Planning Scheme) and the West Growth Corridor Plan now an incorporated document
- the ongoing approach to strategic implementation through a program of PSPs and the relationship between the Melton East PSP, the future Warrensbrook PSP area and existing developing precincts
- the broader Planning Policy Framework relating to settlements in Melbourne (Clause 11.01-1R), the supply of urban land (Clause 11.02-1S) and for the structure planning of growth areas (Clauses 11.02-1S and 11.02-2L) and the sequencing of development and infrastructure (Clauses 11.02-3S, 11.02-3L and 19.03-1S)
- the provision of needed housing consistent with Victoria's Housing Statement.

The appropriate planning tools have been applied in a manner broadly consistent with Ministerial Directions, Planning Practice Notes and other guidance documents.

The Committee is broadly satisfied that the PSP and ICP have been developed in a rigorous and robust manner and as discussed in this Report, have continued to be refined by the VPA throughout the Hearing in a manner consistent with relevant guidance and requirements.

The key challenge

The key challenge for the PSP and ICP is its relatively low NDA and the high transport infrastructure costs applied through the supplementary levy. This was the subject of evidence from Mr Black and Mr McNeil in particular who provided detailed NDA and levy rate comparisons with other metropolitan:

- PSPs (which achieved an average 69 per cent NDA), and
- ICPs which averaged significantly lower total levies and supplementary transport ICP levies.

This underscored concerns about land development economics and industry deliverability of the PSP and was a key concern of submissions which sought to optimise NDA and minimise ICP levies without compromising the provision of basic and essential infrastructure. Submissions sought changes to achieve this outcome by:

- reducing drainage and waterway land take by allowing for the inclusion of drainage assets within areas of potential environmental, Aboriginal cultural heritage significance or flood risk, or to return areas to NDA that weren't required for drainage to NDA
- reducing the costs of some transport projects (and the supplementary levy) through their redesign or deletion
- amending the arterial and connector road network alignment to avoid creating inefficient or otherwise encumbered slithers of land
- reducing the size or moving sports reserves to more optimal locations.

Direct comparison with other PSP NDA and ICP rates invariably overlooks context. This precinct is irregularly shaped, wedged between two significant arterial roads and constrained by Kororoit Creek, a conservation area and other areas encumbered by flooding or for drainage, in addition to identified Aboriginal cultural heritage values. These factors limit the extent of NDA or require nuanced interface responses and temper the capacity for higher density development and also require significant infrastructure items such as bridges over Kororoit Creek which come at a cost.

The task of preparing a PSP is a challenging one and requires managing competing objectives albeit informed by the PSP Guidelines, technical analysis and inputs from key authorities and stakeholders. A PSP must establish a sturdy framework for decision making, but it should provide for flexibility, be efficient in the distribution of land uses and community and movement infrastructure and facilitate a balanced outcome rather than an ideal one – such as meeting all PSP Guideline targets. This will mean difficult decisions need to be made about which infrastructure items are basic and essential to delivering the PSP and should be funded by an ICP or removed. This is particularly the case for a supplementary levy item, when applying the principles of the ICP Guidelines and where it is not intended that an ICP funds the full cost of required infrastructure.

The real risk of a low NDA and a high levy is the potential to:

- create uncertainty and impact on timely delivery of needed housing and infrastructure
- sterilise development or compound viability through increased costs such as holding costs
- not realise the strategic ambition for the precinct or adjoining precincts.

The PSP has the key job of accommodating housing growth and with the ICP should encourage and facilitate timely provision of housing and infrastructure. Although the Committee accepts that the PSP establishes a sound overall framework for land use and development, it has not struck the right balance between NDA and infrastructure costs. There are opportunities to further explore increasing the NDA and reducing the ICP rates without impacting on the environmental and Aboriginal cultural heritage values of the precinct or creating an unreasonable financial burden on Council. These opportunities are discussed in the subsequent chapters of this Report.

(ii) Conclusions and recommendation

For the reasons set out in this report, the Committee concludes that the Amendment:

- is supported by, and implements, the relevant sections of the Planning Policy Framework
- is generally well founded and strategically justified
- should proceed subject to addressing the more specific issues raised in the referred submissions as discussed in the following chapters.

The Committee recommends:

General recommendation

Adopt draft Melton Planning Scheme Amendment C244melt subject to the recommendations in this Report.

4 Aboriginal cultural heritage

The Committee has addressed this issue first given it is relevant to the referred issues of drainage land take and the location of drainage assets.

4.1 Background

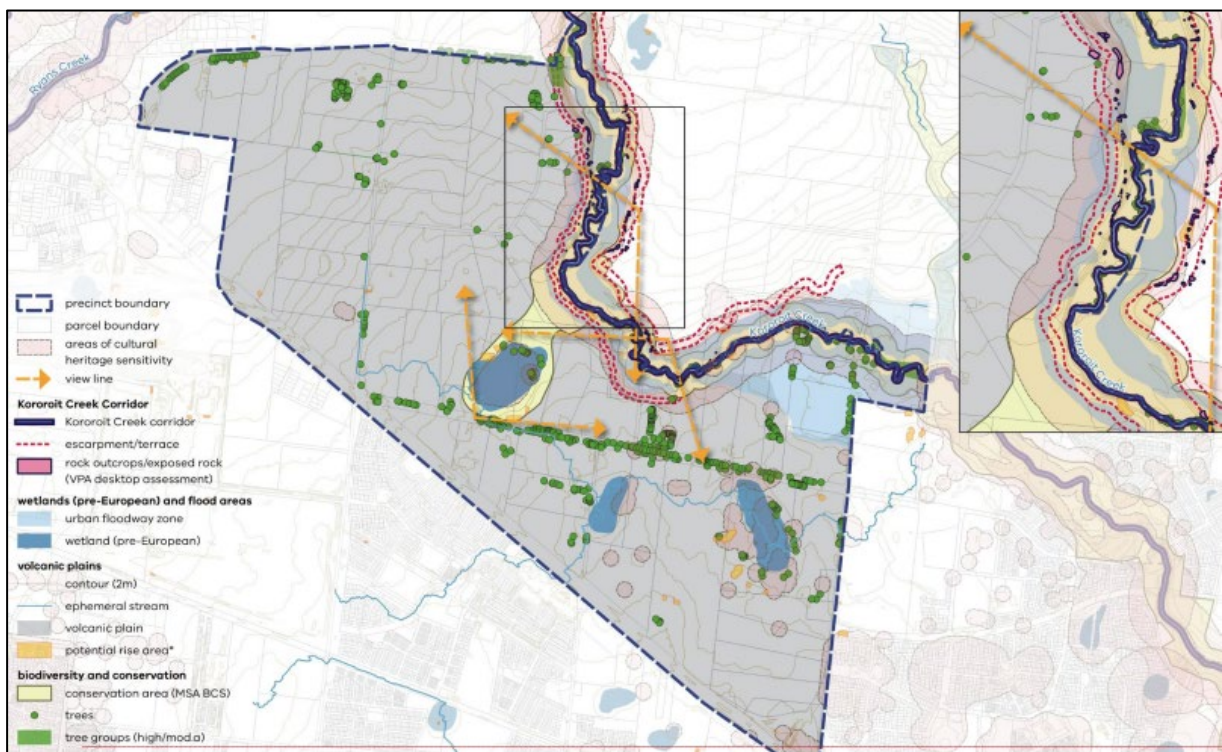
The precinct is located on Woi-wurrung Country for which the Wurundjeri Woi-wurrung are the Traditional Custodians and the WWCHAC is the RAP for the precinct under the *Aboriginal Heritage Act 2006* (AH Act).

(i) Amendment documents

The Day 1 PSP includes at 'Section 3.4 High quality public realm':

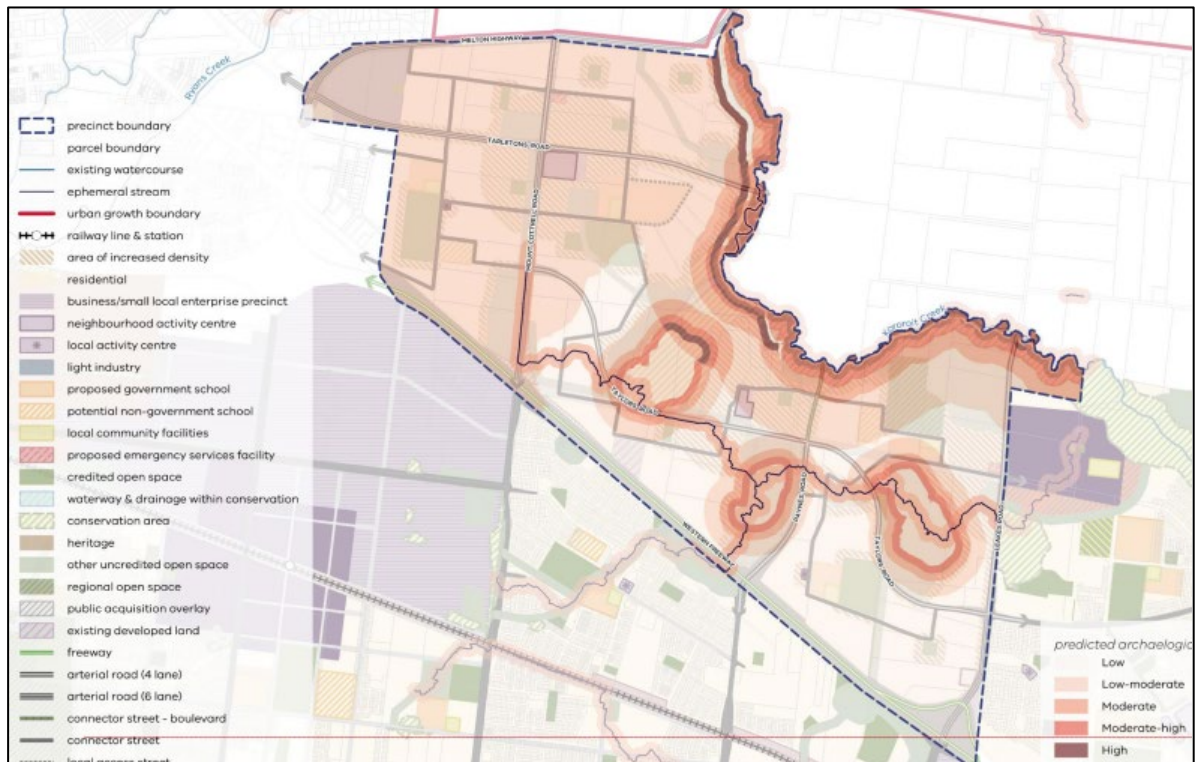
- place based objectives
- 'Aboriginal Cultural Heritage Guidelines' guidelines for 'Public realm, Open space and Biodiversity'
- Plan 10 Aboriginal Cultural Values (Figure 10)
- Plan 11 Predicted Archaeological Sensitivity (Figure 11).

Figure 10 Day 1 PSP Plan 10 Aboriginal Cultural values



The main Day 1 PSP changes include:

- minor revision of wording and renumbering of guidelines G33, G34, G35
- relocation of Plan 17 (renumbered Plan 11) from the Appendix to Section 3.4
- amending requirement R33 to include: *"Where possible, harm should be avoided and/or minimised to any identified Aboriginal cultural heritage values"*.

Figure 11 Day 1 PSP Plan 11 Predicted Archaeological Sensitivity**(i) Background reports****Cultural Values Assessment**

Prepared for the VPA with input from Wurundjeri Elders the assessment records tangible and intangible Aboriginal cultural values across the precinct including artefact scatters, scarred trees, stony rises, wetlands, waterways, vegetation and key landscape views. The assessment includes a Wurundjeri Statement of Significance, which identifies all Aboriginal Places in the precinct are significant and natural features such as water, escarpments and vegetation form an integral part of cultural landscapes.

Heritage Impact Assessment

The Assessment documents archaeological sensitivity across the precinct. It identified most registered sites were stone artefacts, with the highest sensitivity concentrated along Kororoit Creek, on stony rises and around wetlands. A field survey identified new artefact scatters. Based on these findings, predictive mapping classified the precinct into zones of high, moderate-high, moderate and low sensitivity.

(ii) The issue

The issue is whether the PSP provisions relating to Aboriginal cultural heritage is strategically justified, specifically R33, G32-34, Plan 10 and Plan 17.

Note: The Day 1 version of the PSP rennumbers guidelines G32 to G34 to G33 to G35 and Plan 17 to Plan 11.

(iii) Evidence and submissions

Evidence

Evidence focused on whether the PSP should contain specific Aboriginal cultural heritage provisions or instead rely on the existing requirements of the AH Act.

Ms Nicolson's evidence emphasised the AH Act is the primary statutory framework, with the WWCHAC responsible for evaluating Cultural Heritage Management Plans (CHMPs). She considered the PSP could provide some high level direction but raised concerns about the form and wording of the PSP provisions. In her view, guidelines G33, G34 and G35 went beyond what was appropriate, as they sought to prescribe planning controls in an area comprehensively governed by the AH Act.

Ms Nicholson was critical of G34, which assumed that areas of "*Aboriginal heritage likelihood*" shown in predictive mapping equated to Aboriginal heritage values, when in fact such values are only established once a CHMP has confirmed and recorded them. She also noted the Plan 11 predictive categories of high through to low sensitivity, risked being misconstrued as fixed planning constraints. She recommended the PSP avoid this level of prescription and instead confine mapping to areas of high potential, consistent with the AH Act Regulations, and leave the identification and management of Aboriginal cultural values to the CHMP process.

Ms Nicolson explained that Aboriginal cultural heritage considerations frequently intersected with infrastructure design and subdivision layout. She referred to the Alpha Archaeology report³ prepared to examine the potential relocation of drainage assets at wetlands K4 and K6. That report revealed artefacts and led to changes in the design of Melbourne Water assets. This demonstrated how archaeological sensitivity can directly influence technical design. However, she emphasised that such outcomes must be resolved through the statutory CHMP process under the AH Act. While the PSP can provide broad recognition of cultural values, it should not prescribe or duplicate Aboriginal cultural heritage controls. Subdivision layouts and infrastructure design should instead retain sufficient flexibility to respond to findings arising through CHMP preparation.

Several planning witnesses emphasised the primacy of the AH Act and cautioned against duplication in the PSP. Mr Black considered:

it is not appropriate for the PSP to make assumptions with regard to Aboriginal cultural heritage before the appropriate level of investigation and assessment is undertaken in accordance with the AH [Act] regime

Ms Horsfield and Mr Fetterplace said the AH Act provides a comprehensive regime and the additional PSP provisions were an unnecessary duplication and recommended deleting G34.

Submissions

Council acknowledged the Aboriginal cultural significance of the precinct, particularly the Kororoit Creek corridor and the pre-European wetlands K4 and K6, framing them as both ecological assets and places with Aboriginal cultural values. It noted however that if these wetlands were set aside in totality the NDA would be substantially constrained and submitted:

- the wetland areas should be used to the maximum extent compatible with their Aboriginal cultural (and ecological) sensitivities

³ Cultural Heritage Review – Focus 1031 Beattys Road, Grangefields: Comparison Melbourne Water Melton East DSS Plan with Spiire Drainage Design and proposed re-alignment of Taylors Road design, Alpha Archaeology Pty Ltd, 26 June 2025

- further refinement was possible through additional technical work and the preparation of CHMPs.

Council emphasised the need for clarity around long-term ownership and management of land reserved on cultural heritage grounds. In its view, the PSP should make clear whether Council, Melbourne Water or another public authority would ultimately manage pre-European wetlands and other culturally significant land.

Council supported retaining high-level Aboriginal cultural heritage directions in the PSP that complement (rather than duplicates) the AH Act. It did not support deleting G34 considering it assisted proponents manage their statutory obligations under the AH Act without creating a parallel approval regime.

Council considered any use of pre-European wetlands for drainage and water quality assets must occur only where compatible with the protection of Aboriginal cultural heritage under the AH Act, and within a drafting framework that preserves flexibility (through generally in accordance wording) to adjust envelopes and asset locations at the CHMP and detailed design stage.

Melbourne Water submitted while the PSP provided an adequate and conservative envelope for drainage assets, the detailed location and design will necessarily evolve at the DSS and permit stage. At that point, Aboriginal cultural heritage must be considered alongside ecological and engineering factors. Melbourne Water could not lawfully pre-commit to particular drainage designs under the *Water Act 1989* (Water Act), but supported the PSP drafting which allowed changes to drainage assets it approves as 'generally in accordance with' the PSP. This provided the flexibility required to adjust drainage solutions in response to findings of the CHMP process, without the need to revise the PSP through further planning scheme amendments.

The WWCHAC's submission emphasised for the Wurundjeri Woi-wurrung there is no separation between nature and culture and that all of Country is significant. It said the statutory definitions of 'areas of cultural heritage sensitivity' in the *Aboriginal Heritage Regulations 2018 (Vic)* were too narrow and failed to capture the broader cultural landscape including tangible and intangible values such as stories, practices, waterways, stony rises, escarpments and views.

The WWCHAC cautioned that previous PSPs, such as the Sunbury South PSP which deferred Aboriginal cultural heritage assessment to the permit stage, created risks of cultural harm and costly delays, particularly where CHMPs were prepared only after subdivision areas were largely determined. The only effective way to avoid these outcomes was to ensure strategic recognition of cultural landscapes at the PSP stage. In this context WWCHAC:

- supported for the inclusion of R33, Guidelines 33-35 and Plans 10 and 11
- welcomed the introduction of detailed Aboriginal cultural heritage sensitivity mapping
- supported Day 1 changes that reduced residential encroachment along Kororoit Creek and provided for the rehabilitation of ephemeral waterways
- supported interpretive measures such as Woi-wurrung naming and signage, and recommended updating Plan 10 to show additional viewlines
- raised concerns about any assumption that drainage assets could automatically be co-located within wetlands, a default approach which risked locking in outcomes that might not be approved under the CHMP process and create conflict between the PSP provisions and the WWCHAC's responsibilities under the AH Act.

Submitter 19, 3L Alliance Pty Ltd (3L Alliance), relied on the evidence of Mr Black and Ms Nicolson and submitted Aboriginal cultural heritage was governed by the AH Act and its Regulations, and

the PSP should not pre-empt or substitute for outcomes properly determined through the CHMP process. Once a PSP goes beyond high level guidance it risks duplicating or cutting across the statutory regime, creating inconsistency and uncertainty. It opposed the inclusion of R33, G32 to G34 and Plans 10 and 11. It was particularly critical of G34 which attempted to prescribe planning controls to protect Aboriginal heritage values, amounting to “*re-writing*” the AH Act.

Submitter 19 said the predictive sensitivity mapping in Plan 11 identifies only areas of ‘Aboriginal heritage likelihood’ and did not constitute Aboriginal heritage values until they were confirmed and recorded through a CHMP. It opposed designating land as encumbered or restricting development solely on predicted sensitivity. In response to WWCHAC, the submission acknowledged the Aboriginal cultural perspective that all of Country is significant but disagreed that strategic recognition through the PSP is necessary or effective, pointing to Sunbury South as an example of why cultural heritage should be resolved through CHMPs at the appropriate stage.

Submitter 29, Yale Asset Development 2 Pty Ltd (Yale) and submitters 2 and 33, Mt Cotterell Land Pty Ltd (Growland), relying on the evidence of Ms Horsfield, adopted a position broadly consistent with submitter 19. They were critical of G34 and the predictive sensitivity mapping which created the misleading impression of fixed planning constraints when such values can only be established once confirmed by a CHMP.

VPA position

The VPA submitted the Aboriginal cultural heritage provisions in the PSP were strategically justified. The provisions provide high level planning direction that complements, but does not displace, the statutory framework established by the AH Act. The PSP plays a legitimate role in acknowledging cultural heritage values at a strategic level, while leaving the detailed investigation and approval of CHMPs to the RAP under the AH Act.

The VPA said the PSP should adopt a ‘Progressive certainty’ approach in relation to Aboriginal cultural heritage. Under this approach, Plan’s 10 and 11 would identify potential areas of sensitivity, while making clear that final outcomes must be determined through the statutory CHMP process under the Aboriginal Heritage Act 2006. Land could revert to development use if a CHMP and detailed design confirmed that protection was not required. This provided transparency about possible constraints while maintaining flexibility for refinement through a CHMP and permit process. To further reinforce this, the Final Day version of the PSP included a Cultural Heritage note, encouraging early engagement with the RAP, clarifying the role of the AH Act, and linking any increases in NDA from CHMP outcomes into the ICP framework to enable additional contributions.

The VPA emphasised that the PSP provisions were informed by the Cultural Values Assessment and the Heritage Impact Assessment which were prepared with input from Wurundjeri Elders. The studies justified the inclusion of predictive mapping and sensitivity categories in Plan 11, which served to alert landowners and decision-makers to areas of potential significance without supplanting the CHMP process.

In relation to drainage, the VPA submitted that assets should, wherever practicable, be located outside areas of ecological or Aboriginal cultural sensitivity. However, it acknowledged that final locations may shift as part of Melbourne Water’s DSS process and informed through CHMP approvals. The PSP drafting appropriately provided for such changes to be deemed ‘generally in accordance’ with the PSP, ensuring flexibility while maintaining recognition of Aboriginal cultural heritage.

Overall, the VPA argued that the PSP achieves the correct balance by acknowledging and providing high level direction on Aboriginal cultural heritage, ensuring the RAP remains the statutory authority for CHMP evaluation, while incorporating appropriate progressive certainty so that land is not unnecessarily or pre-emptively removed from development.

(iv) Discussion

The Committee commends the VPA's engagement with the Wurundjeri Woi-wurrung people as the traditional custodians of the precinct. The Committee also acknowledges the comprehensive submission made by WWCHAC, which provided a clear line of sight with the work undertaken in cooperation with the VPA and how this has been reflected in the PSP. It is appropriate, and consistent with the PE Act, that opportunities for meaningful engagement with Traditional Owners inform the PSP preparation and that outcomes of such engagement are appropriately embedded into strategic planning documents.

The key issue before the Committee is whether the PSP should contain Aboriginal cultural heritage provisions, in particular R33, G32 to G34 and the sensitivity mapping in Plans 10 and 11, or whether reliance on the AH Act and its Regulations alone are sufficient.

The Committee accepts that the AH Act and its Regulations are the primary legislative tools for the protection and management of Aboriginal cultural heritage. However, the Committee does not accept the view that inclusion of Aboriginal cultural heritage provisions in the PSP amounts to duplication or 're-writing' the AH Act so long as they are properly expressed. The Committee is satisfied that drafting of the PSP has not attempted substitute for the AH Act statutory framework, but is properly providing high level strategic guidance, by identifying areas that may warrant investigation, and ensuring that subdivision design and infrastructure planning is alert to potential Aboriginal cultural values before development commitments are locked in. G34 is appropriately a voluntary provision.

Whether a voluntary CHMP is undertaken or not, R33, G34 and G35 provide an opportunity to broadly respond to the wider Aboriginal cultural values of the landscape whether that be through landscaping and interpretative treatments, enhancements of visual links to and from key view lines, subdivision features and design responses that may not otherwise be required if a parcel does not otherwise require a CHMP.

The Committee is not persuaded by concerns that the predictive mapping in Plan 11 will be misconstrued as creating fixed planning constraints. The Committee agrees with the VPA and WWCHAC that this mapping is best understood in the same way as environmental constraint mapping (such as biodiversity or bushfire overlays), not a final determination of constraint, but a transparent tool to highlight where further investigation and assessment is needed. Used in this way, the mapping increases certainty and reduces risk for landowners by flagging areas of potential sensitivity, while leaving the identification and evaluation of Aboriginal cultural heritage to the CHMP process under the AH Act.

The Committee accepts WWCHAC's submission that deferring Aboriginal cultural heritage entirely to the permit stage risks cultural harm and costly delay if the development areas are broadly identified/established? before CHMPs are prepared. The Committee agrees that recognition at the PSP stage could act as an early indicator, hopefully increasing the likelihood of a well informed, transparent and efficient process when Aboriginal cultural heritage is properly assessed through the CHMP process.

The Committee notes Council's concern regarding the long term management of land that may ultimately be identified through CHMPs as requiring ongoing protection. While this issue was not ventilated in detail at the hearing, it highlights the need for clarity about whether Council, Melbourne Water (if associated with a wetland area), or another authority would assume ownership and management responsibilities. The Committee considers these questions are best resolved through the detailed planning process or as part of the CHMP process, when the extent and nature of Aboriginal cultural heritage requirements are properly known.

The Committee supports the additional Cultural Heritage note in the Final Day PSP. It provides flexibility and enables additional NDA where CHMP outcomes confirm that protection is not required.

The Committee agrees with Melbourne Water that the PSP provides an adequate envelope for drainage assets, but that detailed design must evolve through the DSS. Melbourne Water supported the PSP drafting which relies on 'generally in accordance' to refine drainage assets. This is an appropriate approach as it ensures drainage solutions can be refined to reflect CHMP findings without revising the PSP through further planning scheme amendments. This is discussed further in Chapter 5.3.

Table 6 summarises the Committee's response to the proposed Final Day PSP changes and where additional changes are recommended.

Table 6 Committee response to Final Day changes to Day 1 PSP – Aboriginal cultural heritage

PSP ref	VPA Final Day changes	Recommendation
G34	Revised to G35 and amended to: <i>Where a Cultural Heritage Management Plan is required <u>and includes</u> provision for the ongoing preservation, restoration, management and maintenance of waterways and water landscapes as part of the CHMP activity description, <u>any</u> such ongoing management and maintenance requirements should be considered for inclusion as an appropriately worded condition on a relevant planning permit.</i>	Support. Include in final version.
G35	Revised to G36 and amend to: <i>A voluntary Cultural Heritage Management Plan <u>can</u> be undertaken in the following locations if a 'high impact activity is undertaken', as defined in Division 5 of the Aboriginal Heritage Regulations 2018:</i>	Support. Include in final version.
Plan 10 Plan 11	No change	Insert a note on each plan to clarify that the mapping represents areas of potential sensitivity only, subject to investigation, and does not substitute for statutory assessment under the AH Act.

PSP ref	VPA Final Day changes	Recommendation
2.3	Add a Cultural Heritage note under General Notes: <i>The “areas of cultural values” identified on Plan 10 and Plan 11 of the PSP may have potential constraints to development as highlighted in the Cultural Values Assessment, 2024. Developers are encouraged to engage early with the Registered Aboriginal Party (RAP) to address cultural heritage considerations.</i> <i>Any development in this area must comply with the Aboriginal Heritage Act 2006 (Vic) and all relevant statutory requirements. While the vegetation present on this site is designated as “native vegetation that may be removed” on Plan 8 – Native Vegetation Retention and Removal may is therefore removeable without a planning permit under the Metropolitan Strategic Assessment - the removal of this vegetation prior to the approval of a Cultural Heritage Management Plan may amount to an offence under the Aboriginal Heritage Act 2006.</i> <i>Any increase in NDHA resulting from the outcomes of an approved Cultural Heritage Management Plan is subject to Section 4.2 of the Melton East Infrastructure Contributions Plan – which sets out the process for changes to the land use budget.</i>	Support with changes (underlined): <u>Development within the areas identified on Plan 10 and Plan 11 of the PSP may have potential cultural heritage values as highlighted within the Cultural Values Assessment, 2024.</u> <i>Developers are ...</i> <i>Any development must comply with the Aboriginal Heritage Act 2006 (Vic) and all relevant statutory requirements.</i> <i>While <u>native</u> vegetation designated as “native vegetation that may be removed” on Plan 8 – Native Vegetation Retention and Removal <u>may be removed</u> without a planning permit the removal of this vegetation prior to the approval of a Cultural Heritage Management Plan ...</i> <i>Any increase in NDHA resulting from the outcomes of an approved Cultural Heritage Management Plan is subject to Section <u>5.3</u> of the ...</i>

(v) Conclusions and recommendation

The Committee concludes:

- It is appropriate for the PSP to include Aboriginal cultural heritage provisions in addition to the AH Act and Regulations.
- The Day 1 PSP changes provide for the early identification of areas of potential Aboriginal cultural heritage sensitivity and complements the CHMP process under the AH Act.
- The predictive mapping (Plan 11) provides a transparent planning tool that is not a fixed constraint but highlights areas where further investigation may be required.
- It is appropriate that drainage assets be subject to refinement through Melbourne Water’s DSS and permit processes, so that outcomes of CHMPs can be reflected without requiring further amendments to the PSP.
- That said, the following refinements should be made to the Day 1 PSP:
 - include the VPA’s Final Day changes as identified in Table 6
 - insert a note on Plans 10 and 11 to clarify that mapping represents areas of potential sensitivity only, subject to investigation, and does not substitute for statutory assessment under the AH Act.

The Committee recommends:

Precinct Structure Plan

Amend the Melton East Precinct Structure Plan consistent with the Victorian Planning Authority Final Day Final version and include the Committee's recommendations in Table 6.

5 Drainage

5.1 Background

(i) Melbourne Water Development Services Schemes and VPA referral

The VPA's Part A submission identifies:

The Melton East PSP contains wetlands within the Kororoit Creek Corridor (wetlands K4 and K6), as well as the central seasonal herbaceous wetland (K3). These wetlands are natural depressions located near Beattys and Paynes Roads. Melbourne Water has proposed locating key water treatment assets outside the high-sensitivity areas, allowing these environments to be retained in their natural state.

The PSP area is divided between two Melbourne Water drainage schemes: the High Street Melton DSS and the Kororoit Creek Upper DSS. Both schemes have been designed to respect the existing environmental conditions of Kororoit Creek and the seasonal herbaceous wetland (SHW), supporting the delivery of suitable water quality and flow timing to help restore the wetlands' ecological function and condition. The PSP includes a series of requirements and guidelines under the 'High Quality Public Realm and Infrastructure Coordination' sections, guiding development towards meaningful Integrated Water Management (IWM) outcomes.

The referral letter identifies:

Drainage matters have been referred for advice as described above. However, the VPA requests the Committee focus its consideration on the discrete strategic planning aspects of drainage identified in Table 1 instead of detailed technical matters, as the final drainage outcomes will be determined through Melbourne Water's DSS. Drainage has been included in the PSP for spatial planning purposes and is not intended to fetter Melbourne Water's decision-making discretion. The DSS will be further refined and finalised by Melbourne Water after gazettal of the PSP, as is consistent with the standard approach to DSS design and implementation.

For the purposes of this report the Committee uses the term 'draft DSS' or 'DSS' to refer to the collective High Street Melton DSS and the Kororoit Creek Upper DSS working design documentation prepared by Melbourne Water understanding that it is yet to be finalised through the Water Act process.

Melbourne Water provided a revised draft DSS (Figure 12) which informed the Day 1 PSP noting these updated plans were preliminary and subject to change and that the *"final functional DSS plans are still being finalised by Melbourne Water and Alluvium and will be accompanied by a functional design report and the associated engineering modelling when the DSSs are finalised"*.

The DSS documents use a different asset description and numbering to those shown on PSP Plan 7 for example PSP Sediment Basin (SB-#) references are referred to as WLRB # and the DSS numbering of those assets does not match the SB project numbers. The DSS documents also identify and number waterways. The wetland numbering matches what is shown in Plan 7.

(ii) Amendment documents

With respect to drainage and flooding, the Day 1 PSP includes 'Section 3.4 High Quality Public Realm' which includes:

- place based objectives
- 'Drainage, Waterways and Integrated Water Management' requirements and guidelines

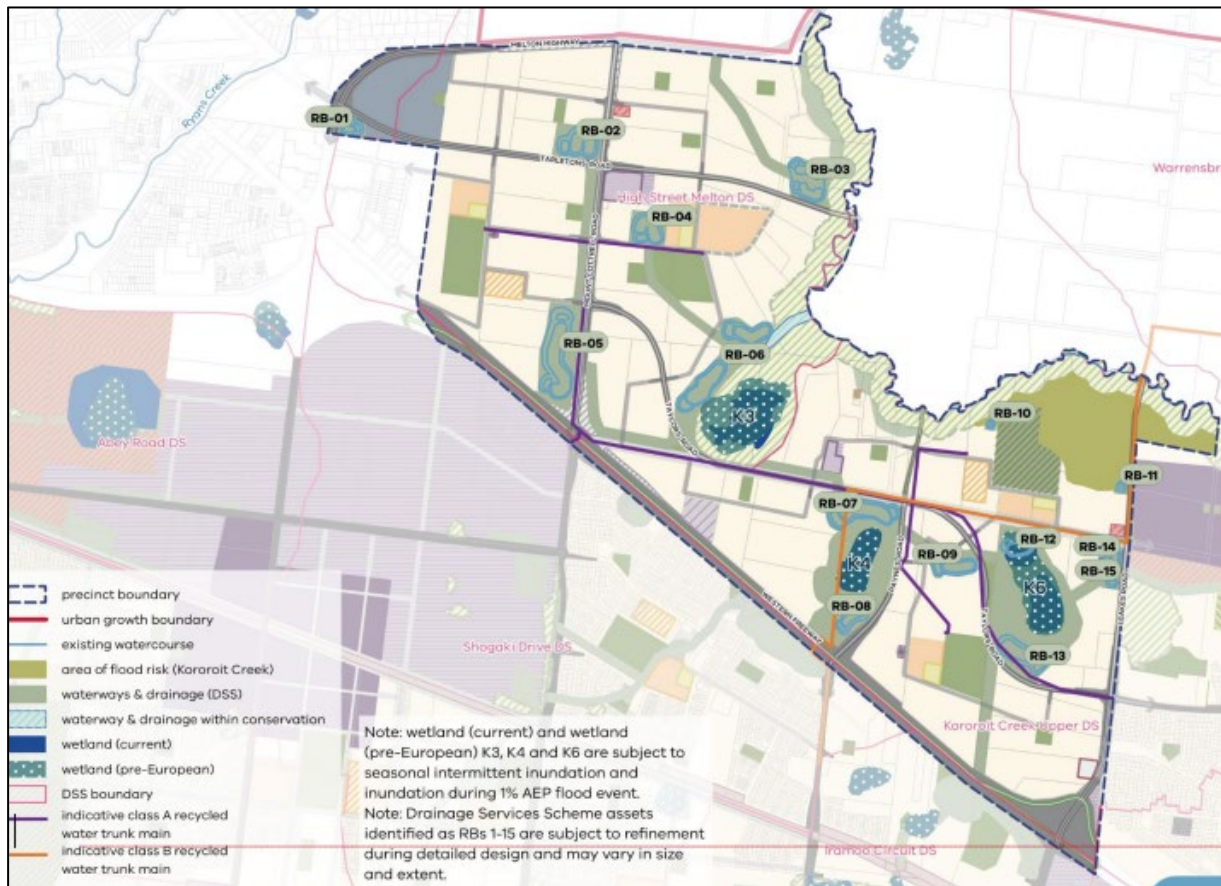
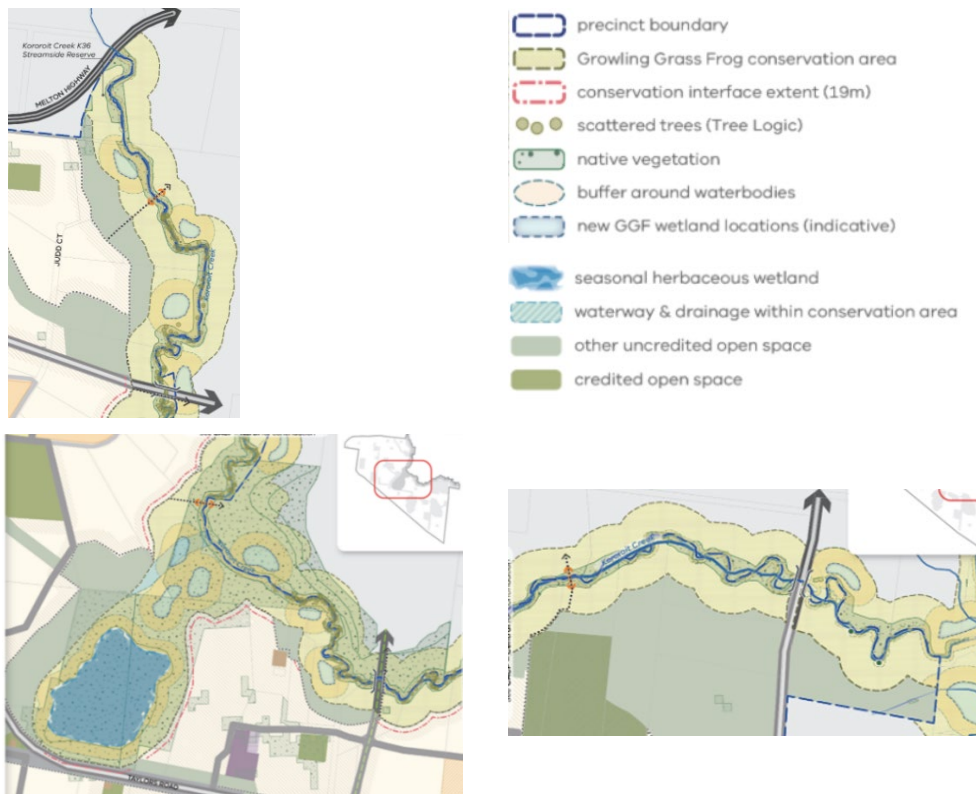
- Tables 14 (Water infrastructure) and 15 (Integrated Water Management Strategic Outcomes)
- Plan 7 Water (Figure 13) depicting waterways and drainage and wetlands and DSS boundaries.

Conservation Area Concept Plans are included in PSP Appendix 6 (Figure 14).

Figure 12 Revised DSS spatial plans (13 June 2025)



Source: Melbourne Water D79 and D80

Figure 13 Day 1 PSP Plan 7 Water**Figure 14** PSP Conservation Concept Plans

Source: Committees consolidation of Conservation Concept Plans and simplified legend

The main PSP Day 1 drainage related changes include (refer also Appendix F:1):

- insert in 'Section 2.3 General Notes' a 'Progressive certainty' note:

The Melton East PSP includes land set aside for development services scheme assets. Any change to the size, type, staging or location of DSS assets, will be considered by the responsible authority as being generally in accordance if those DSS assets achieve the intended performance standards and are approved by Melbourne Water in respect of drainage matters.

Should the land required for the delivery of these assets be reduced with the written consent of Melbourne Water post-gazettal of this PSP, then that surplus land may be used and development in accordance with the applied zoning of that land under Schedule 13 of the Urban Growth Zone.

Any increases in NDHA are subject to Section 4.2 of the Melton East Infrastructure Contributions Plan – which sets out the process for changes to the land use budget.
- add objectives:
 - O25: To optimise the quantum of land required for flood and stormwater management to maximise land available for development
 - O26: To ensure stormwater is managed for flood protection factoring in climate change and water quality treatment
- amend R35 to include:

Melbourne Water and the responsible authority will consider alternative drainage solutions for waterways and Drainage Services Scheme assets where it can be demonstrated to the satisfaction of Melbourne Water and the responsible authority that the waterways and Development Services Scheme asset design and associated land take can be optimised.
- change land areas in Table 14 required for Melbourne Water drainage assets
- add to Plan 7:

Note: Drainage Services Scheme assets identified as RBs 1-15 are subject to refinement during detailed design and may vary in size and extent.
- on Plan relabel 'UFZ' to 'Area of flood risk (Kororoit Creek)'.

(iii) Background reports

Exhibited documents

- *Integrated Water Management – Issues and Opportunities Report, Alluvium, May 2023*

Supplementary documents:

- *Draft Melton East ICP Peer Review Assessment, Urban Enterprise, 29 May 2025 (D40)*
- Memo Draft, Melbourne Water Position: Escarpment setback for Kororoit Creek (D82)
- Memo 2: VPA and Melbourne Water joint position on Plan 7 and June DSS (D116)
- Memo 6: VPA response to the ICP – Post Transport and ICP conclave (D149)

5.2 Location and size of drainage areas

(i) The issue

The issue is whether the location and size of drainage areas as shown on the PSP provide an appropriate envelope and land take within which to subsequently resolve detailed design of required Melbourne Water infrastructure.

(ii) Evidence and submissions

Evidence

Location and sizing of drainage assets

Mr Bishop considered:

- the proposed drainage strategy and associated asset envelopes in the updated functional strategy plans were suitable
- there was flexibility to optimise asset design and associated land take during implementation of the DSS
- it appropriate to adjust the concept drainage layout to resolve small parcels of constrained NDA adjacent to constructed asset reserves
- use of otherwise encumbered land for locating drainage assets is encouraged in drainage schemes while maintaining asset functionality and addressing ecological and Aboriginal cultural heritage requirements.

Mr Swan said the areas set aside in the PSP were sufficient to resolve the detailed design considerations required for the DSS infrastructure. He identified ways the drainage reserve and wetland areas could be modified to increase NDA including:

- adopting pipe and floodway approaches for waterways 1, 2, 3A and 3B
- adjusting the alignment of waterway 3A to follow the natural drainage line
- assessing the impact of modifying the outlet approaches to wetlands K3, K4 and K5
- assessing the potential for online wetlands
- assessing if wetlands can be co-located within conservation or other open space areas.

Mr Mag said the location and size of drainage areas as shown in the PSP were too conservative comprising in excess of 31.69 ha of land not required for drainage. He identified several opportunities to reduce drainage area including:

- waterway 1 appeared oversized and could be replaced by a pipe
- WLRB3A and 3B (RB-03) could be combined into one asset
- the land take for waterway 3C was inefficient and could potentially be piped
- the land take for waterway 5 was inefficient and instead K3 overflow could be directed to waterway 4
- the eastern K4 buffer is excessive, removes 5.35 ha of NDA and limits the opportunity to relocate Paynes Road to the west to free up more usable NDA
- WLRB8 is inefficient and oversized and should be moved to abut K4 freeing up NDA
- move WLRB10 into K6 creating an additional 2.45 ha of NDA.

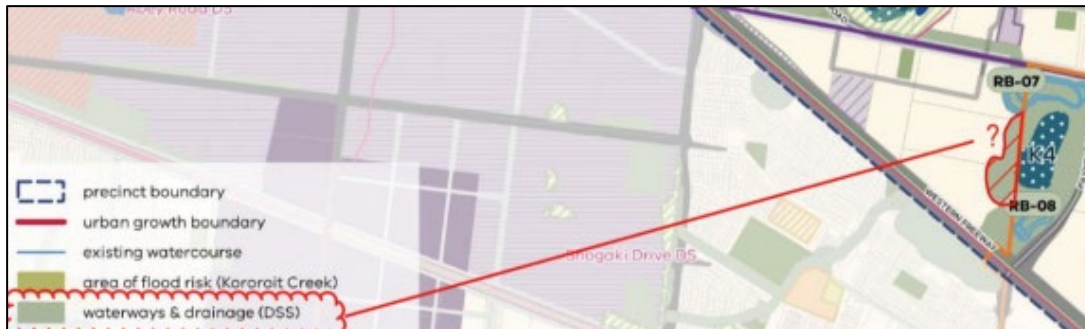
Mr Mathios considered the PSP adopted a generally sound approach to stormwater management noting that the general siting of infrastructure aligns with the precinct's natural topography. However, the PSP, DSS and supporting functional design could be optimised to improve stormwater management and NDA outcomes by:

- optimising MUSIC modelling to only achieve Total Nitrogen performance levels
- elevating Normal Water Levels where possible and introducing low fill embankments at WLRB outlets to reduce battering extents – for example for RB-04
- replacing low-flow bypass waterways with pipelines to maintain SHW ecology
- recovering land outside the pre-developed 'Area of flood risk' extents

- removing sodic soil buffers in waterways and engineering out the risk of channel migration
- removing waterways conveying upstream developed flows from 'rural' catchments
- consolidating stormwater management infrastructure within SHW areas.

Mr Mathios proposed RB-07 be relocated to a narrower, lower lying area in the northeast of parcel 70. While the Day 1 PSP had supported this approach the hatched area shown in Figure 15 should not be designated as 'waterways & drainage (DSS)' but be included in the NDA.

Figure 15 Mathios evidence waterways & drainage (DSS) mapping - PSP Plan 7 Water



Source: Mathios evidence Figure 3 (D70)

Mr Beardshaw advised:

- the DSS proposals included inefficiencies and may not be possible to construct, particularly the deep pipe connection
- the DSS option was a very expensive design outcome for parcel 3 and broader DSS
- the final design and location of the storage/water quality assets should be cognisant of the terrain, sodic soil risk and the existing piped drainage outfalls to Ryans Creek
- constructability must be considered to ensure ecological objectives align with viable outcomes
- an alternative arrangement for parcel 3 was available which lowered the construction costs and environmental risks and it should be removed from DSS, along with any PSP reference to a pipeline from RB-01 to waterway 3a
- a flexible approach be adopted to the size and location of RB-01.

Mr Matheson said the alignment of waterway 4 ignored the proposed Growling Grass Frog pond locations. He proposed a revised concept plan for RB-06 which reduced its size by approximately 0.83 ha and partially co-located it within the conservation area within parcel 36 resulting in:

- an increase of 10.8 ha of NDA for parcel 35
- an increased volume of treated stormwater that can be distributed to the frog ponds and improve frog habitat, reducing maintenance costs and enabling cost sharing of maintenance paths within the conservation area.

PSP drafting

The drainage and planning experts all broadly supported the introduction of a 'Progressive certainty' note into the Day 1 PSP.

Mr Mag proposed drafting changes to the following:

- R36: if overland flow requirements cannot be contained in the road reserves, the PSP may require more waterways. The PSP Functional Design should detail a 'typical maximum catchment' to ensure this requirement can be achieved

- R38: reword to be clearer on the definition of ‘impact’
- R41 and R78: risk of ambiguity within the PSP documentation given the omission of the 50 per cent Annual Exceedance Probability (AEP) retardation requirement
- R41: reword to be consistent with the PSP Functional Design’s objectives
- R41: replace ‘avoid the risk’ with ‘minimise the risk’
- Plan 7 and Table 14: update to include the waterways and provide more ‘useful information’.

Mr Hooper considered O25 and R35 effective additions to the PSP which achieve the right balance between the land for both drainage and development purposes. The addition of the word ‘generally’ in R35 added flexibility to achieve optimum drainage and development outcomes.

Melbourne Water submission

Location and size of drainage assets

Melbourne Water’s view was because the final design of the DSS will be determined under the Water Act, it was not appropriate for the PSP to determine the location and size of the relevant drainage assets. The role of the PSP was to conservatively identify the land necessary for a functional drainage system. In this context, it submitted the two questions for the Committee were whether:

- the material provided describe a functional drainage system that is capable of being delivered
- the PSP provide sufficient flexibility to deliver of the ultimate drainage system.

Melbourne Water posited the answer to the first question must be ‘yes’ noting that none of the expert witnesses suggested the proposed drainage system could not work or be delivered on the identified land. The current sizing for drainage assets in the DSS was deliberately conservative to minimise the risk that additional developable land will be required to deliver assets.

In relation to the second question, where it is demonstrated an asset can be delivered on a smaller area of land or co-located, the PSP and the UGZ13 provide for the ‘excess’ land to be returned to the landowner as NDA. Where there is potential to refine the size and location of some assets, that can be resolved at the permit stage.

Melbourne Water opposed suggestions that the:

- BCS be construed as disapplying its obligations under the Water Act
- PSP should include a right of review in relation to any decision by Melbourne Water to refuse to approve an asset precisely because the Water Act does not confer such a right
- *Kororoit Creek Upper and High Street Melton DSS Design, Functional Design Report*, Alluvium, February 2025 (FDR) be amended to incorporate requirements or considerations to elevate the maximisation of NDA as the primary consideration in the preparation and administration of the DSS.

In doing so it acknowledged the DSS design and assets will evolve over time as the precinct’s development progresses, but this will occur outside the PSP process. Because Melbourne Water cannot pre-commit to the exercise of its powers under the Water Act, the Committee:

- could not provide advice as to how Melbourne Water exercised its legislated functions
- could only provide advice with regard the strategic and spatial planning aspect of the drainage infrastructure proposed under the PSP
- should not support submissions seeking to ‘lock in’ particular asset outcomes

- should not make recommendations in respect of drainage assets unless it is satisfied that that land take for the specific asset is inappropriate, having regard to the desirability of applying a level of conservatism.

It submitted there was insufficient information before the Committee to enable final decisions on the appropriateness of asset designs including:

- engineering considerations (including the use of fill rather than cut)
- site-specific site constraints including sodic soils, Aboriginal cultural heritage, and elevated groundwater.

The Functional Design Report

Melbourne Water identified the FDR had not been referred to the Committee and submissions that propose that it be amended to reference 'Progressive certainty' misunderstood its purpose. The FDR was a technical hydrological, hydraulic and stormwater analysis report intended to provide a starting point for external drainage engineers to inform their designs and expressly contemplates that the design of assets will be developed further. While it identified preliminary arrangements of assets, it did not impose a legal constraint on the ultimate form and location of assets or their delivery.

Melbourne Water advised the FDR was fundamentally different from a PSP in that:

- under the UGZ13 a permit cannot be granted for a use or development that is not generally in accordance with an approved PSP even if the responsible authority strongly supports a proposal
- by contrast, there is no requirement that a proposed drainage asset be generally in accordance with the FDR or even the current iteration of the DSS
- a developer can put forward a proposed design which may or may not be approved by Melbourne Water but Melbourne Water is not confined by what it can approve in the same way as the responsible authority administering the PSP.

Melbourne Water submitted that the consequence of this flexibility is that it makes sense to facilitate 'Progressive certainty' in the PSP but on the other hand, there is no need for the FDR (or a DSS) to include progressive certainty provisions because there is no constraint on Melbourne Water's ability to approve something other than what is contained in the FDR.

Land take

Melbourne Water did not fundamentally dispute the consideration of whether land take was excessively conservative. The evidence however did not suggest the land take was excessive overall or for an individual asset.

It disputed Mr Mag's excess land take calculations as it included the 'Area of flood risk' which was not land set aside for delivering drainage assets. Removing this land and other land otherwise identified in the PSP as required for other non-drainage assets reduced Mr Mag's excess land area to 7.83 ha across sixteen assets which did not indicate a gross systematic excess in land take.

Melbourne Water said the evidence suggested that through the course of detailed design, some land may be recoverable. For example, 0.7 ha of waterway may be recoverable as identified by Mr Mathios, through the 'Progressive certainty' provisions. It was therefore entirely appropriate to leave the final resolution of asset sizes and location to the permit stage where the detailed information is available to inform decisions.

PSP drafting

Melbourne Water said it was important sufficient flexibility was built into the PSP to allow landowners to put forward drainage solutions at the detailed design stage without being confined by the drainage strategy in the PSP.

Melbourne Water concluded the Day 1 PSP ‘generally in accordance’ and ‘Progressive certainty’ provisions provided that flexibility in relation to drainage assets and ensured any conservative sizing or location of assets should not ultimately disadvantage landowners in terms of developability or Council in terms of ICP revenue.

Melbourne Water did not support the ‘Progressive certainty’ changes sought by submitters 29 and 33 or proposed O25 which effectively restricted or limited its discretion in preparing DSSs. It requested O25 be removed as the outcome to ‘optimise’ excluded a range of other considerations other than land take under the Water Act including the consideration of environmental and Aboriginal cultural values. It suggested an appropriate approach would be to paraphrase Principle 4 of the *Principles for the Provision of Waterway and Drainage Services for Urban Growth* as follows:

To optimise works required for flood and stormwater management in terms of cost (including land take) and performance, while protecting environmental and other waterway values.

Similarly, it did not support inclusion of an additional bullet point in R35 that waterways be designed to ‘*Minimise developable land take where possible*’. Emphasising this outcome ahead of other considerations promoted the view that this should be the primary goal of waterways and was unnecessary because developers will inevitably seek to minimise land take. Melbourne Water proposed the Final Day version of R35 be amended to:

- amend the two dot points:

Achieve an optimal outcome by integrating environmental, economic (including development viability), cultural and social considerations.
- change the final paragraph to:

Melbourne Water and the responsible authority will consider alternative drainage solutions for waterways and Development Services Scheme assets where the alternative drainage solutions are to the satisfaction of Melbourne Water and the responsible authority.

As a general drafting issue Melbourne Water did not support references to a ‘DSS’ in the PSP objectives and requirements.

Other submissions

Location and sizing of drainage assets

Council said further work should be undertaken without delaying the approval of the PSP to maximise the precinct’s NDA of the precinct including:

- removing property 3 from the DSS and any associated cost or land take reductions that may be achieved in WLRB0 (RB-01), WLRB1 (RB-02) and the connecting pipes
- relocating WLRB7 (RB-07) and WLRB8 (RB-08) into K4 and associated changes to waterways 6a and 6b and relocating WLRB10 (RB-09) into K6
- amending Plan 7 to identify the following DSS assets with an asterisk rather than shapes with a notation that assets may be relocated subject to an approved CHMP:
 - WLRB7, WLRB8 and waterways 6a and 6b relocated into Wetland K4
 - WLRB9 (RB-12) relocated into Wetland K6

- confirming whether the surplus to drainage needs ‘green slithers’ identified in VPA Memo 2 were required for drainage assets or can be removed from drainage land take and used for the delivery of the adjoining road network
- reducing the amount of land required for drainage assets and the ‘Area of flood risk’ through further modelling.

Submitter 19 observed the drainage referral question was if the location and size of drainage areas provide an appropriate envelope and land take [submitter’s emphasis]. This required consideration as to whether the *location* of the drainage assets is appropriate and whether the drainage areas are sufficiently large. This meant if the areas were too large whether they could be regarded as appropriate. The real question was whether the drainage land was so conservative there was sufficient justification for the land area set aside.

Submitter 19 agreed the ICP identifies that where land not ultimately required for drainage can be developed and the collecting agency is able to collect ICP contributions but, critically, this would not reduce the supplementary levy burden. It pointed to Mr Mag’s identification of 31.69 ha of land that was unnecessarily specified for drainage. If this area was developed it represented approximately \$16 million in additional ICP contributions. This highlighted the importance of ensuring the size of the drainage assets was appropriate now to the extent possible including:

- taking up the opportunities identified by Mr Mag
- clarifying the role of the “*ghost areas*” identified in Melbourne Water Memo 2
- a note providing greater certainty about the support for the relocation of drainage assets to avoid interpretation conflicts about ‘general accordance’.

Alternatively, it submitted, the ICP should be quickly reviewed after changes of such a magnitude occur.

Submitter 14, YWY Unit Pty Ltd (YWY) and submitter 31, Grima Family, said the PSP should be designed to maximise efficient land use and development outcomes but this has not been achieved. They submitted the drainage strategy applied an overly conservative approach premised on co-location of drainage assets in areas with ecological or potential Aboriginal cultural heritage value was not feasible. This meant too much land was allocated for drainage. However, there was now sufficient information before the Committee to increase NDA, for example modifying RB-06 consistent with the evidence of Mr Matheson and Mr Swan.

Based on Mr Mathios’ assessment Submitter 25, Grange Haven, identified the area of RB-04 on parcel 26 could be reduced by 0.7 ha by adopting a fill rather than cut approach to increase the normal water level by 1 metre. This approach would reduce the extent of earthworks for downstream properties and reducing the DSS cost overall.

Submitter 35, Maximise Group, said RB-01 was not required on parcel 3 observing:

- it was the only parcel within a drainage sub-catchment that currently drains to the south-west and had an existing point of discharge to Melton Highway and post-development this will remain the case
- Mr Beardshaw had modelled the capacity of existing pipes and concluded there was plenty of capacity to take the flows from the property
- it could ‘go it alone’ and retain its point of discharge with minimal works and without disturbing or prejudicing the DSS
- provision of RB-01 and associated 1.4 kilometre long pipeline entailed significant excavation works and excessive land take, disturbed sodic soils, discharged to wetland K3

and presented significant engineering design and construction challenges to achieve invert and flow levels.

The most appropriate drainage solution for parcel 3 involved:

- an asset constructed (as developer works) on the south-western corner of the site, the natural low point on the property, to collect, store and treat stormwater
- inflows to enter from the north-east matching existing conditions
- outflows to the existing pit at the corner of Melton Highway and the future Tarletons Road via the existing pipes to reach the ultimate outfall into Ryans Creek
- the deletion of RB-01 and associated pipeline.

Submitter 35 said this approach:

- was largely straightforward, simple and cost efficient and would reduce overall DSS costs
- enabled efficient parcel development
- avoided impacts on and provide environmental benefits
- supported by the drainage experts that considered it
- was not opposed in principle by Melbourne Water, the VPA or Council.

Submitter 34 did not support the relocation of RB-06 onto its land if it would decrease NDA on their property.

PSP drafting

Council supported the Final Day PSP changes in relation to drainage including the progressive certainty provisions proposed subject to further drafting changes to O25 and R35.

Submitter 35 said the drainage changes required for parcel 3 were not ‘tweaks’ and would not be achievable under ‘generally in accordance’ or ‘Progressive certainty’ provisions. An appropriate drainage solution should be accurately captured within the PSP by:

- amending all plans depicting drainage assets (particularly Plan 7) by removing RB-01 and replacing it with a flexible designation for drainage
- inserting a new guideline into Table 12 to read:

The stormwater asset in the area not covered by a Melbourne Water Drainage Services Scheme (PSP Parcel 3) must be provided in ultimate form at the same time as the subdivision, commencement of works or commencement of use of that Parcel (whichever occurs first) and must obtain all necessary approvals.
- deleting RB-01 from Table 14.

Submitter 37, VIP Woodlands Estate Pty Ltd:

- supported the ‘Progressive certainty’ note
- said objective O25 should be amended to replace ‘optimise’ with ‘rationalise’.

Submitter 14 proposed R35 be amended to require Melbourne Water and the responsible authority to consider alternative drainage solutions which demonstrate that land take can be optimised to minimise land take.

Submitter 14 proposed the inclusion of an additional plan identifying areas where optimisation is already known to be potentially achievable. This would:

- acknowledge the current design is preliminary and expected to be optimised
- help operationalise objective O25
- clearly signal to landowners and statutory planners what is expected to occur particularly within identified encumbered areas.

Submitters 2, 29 and 33 considered the 'Progressive certainty' note gave Melbourne Water a power of veto. As drafted, any change to the size, type, staging of location of a DSS asset would be considered to be generally in accordance with the PSP only if it has been approved by Melbourne Water and that approval sits outside the PSP. It noted that changes to a DSS under the Water Act were not subject to merits review at VCAT. Any decision of Melbourne Water in relation to a change as part of any 'Progressive certainty' approach should be subject to an independent review opportunity. It proposed to enable this by amending the 'Progressive certainty' note by deleting "*approved by Melbourne Water*" and inserting "*to the satisfaction of Melbourne Water*".

Other parties proposed additional drafting changes to the 'Progressive certainty' note to add greater certainty at the permit stage that the size and location of assets could be reduced.

VPA position

The VPA supported Melbourne Water's position on the DSS and design of its assets. It opposed the suggestion that the DSS land take was not reasonable. While the DSS at this point is a highly resolved document there are matters of detailed design still to occur that will facilitate further optimisation. Melbourne Water through the Hearing has not been able to validate and consider the modelling and assumptions of the drainage experts. Similarly, there are no background drainage reports, modelling and or detailed designs before the Committee. The FDR is part of the DSS process but not before the Committee.

The VPA acknowledged that the land take may reduce. The appropriateness of the land take and location of assets comprising the DSS was only part of the consideration. Regard must also be had to the mechanisms in the PSP and UGZ13 that allow land that becomes surplus to the needs of the DSS or required for floodplain management to be returned as NDA.

This outcome was better than the reverse situation, where if too little land was identified additional developable land would be needed for the DSS or floodplain management in circumstances where the ICP rate and Growth Area Infrastructure Contribution may have already been paid. An aggressive approach to limit the land take for the DSS was likely to have unintended future consequences and a conservative approach to land take for drainage was justified as it ensures the developability of the PSP.

Through the Hearing the parties and experts agreed:

- the PSP, ICP and UGZ13 allow for surplus land to be converted from DSS land to become developable through the applied zone
- the DSS land take is not insufficient or too small.

The approach by the VPA and Melbourne Water was sensible and balanced taking a precautionary approach to DSS asset size and locations with sufficient flexibility to vary assets if needed. The approach was consistent with the approach adopted for the Officer South (Employment) PSP which did not compromise the DSS and, if the experts are correct, will provide land back to landowners for development without any zoning impediments.

The VPA opposed any reduction in drainage land take in PSP Plan 7 Water because it could affect the delivery of the DSS and the ability of Melbourne Water to respond to change.

In relation to the VPA/Melbourne Water mapping of the 'green slither' areas in Memo 2 adjacent to wetlands K3, K4 and K6 areas the VPA submitted these areas were undevelopable due to width and issues with access and could be incorporated into the design of drainage assets or the adjoining road network at the permit stage under the 'generally in accordance' principle.

The VPA concluded the Final Day version of the PSP:

- appropriately shows the location and size of the DSS assets
- includes land take for the DSS that is neither excessive or tight and there are suitable mechanisms to manage the final NDA area once the DSS is finalised and in the delivery phase.

(iii) Discussion

As with several other recent PSPs, the DSS (or in this case two DSSs) and the FDR on which it is based, is still being revised by Melbourne Water. Fundamentally the DSS is a still work in progress. This is an unfortunate scenario for a precinct which has a relatively low NDA and high ICP rate. There remain significant unresolved issues such as the potential to relocate drainage assets into conservation areas and pre-European wetlands and confirmation of the 'Area of flood risk'. This may mean that the drainage strategy in the PSP is significantly revised and results in the land take for drainage infrastructure being reduced and NDA increased.

The 'Progressive certainty' process will allow for land not required for drainage purposes to be returned as developable land and for the collecting agency to collect the levies payable on this increased NDA. The shortcoming with this approach is that matters to do with land contribution in the ICP are set once the PSP and ICP are gazetted and cannot be changed without a further planning scheme amendment. To avoid relying entirely on 'Progressive certainty' it would be preferable that the DSS and consequently the PSP drainage scheme and ICP land take for drainage assets are substantially settled before the PSP and ICP are finalised and gazetted.

But as the adage goes *we are where we are*. The Committee has essentially been asked to advise whether the location and size of drainage areas shown on the PSP provide an appropriate envelope and land take within which to subsequently resolve detailed design of required Melbourne Water infrastructure.

Some submitters suggested the referral question enabled the Committee to make specific recommendations on the design of drainage assets. The Committee does not interpret the words in that way. This is a planning scheme amendment process and not a DSS process. The role of the Committee is to provide advice generally on the suitability of the drainage scheme in the PSP, not to decide on the detailed design of individual assets. As noted by previous panels and advisory committees, the final design of the DSS and individual assets is a matter for Melbourne Water under the Water Act. Similarly, it is not within the Committee's scope to recommend changes to the FDR.

From a planning scheme perspective, the Committee considers the drainage scheme as depicted in the PSP is appropriate. Melbourne Water conceded that it has adopted a deliberately conservative approach in determining the land required for drainage assets. Neither the evidence nor submissions called into question the soundness of the drainage scheme overall. Rather they focused on aspects of the FDR, the size and location of some drainage assets and whether some of the assets could be deleted or re-designed to reduce land take. For example, the land take could be reduced by:

- making use of encumbered land such as wetlands and conservation areas to locate drainage assets
- the size of assets can be reduced and some constructed waterways replaced with pipes.

The evidence on some alternative asset designs and their location was detailed and no doubt technically sound. The Committee considers this evidence has merit and should appropriately be put to Melbourne Water as part of the DSS design process which will involve further consultation.

There is no doubt the location and size of drainage assets can and should be optimised to reduce the amount of land needed for them. Some submitters argued that the objective should be to maximise the land available for development. The Committee is hesitant about using the term 'maximise' in isolation of other considerations, as it could be interpreted as meaning that maximising NDA is paramount above all other objectives in designing the drainage scheme.

Ensuring drainage assets are suitably designed for the safe and effective management and conveyance of stormwater is an important consideration. However, there are other significant relevant factors including environmental and Aboriginal cultural heritage, amenity and urban design that are important within the Planning Policy Framework as well as the wider responsibilities Melbourne Water has under the Water Act. The potential relocation of drainage assets into wetlands and conservation areas is discussed in Chapter 5.3.

The Committee considers there was sufficient justification in evidence and submissions (including from Melbourne Water and VPA) to support a change to the PSP relating to parcel 3 which sits outside the DSS. The drainage proposal put by Mr Beardshaw for parcel 3 is sensible as it:

- utilises a current legal discharge point into existing drainage infrastructure and is consistent with the topography of the area
- would remove the need for a pipe as part of the DSS which would be costly and on the evidence of Mr Beardshaw difficult to construct
- would reduce the cost of the DSS to the benefit of all landowners with land covered by the High Street Melton DSS
- was accepted by Melbourne Water on the proviso the owner of the existing drainage assets under Melton Highway (DTP-Transport) agree to the use of its assets.

The Final Day PSP will provide an appropriate mechanism to enable an alternate scheme such as that proposed by Mr Beardshaw for parcel 3 to be considered by Melbourne Water.

The Committee disagrees with the VPA on how the Melbourne Water's identified 'green slithers' adjacent to wetlands K3, K4 and K6 are to be managed in the PSP. While incorporating them into the design of drainage assets or the adjoining road network at the planning permit stage under the 'generally in accordance with' principle or using them for open space is possible it provides little certainty. As far as practicable these areas should be resolved before finalising the PSP so that NDA opportunities can be identified and the ICP updated.

The Committee considers the Day 1 PSP 'Progressive certainty' note provides an appropriate process for dealing with the potential reduction in drainage assets. No further changes are recommended to the note.

The VPA proposed a number of drafting changes in the Final Day PSP as set out in Table 7. The Committee supports these subject to minor changes.

Notwithstanding the above, it would be highly desirable that Melbourne Water complete the design of the DSS to the extent possible so that the PSP and ICP can be updated before they are gazetted. This would avoid the need for an early review or amendment of the ICP if large areas of drainage and flood risk land are subsequently found to be available for development and to ensure the levy is applied in a fair and equitable manner.

Table 7 Committee response to VPA Final Day PSP changes to Day 1 PSP - location & size of drainage assets

PSP ref	VPA Final Day changes	Recommendation
O25	Update wording: <i>To optimise the <u>amount</u> of land required for flood and stormwater management.</i>	Support. Include in final version.
R35	Update wording: <i>Drainage waterways are to be designed generally in accordance with Plan 7 Water <u>or as approved by Melbourne Water</u> and the relevant Melbourne Water Development Services Scheme.</i> <i>Waterways must be <u>designed</u> to:</i> - <i>Provide safe drainage and flood protection</i> - <i><u>Minimise land take for flood and stormwater management, where possible</u></i> - <i><u>Integrate</u> environmental, cultural and <u>social</u> amenity values</i> - <i><u>Provide an</u> open drainage system</i> <i>all to the satisfaction of Melbourne Water and the responsible authority</i> <i>Melbourne Water and the responsible authority will consider alternative drainage solutions for waterways and <u>Development</u> Services Scheme assets where it can be demonstrated to the satisfaction of Melbourne Water and the responsible authority that the waterways and <u>Development</u> Services Scheme asset design <u>can be optimised to ensure economic viability (land, cost and infrastructure)</u> so that the associated land take can be <u>reduced</u>.</i>	Support subject to amending the first sentence: <i>Drainage <u>assets</u> and waterways are to be designed generally in accordance with Plan 7 Water ...</i>
G29	Amend to: <i>If RB-01 is not required to be delivered and it can be demonstrated to the satisfaction of Melbourne Water that an alternative outfall outside the PSP area is available to service PSP Parcel 3, then any alternative stormwater asset must be provided in its ultimate form at the same time as the subdivision, commencement of works or commencement of use of PSP Parcel 3 (whichever occurs first) and all necessary approvals must be obtained prior to development occurring.</i>	Support. Include in final version.
R62	Update first paragraph: <i>Development must provide for the delivery of ultimate waterway and drainage infrastructure, including stormwater detention and quality treatment, and outfalls to the satisfaction of Melbourne Water and the responsible authority.</i>	Support. Include in final version.
Plan 7	Update note: <i>Development Services Scheme assets identified as RBs 1-15 as shown on this Plan are subject to refinement during detailed design and may vary in size, <u>type, extent, and location</u>.</i>	Support. Include in final version. Remove '(DSS)' from the 'waterways & drainage (DSS)' legend item

PSP ref	VPA Final Day changes	Recommendation
Table 14	Add note: <i>RB-01 on Parcel 3 is not within the Development Services Scheme</i>	Support. Include in final version.
Table 23	Delete O2 Add: <i>Asset D – Constructed waterway from Shogaki Drive DSS (Stage 1, Parcel 70,71, 72).</i>	Support. Include in final version.

(iv) Conclusions and recommendations

The Committee concludes:

- The location and size of drainage areas as shown in the Final Day PSP provide an appropriate envelope and land take within which to subsequently resolve detailed design of required Melbourne Water infrastructure.
- The conservative approach adopted by Melbourne Water in determining the land required for waterway management and drainage assets is appropriate at this stage of the PSP process.
- That said, Melbourne Water is encouraged to complete the design of the DSS to the extent possible before the PSP and ICP are finalised so that they can be updated.
- The road network and, if appropriate the DSS and PSP drainage scheme, should be revised prior to the PSP and ICP being finalised to appropriately deal with the Melbourne Water Memo 2 identified 'green slithers' of land surplus to drainage.
- The Final Day PSP drafting changes are supported subject to minor changes as set out in Table 7.

The Committee recommends:

Precinct Structure Plan

Amend the Melton East Precinct Structure Plan consistent with the Victorian Planning Authority Final Day Final version and:

- **include the Committee's changes in Table 7**
- **resolve the role of the Melbourne Water identified 'green slither' surplus drainage areas adjacent to wetlands K3, K4 and K6 where practicable including through adjustments in the road network and update Maps and Tables accordingly.**

The Committee further recommends:

The Victorian Planning Authority work with Melbourne Water to update the High Street Melton Development Services Scheme and Kororoit Creek Development Services Scheme where practicable to do so before the Melton East Precinct Structure Plan and Infrastructure Contribution Plan are gazetted and amend the Amendment documents accordingly.

5.3 Drainage assets outside areas of Aboriginal cultural and ecological sensitivity

(i) The issue

The issue is whether the location of drainage assets outside of areas of cultural and ecological sensitivity is strategically justified.

(ii) Evidence and submissions

Evidence

Mr Lloyd supported the conclusion that K4 and K6 both retained ecological significance that may not be fully captured by existing planning overlays or MSA vegetation mapping. It was likely each site supported threatened species at the state and Commonwealth level under the *Environmental Protection and Biodiversity Conservation Act 1999*.

Mr Brennan concluded the mapped wetland K4 on the west side of the existing alignment of Paynes Road did not support any patches of native vegetation or hold standing water and the removal of this portion of K4 is unlikely to significantly impact biodiversity. The portion of K4 east of Paynes Road was much more extensive, supported native vegetation, holds water and was likely to include *Environmental Protection and Biodiversity Conservation Act 1999* listed SHW.

Mr Bishop supported the use of encumbered land for drainage assets providing asset functionality is maintained, along with ecological and cultural heritage (or any other relevant) requirements.

Mr Mathios said K3, K4 and K6 were underutilised. In the absence of any ecological or cultural heritage sensitive values they should accommodate stormwater management infrastructure.

Mr Matheson also supported the co-location of DSS drainage infrastructure in the wetland and conservation reserve adjacent to Kororoit Creek to increase NDA opportunities.

Mr Swan said if no cultural heritage or environmental constraints were identified it was preferable to site drainage assets inside the pre-European wetlands. Siting such assets in existing low points was preferable to using otherwise unencumbered land. Mr Mag agreed in respect of K4 and K6.

Ms Nicolson explained cultural heritage considerations can intersect with infrastructure design and subdivision layout. She emphasised Aboriginal cultural heritage considerations and outcomes must be resolved through the CHMP process.

Melbourne Water submission

Melbourne Water submitted the final location of assets is a matter to be determined outside this Amendment process. The purpose of the inclusion of DSS assets in the PSP is to identify a workable drainage scheme and, given that the existence of Aboriginal cultural and ecological values may impact on the ability to deliver assets, locating assets outside sensitive areas ensures that the asset is capable of being delivered. This does not preclude relocation of the asset in sensitive areas at a later stage if it can be shown an acceptable outcome is achieved having regard to the relevant considerations (including the views of the RAP).

It said the Water Act imposes statutory obligations for it to consider ecological and Aboriginal cultural heritage matters in the exercise of its functions, including providing drainage to new areas. How it does this cannot and should not be pre-empted by the PSP. It noted the protection of SHW and wetland vegetation communities were objectives of its *Healthy Waterways Strategy*.

It was appropriate to presume that assets should not be located in area of potential sensitivity and to enable Melbourne Water to consider whether the balancing of considerations contemplated by the Water Act supported locating an asset in an area of sensitivity. This approach is supported, at least in respect of ecological sensitivity, by the precautionary principle which it was also required to consider under the Water Act

Just because the BCS identifies vegetation outside conservation areas as 'lost and offset' this did not mean Melbourne Water should not, pursuant to the Water Act, have regard to native vegetation in making its decisions. The view of submitters in this regard reflected a fundamental misunderstanding of what the BCS is and how it works. The BCS is not a statute of any kind and it does not alter statutory decision-making processes established in primary State legislation such as the Water Act. It would be inconsistent with the Water Act for Melbourne Water to pretend that native vegetation does not exist.

Melbourne Water submitted the RB-09 (WLRB10) had not been relocated into K6 because while WWCHAC had supported the relocation of RB-12 (WLRB9), they specifically did not support the inclusion of RB-09. If the WWCHAC change their view, it may be appropriate to reconsider its location into K6.

Other submissions

Ecological Significance

Council said wetlands K4 and K6, mindful of the ecological sensitivity, should be used to the maximum extent possible. It submitted that the ecological values of K6 should be investigated further to enable consideration of co-location of drainage assets to unlock NDA.

Submitter 14 considered there was an opportunity to integrate the drainage system within the conservation area to provide an improved outcome both in terms of NDA and ecology. It referenced the Sunbury South PSP where co-location of drainage assets and Growling Grass Frog conservation areas was supported by experts and the VPA.

The submission identified agreement between Mr Mag and Mr Mathios that co-location of drainage assets into encumbered land and depressions, subject to ecological and Aboriginal cultural sensitivities, was a first principles approach to drainage design. As identified by Mr Lloyd when done in an ecologically sensitive way, co-location of wetlands and drainage assets is not a concern. It proposed the PSP include a plan identifying the areas where optimisation is already known to be potentially achievable.

Submitters 2, 29 and 33 said in relation to the issue of SHW, the Committee should proceed on the basis that placement of assets in K4 and K6 was not limited by biodiversity considerations. It proposed the area west of Paynes Road be deleted from waterway and drainage mapping as its role as a wetland buffer was constrained by the construction of Paynes Road and that the road was likely to be retained as part of the local street network.

Submitter 19 said in accordance with the MSA assessment of SHW⁴:

- any SHW in K3 is protected because it is located within a conservation area

⁴ The impact of Melbourne's growth on 'seasonal herbaceous wetlands (freshwater) of the temperate lowland plains' - Melbourne Strategic Assessment (Department of Environment and Primary Industries, May 2023) D135

- any native vegetation in K4 and K6 is considered 'lost and offset', because no areas of native vegetation in them were identified for retention in the time-stamped data
- any vegetation in these areas can be removed and offset with an environmental mitigation levy paid on subdivision
- Melbourne Water's submission about potential ecological sensitivity in K4 and K6 should be disregarded
- the evidence was that K6 does not accommodate SHW.

The submission identified that BCS:

- addresses potential future listings and states future protection of additional land will not be required for new listings
- suggests the PSP planning stage may provide opportunities for *voluntary* protection and:
This PSP process has not provided opportunities for voluntary protection. Rather Melbourne Water appears to have disregarded the MSA and the BCS. Mr Lloyd certainly did not consider their effect. In contrast to the stated Government position that the vegetation within K4 and K6 is considered lost and offset, it appears that Melbourne Water assumes that in designing assets, the vegetation must be considered to be retained.

Submitter 30, Jeanette Moreland, Nick and Nicole Magro and Daniel Magro, said the drainage strategy design should exclude the environmental values associated with SHWs along with the pre-European wetland buffers. Submitter 28, Xingsi Ru-De Kong Meng Association Ltd and KN Line & YL Lin Huangwith Associated Ltd (Xingsi), made similar submissions.

Aboriginal cultural heritage

The approach to Aboriginal cultural heritage is discussed in Chapter 4. Submissions relating to the co-location of drainage assets in areas of potential cultural sensitivity are summarised below.

WWCHAC was concerned about any assumption that drainage assets could automatically be co-located within wetlands. It submitted adopting co-location as a default approach risked locking in outcomes that might not be approved under the CHMP process, creating irresolvable conflict between the PSP provisions and the RAP statutory responsibilities.

Submitter 19 concluded it was not necessary to locate drainage assets outside areas of potential sensitivity, but it was crucial to avoid or minimise harm to Aboriginal cultural heritage identified through a CHMP process. In this regard it said the VPA had incorrectly equated an area of cultural sensitivity with an actual heritage place. It observed that off-waterway drainage assets are often located within 200 metres of waterways (well within areas of sensitivity), however, in settling on their locations, authorities and developers avoid or minimise harm to Aboriginal cultural heritage, with the consent of the traditional custodians.

Submitter 19 said it had completed significant work in relation Aboriginal cultural heritage relevant to K6, Melbourne Water was able to relocate WLRB9 (RB-12) but had not said why it had not relocated WLRB10 (RB-09) into K6 even despite having sufficient information to do so. Aside from the evidence of Mr Lloyd who did not consider the MSA or the BCS and recommended both K4 and K6 be preserved or rehabilitated, there was no reason to not include RB-09 within K6.

Submitter 19 proposed the inclusion of words similar to those proposed in the Officer South (Employment) PSP that provided more certainty than the 'Progressive certainty' note or 'generally in accordance with' provisions:

Drainage assets along Cardinia Creek may be located to within the Cultural Value Area subject to Cultural Heritage Management Plans at the election of the developer.

Submissions 1, 29 and 33 supported a similar provision.

VPA position

The VPA's view was drainage assets ought to be located outside of sensitive Aboriginal cultural and ecological areas. The Melbourne Water approach is consistent with the 'Progressive certainty' approach. If after consultation with the WWCHAC a drainage asset needs to be outside of the SHW (K4 and K6) for Aboriginal cultural heritage reasons this outcome would be strategically justified. The Amendment documents provide the mechanism to manage the relocation of drainage assets into SHWs thereby freeing up NDA subject to an approved CHMP.

In relation to the potential location of RB-09 within K6 ahead of an approved CHMP it noted the submission of the WWCHAC had agreed to include one drainage asset within K6 on the basis that it could be accommodated causing minimal harm to aboriginal artefacts. To assert that because one asset could be relocated in K6 it is appropriate for a second asset to be included without causing further harm was a proposition that should not be entertained.

The VPA concluded the CHMP process should determine whether drainage assets can be relocated into K4 or K6 and the PSP and ICP provisions resolve matters of returning land to NDA.

(iii) Discussion

The Committee was asked to advise on whether locating of drainage assets outside of areas of cultural and ecological sensitivity is strategically justified. In short, the Committee considers it is. It is a precautionary and appropriate approach until such time as detailed ecological and Aboriginal cultural sensitivity assessments are completed.

This is not to say drainage assets cannot or should not be relocated into those areas of cultural and ecological sensitivity. As drafted, the Final PSP provides through the 'Progressive certainty' and 'Cultural Heritage' notes provisions for assets to be relocated with the approval of Melbourne Water in addition to the requirements of the AH Act.

All the experts agreed that, subject to the outcome of ecological and cultural assessments, relocating drainage assets into K4 and K6 was sound practice in accordance with drainage design principles including locating assets in lower lying areas and away from areas not otherwise encumbered to maximise NDA. This approach is sound and should be applied at the appropriate time when drainage asset sizing and location is being finalised at the permit stage.

Submitter 19 argued Melbourne Water's position in relation to K4 and K6 as to potential ecological sensitivity should be disregarded because it has already been determined through the MSA and BCS that all vegetation within K4 and K6 is assumed lost and can be removed and offset. On the other hand, Melbourne Water says its obligations under the Water Act cannot be overridden by the PSP process and it should not proceed on the basis that native vegetation or associated ecological values do not exist.

The Committee accepts Melbourne Water's advice that decisions about relocating drainage assets should not pre-empt the findings of ecological assessments which allow Melbourne Water to meet its obligations under the Water Act. The Committee also notes the views of Mr Lloyd that K4 and K6 may retain ecological values not fully captured by existing planning overlays or MSA mapped vegetation, however he considered that co-locating wetlands and drainage assets is not problematic when designed and implemented in an ecologically sensitive manner.

Although a planning permit is not required to remove native vegetation identified in the MSA, this does not imply that it must be removed. In delivering wetland assets it is reasonable to expect that vegetation not needing to be removed will be retained and enhanced to contribute to the precinct's ecological values. This approach is consistent with the Planning Policy Framework.

In addition, ecological values are closely entwined with cultural heritage values; there is an intrinsic relationship between them. Regardless of whether vegetation can lawfully be removed without a permit, relocating assets into a culturally sensitive area will likely require a CHMP.

Permit stage approvals must include appropriate ecological and cultural assessments. Any proposal to relocate drainage assets into a culturally sensitive area will require a CHMP approved by WWCHAC. This is clearly achievable and has already occurred for this PSP with the relocation of RB-12. Melbourne Water has not agreed to the relocation of RB-09 into K6 at this stage of the process because it has not yet gained support from the WWCHAC. That approach is entirely reasonable. The landowner may still pursue this or similar outcomes under the PSP provisions if it chooses.

The Committee for the Officer South (Employment) PSP (VPASAC Referral 10) supported PSP mapping notations for drainage assets to be located in the Cultural Value Area along Cardinia Creek subject to CHMPs. The Committee does not support that approach for this precinct because the circumstances differ and the position of the WWCHAC is clearly known. The 'Progressive certainty' and 'Cultural Heritage' notes provide a suitable mechanism where drainage assets can be relocated to sensitive locations where appropriate.

The Committee considers that the mapping of the 'waterway & drainage' extent for WK4 west of Paynes Road on parcels 68 and 69 should be reviewed on the basis that:

- the current road construction inhibits the movement of water from one side to the other and prevents the ecological outcomes being achieved
- the road is likely to be used to provide a local street access and to provide an abuttal to the wetland and also proposed to accommodate a water trunk main
- the road reserve can still be treated in a manner that provides an appropriate interface treatment to the wetland.

(iv) Conclusions and recommendation

The Committee concludes:

- The location of drainage assets outside of areas of cultural and ecological sensitivity is strategically justified in conjunction with the provisions of the Final Day PSP including the 'Progressive certainty' and 'Cultural Heritage' notes.
- The mapping of the 'waterway & drainage' extent for wetland K4 west of Paynes Road on parcels 68 and 69 should be reviewed to confirm if it is required.

The Committee recommends:

Precinct Structure Plan

Amend the Melton East Precinct Structure Plan consistent with the Victorian Planning Authority Final Day Final version with further changes confirming the mapping of the 'waterway & drainage' extent for wetland K4.

5.4 Removal of the Urban Floodway Zone

(i) The issue

The issue is whether the removal of the UFZ is appropriate having regard to flood safety risk and implementation of development outcomes in the PSP.

(ii) Background

The UFZ currently extends along Kororoit Creek and a broader area adjacent to Leakes Road and is generally located within the 'Area of flood risk' identified in the Day 1 PSP Plan 2. The Amendment deletes the application of the UFZ and includes specific provisions in the UGZ13 to:

- identify Section 1 uses which are not permitted on land shown as 'Area of flood risk'
- a requirement at Clause 2.3 that a permit must not be granted for a use within an 'Area of flood risk' until:
 - a Flood Modelling and Hazard Assessment (FMHA) for the area has been prepared by Melbourne Water
 - a Drainage and Flood Report is prepared to the satisfaction of Melbourne Water and the responsible authority which addresses specific flood management matters.
- a similar requirement as above for subdivision and buildings and works within an Area of flood risk' at Clause 2.4 and 2.5
- a mandatory application requirement for a Flood Management Strategy
- a decision guideline for the 'Area of flood risk'.

The Day 1 version of the Clause 66.04 schedule proposes to identify Melbourne Water as a determining referral authority for the 'Area of flood risk'.

(iii) Evidence and submissions

Evidence

The planning evidence of Mr Black and Ms Horsfield considered the Day 1 UGZ13 requirements appropriately managed development of land within the 'Area of flood risk'.

Mr Bishop identified the provisions of the UFZ were very stringent in relation to flooding and prohibited dwellings and restricted subdivision. He supported the requirements of the Day 1 UGZ13 and said they *"provide an appropriate level of control over any potential development in this area, with respect to flood hazard and floodplain management"*. He observed that some of the existing UFZ extent could be suitable for future development following Melbourne Water's new hydraulic modelling which will provide an updated understanding of the flood hazard along Kororoit Creek.

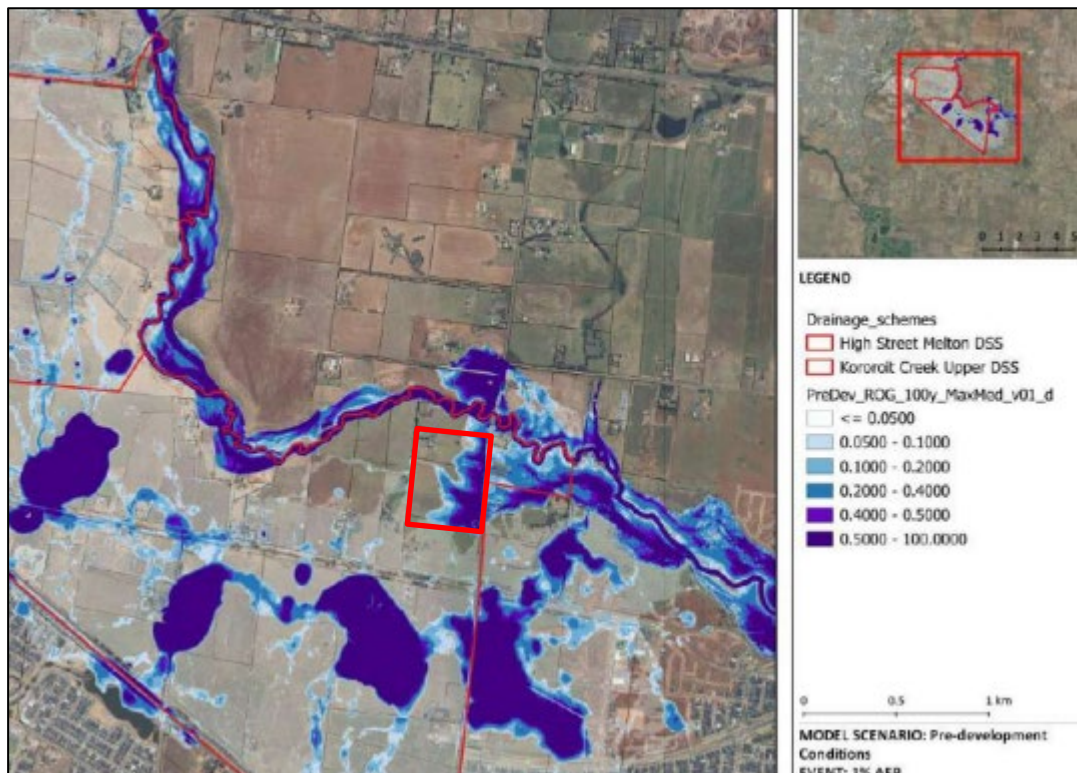
Mr Hooper's evidence relating to parcels 59 and 60, which were almost wholly within the 'Area of flood risk', included background context to the application of the UFZ (through Amendment VC068). This in his view included the mapping on which it was based, the lack of a comprehensive flood risk assessment to support that amendment and that it was an interim measure pending further flood risk assessment at the PSP stage. He considered this work should have been undertaken as part of the PSP rather than left to later.

Mr Hooper suggested the PSP should label the flood risk area as 'subject to further investigation' and clearly identify the underlying uses for either housing or drainage. This he said would be consistent with the approach applied in the Rockbank North PSP.

In relation to the FMHA, he said this should not be the sole responsibility of Melbourne Water and that others should be able to conduct this work. He proposed the requirements be amended to include the words *“by or to the satisfaction of Melbourne Water”*.

Mr Matheson considered the extent of flood risk in the PSP was inconsistent with the FDR predevelopment maximum 1% AEP flood depths (D150a) for parcels 59 and 60. This mapping showed around 54 per cent of the subject land impacted by the pre-developed 1% AEP storm event which included areas of shallow depth (Figure 16). His evidence, adopting the FDR mapping, included a schematic for a 4.8 ha retarding basin and wetland with flood offset storage which he recommended be investigated to potentially provide 13.08 ha of additional NDA on parcels 59 and 60 and service other adjacent land and provide further NDA opportunities.

Figure 16 Pre-development maximum 1% AEP flood depths



Source: *DSS Functional Design Report*, Alluvium (February 2025) Figure 12 (D150a). Parcels 59 and 60 outlined in red.

Consistent with the evidence of Mr Hooper, Mr Matheson sought a similar designation for parcels 59 and 60 in the PSP and UGZ drafting changes including the flexibility for Flood Management Strategy reports on properties that can be shown to be unaffected by flooding post the FMHA.

Mr Mag estimated based on his analysis of the FDR modelling approximately 18.5 ha of the 'Area of flood risk' could be converted to residential NDA subject to managing flood risk, as it was:

- outside the 1% AEP extent
- did not accommodate flood retention or drainage assets.

He observed the UFZ was more restrictive for subdivision and development and UGZ13 used requirements to manage flood risk consistent with the UFZ subject to Melbourne Water being a determining authority through Clause 66.04.

Mr Swan supported the removal of the UFZ and the requirements for flood risk areas. However, he said the 'Area of flood risk' should be mapped consistent with the FDR mapping, noting the

provision of BR-03 and Leakes Road upgrades would reduce existing ponding behind Leakes Road. Mr Mathios' evidence reached a similar conclusion.

Melbourne Water

Melbourne Water accepted the deletion of the UFZ subject to safeguards and mechanisms in the UGZ13 to ensure flood risk land:

- is not used and developed to create an unacceptable risk to life and property
- development does not have an adverse impact on the floodplain or flooding up or down stream.

In terms of drafting, Melbourne Water broadly supported the Day 1 UGZ13 requirements for a FMHA but submitted additional changes were required to:

- add an additional land use prohibition relating to safety and risk consistent with Clause 13.01-1S
- add *"to the satisfaction of Melbourne Water"*
- amend the 'Area of food risk' in Plan 1 to include additional land shown blue (refer Figure 17) located below the escarpment and outside the conservation area.

Figure 17 Melbourne Water amended extent of 'Area of flood risk'



Source: D97. Orange highlight included by Committee

Melbourne Water submitted it was best placed to do the work because:

- it was a highly complex task and needed to consider broader catchment considerations and the Leakes Road design
- it would need to provide inputs and review the work
- it provided a more consistent approach for all affected land owners
- it had already engaged Jacobs to undertake metropolitan Melbourne flood modelling and others undertaking the work risked creating conflicting modelling results
- based on these factors there was no certainty it could be prepared sooner by others.

In closing, it confirmed that the Jacobs' Kororoit Creek modelling was able to be delivered as part of a staged program in the second half of 2026 following a consultation and validation process. Melbourne Water sought further changes to the Day 1 version of Clause 66.04 to extend its role as determining authority beyond the 'Area of flood risk' to include the referral of buildings and works in the NAC, business and industry areas to a certain value to enable consideration of drainage strategies that weren't otherwise requiring a permit for use or subdivision.

Other submissions

Council supported the preparation of the FMHA required by the UGZ13 by developer consultants. Alternatively, Melbourne Water should be resourced to complete the current flood modelling and mapping being undertaken by Jacobs by mid-2027, so as to not delay the use of land for housing.

Submitter 31 considered the UFZ's application did not establish the underlying land was encumbered. It adopted the evidence of Mr Hooper and Mr Matheson and said the extent of the 'Area of flood risk' was too extensive and did not reflect the long term landowner's experience of flooding events. Applying the flood risk designation as proposed significantly constrained site development and would be an unfair burden on top of a Growth Area Infrastructure Contribution following rezoning to UGZ13.

It was submitted establishing a pre-development flooding map was an important planning step to identify encumbered land and to ensure the post development scenario is designed to be no worse than pre-development conditions. It was unclear why Melbourne Water required post-development inputs (such as the design of Leakes Road) to enable it to complete the flood risk assessment. The DSS it said should apply appropriate engineering solutions to minimise the flood extent in the Kororoit Creek corridor.

The submission supported Mr Hooper's recommendations that the PSP clearly articulate the intended default land use of the area to avoid potential confusion and uncertainty at the development stage.

Submitter 31 supported the Day 1 UGZ13 drafting subject to allow for the FMHA to be prepared by others and not just Melbourne Water because:

- there was no certainty Melbourne Water would complete it in the short term (by mid-2027) and this would prevent or delay urban development
- it was work that would not be undertaken by Melbourne Water in house anyway and there were suitable engineering firms able to undertake the task to its satisfaction.

Submitter 19 supported the removal of the UFZ. It considered the Day 1 provisions of the UGZ13 sound. The submission observed the delayed timing of flood modelling within the 'Area of flood risk' reduced the opportunity to identify more developable land and reduce the ICP burden. This included the potential to relocate SR-03A and SR-03B further north-east contiguous with the Kororoit Creek conservation areas.

VPA position

The VPA's Part A submission set out the basis and rationale for applying the UGZ13 in place of the 'hard zoning' of the UFZ and Day 1 changes which it said:

- ensured flood risk is identified and planned for
- built flexibility into the PSP for potential NDA post Kororoit Creek flood modelling and avoided a future planning scheme amendment to rezone land or alter the UFZ extent.

It submitted the Amendment was not accompanied by a background drainage report, modelling or detailed design. The FDR was not a document before the Committee.

The VPA broadly deferred to Melbourne Water in terms of the extent of 'Area of flood risk'. Its Part B submission and Final Day changes set out further changes in response to Melbourne Water and other submitters to the:

- UGZ13:
 - 'Area of flood risk' requirements in Clauses 2.3, 2.4 and 2.5 to simplify or remove duplication
 - Flood Management Strategy requirement
- ICP to include a note regrading ICP contributions resulting from increased NDA from reduction in extent of other uncredited open space or 'Area of flood risk'.

The VPA did not support the additional determining referral role for Melbourne Water because it was unnecessary, the purpose unclear and did not relate to flooding risk.

The VPA said its Day 1 and Final Day changes to UGZ13 were a precautionary but balanced approach that avoided unintended consequences to the floodplain. It did not support the additional safety and risk wording sought by Melbourne Water given its role as determining authority and its ability to refuse a permit if it was concerned about the level of flood risk, or further changes to the mapping of the 'Area of flood risk' or to Clause 66.04.

(iv) Discussion

The short answer to the referred issue, whether removal of the UFZ is appropriate having regard to flood safety risk and implementation of development outcomes in the PSP, is yes.

The UFZ provides limited subdivision and development opportunities. It is likely the completion of Melbourne Water's flood modelling will identify that the extent of the 'Area of flood risk' will be reduced allowing additional NDA. The replacement of the UFZ with the UGZ13 as part of the Amendment provides a single zoning regime for the majority of the precinct (outside the RCZ3 area). Its requirements do not prohibit development but allow for it subject to managing flood risk. This provides the opportunity to achieve additional NDA, greater certainty and to better integrate the affected land with the rest of the precinct and the adjoining Rockbank North PSP. This outcome is superior to retaining the UFZ and removing or adjusting it later through an amendment or applying a Land Subject to Inundation Overlay which does not regulate land use.

Further the replacement of the UFZ with the UGZ13 was supported by all technical drainage experts and Mr Black. It was broadly supported by Melbourne Water (in their role as floodplain manager) albeit with relatively minor drafting changes and subject to utilising the referral provisions of the Clause 66.04 schedule.

This leaves several issues for consideration whether the:

- mapped extent of the 'Area of flood risk' in the PSP (and UGZ13) is excessive, should be further resolved through flood mapping before the Amendment is finalised or should identify the underlying land use and housing outcomes
- UGZ13 requirements for a FMHA and Flood Management Strategy are appropriate
- Clause 66.04 Schedule should be further amended
- the ICP should be further amended to consider NDA opportunities arising from further flood mapping.

Area of flood risk extent

In the context of an extensively encumbered PSP, opportunities for additional NDA gains from 'potentially' flood prone areas should be maximised. Updated flood modelling and mapping is critical to this task. While the concerns about the timing of Melbourne Water's flood mapping or

the ability to apply the FDR mapping to potentially reduce the extent of the 'Area of flood risk' are understood:

- the 'Area of flood risk' broadly reflects the existing UFZ extent (except for some escarpment areas and part of SR-03B)
- the flood mapping has not been completed and won't be until 2026, and the FDR mapping is only one input component of the DSS
- Melbourne Water is the floodplain manager, and its views hold significant weight in the context of Clause 13.01-1S (Floodplain management) which seeks to protect life, property and community infrastructure from flooding and the storage capacity of the floodplain.

On this basis it is not appropriate for the Committee to propose a reduction in the 'Area of flood risk' in the absence of the necessary flood modelling or to confirm its underlying land use (beyond the area of regional open space) when the floodplain manager has not.

However, the timely completion of the flood modelling is critical to unlocking potential NDA in this PSP, other precincts designated for housing growth and to inform inputs for upcoming PSPs such as Warrensbrook. It also avoids inconsistent approaches to the issue and cumbersome legacy controls being established. To this end the Committee was pleased to hear that Melbourne Water had brought forward its anticipated timing for the completion of this work.

While changes envisaged to the ICP enable additional ICP contributions to be required by s173 Agreements in 'Areas of flood risk', this does not:

- assist with reducing the overall levy rate (but will reduce the overall funding gap for Council and potentially assist timely delivery of infrastructure as discussed in Chapter 10)
- provide confidence (beyond the implied zone provisions noting the 'Progressive certainty' note only applies to drainage/DSS assets) about the use and development of land that may no longer be an 'Area of flood risk' post Melbourne Water's mapping.

Melbourne Water is urged to complete the flood mapping relating to the PSP and for VPA to subsequently amend the 'Area of flood risk' and adjust the NDA and ICP if the flood mapping is completed prior to the finalisation of the PSP. This will confirm potential NDA changes and the opportunities for a lower, more equitable ICP levy rate.

While the 'Area of flood risk' has an applied GRZ zone there is no guidance in the PSP (guidelines or requirements) about the approach to land within the 'Area of flood risk' including the outcomes of any flood mapping and its underlying land use potential. This is problematic given this area is not necessarily fixed in stone pending further flood mapping. The 'Progressive certainty' note does not assist as it relates to the DSS. However, a similar note for the 'Area of flood risk' could be used to provide guidance about the use of such land following flood modelling, the FMHA and any Flood Management Strategy including residential and extent of increased housing density given proximity to the Rockbank Major Activity Centre (MAC).

The additional 'Area of flood risk' identified by Melbourne Water is wholly within the escarpment setback and does not need to be shown as an 'Area of flood risk' given the escarpment is not treated as developable land under the PSP. Further the escarpment and 'Area of flood risk' are both within the applied GRZ. Including the escarpment setback as an 'Area of flood risk' may create confusion about whether such land is developable subject to the results of the FMHA and any Flood Management Strategy prepared.

UGZ13 requirements

The Committee supports the Final Day versions of the FMHA and Flood Management Strategy requirements of the UGZ13 with minor wording corrections as included in the Committee recommended version in Appendix I. They provide an appropriate level of control over potential development in the area with respect to flood hazards and floodplain management. Melbourne Water's additional changes are not necessary given their proposed determining referral role.

Given the size of the 'Area of flood risk' and the possibility of the flood modelling not being completed for several years it is appropriate to allow other parties to complete the FMHA subject to Melbourne Water's satisfaction. But on the basis of the earlier 2026 timeframe flagged by Melbourne Water for the completion of the mapping the Committee is satisfied that Melbourne Water as floodplain manager should prepare it for the many reasons they set out.

The Final Day UGZ13 requirement for a Flood Management Strategy is drafted appropriately and addresses the concerns of Melbourne Water. The requirement is mandatory which in most circumstances will be appropriate until Melbourne Water's work is completed. In a scenario where the FMHA has been completed and an area is shown to no longer be at flood risk this provision would be costly and unreasonable unless the UGZ13 mapping was amended. The header provision should be amended so the requirement can be waived or amended by the responsible authority in such circumstances. Further, the FMHA requirements need to be amended to "... ~~the~~ any Flood Management Strategy prepared under this schedule" to reflect circumstances where one might not be required.

Clause 66.04

While the Committee supports the Day 1 changes to the Clause 66.04 Schedule which reflect Melbourne Water's referral status for the UFZ it was not persuaded that there is a clear basis for conferring additional determining referral authority status for development applications within the PSPs commercial and industrial areas. Melbourne Water's DSS will account for the commercial and industrial areas in the post-development conditions of the precinct. The request does not appear to relate to the 'Area of flood risk' in any event.

ICP changes

The Final Day changes to ICP Section 5.3 are appropriate with a minor change (refer Table 8) and provide a mechanism for additional ICP contributions for development within the 'Area of flood risk'.

Table 8 Committee response to VPA Final Day ICP changes - Area of flood risk

ICP ref	VPA Final Day changes	Recommendation
3.3	Amend the following paragraph in Section 5.3 as follows: <i>For the purposes of this ICP, if the net developable area for any specific parcel ID as set out in Table 11 and Table 17 is increased <u>as a result of a reduction to the extent of 'other uncredited open space' or development with the 'area of flood risk'</u>, the responsible authority may require the land owner to enter into an agreement under section 173 of the Planning and Environment Act 1987 for payment of the Monetary Component for the additional net developable area at the ICP rates applicable at the time of <u>the development</u>.</i>	Support subject to replacing "with the 'area of flood risk'" with " <u>within</u> the 'area of flood risk'"

(v) Conclusions and recommendations

The Committee concludes:

- The removal of the UFZ is appropriate having regard to flood safety risk and implementation of development outcomes in the PSP.
- The Final Day version of the UGZ13 provides appropriate requirements for the preparation of a FMHA and Flood Management Strategy in 'Areas of flood risk' subject to minor changes to provide sufficient flexibility.
- The Final Day version of the Clause 66.04 schedule is appropriate to identify Melbourne Water as a determining referral authority within the 'Area of flood risk' to reflect their floodplain manager role.
- The PSP should be amended to include an additional General Note for the 'Area of flood risk' to provide additional guidance about potential residential use and densities if Melbourne Water's flood mapping or FMHA identifies a reduced area of risk.
- The timing of Melbourne Water's flood modelling and mapping is critical to identifying opportunities for additional NDA in an otherwise heavily encumbered precinct. If this mapping can be completed prior to finalising the PSP, the PSP and ICP should be accordingly.

The Committee recommends:

Urban Growth Zone Schedule 13

Amend the Urban Growth Zone Schedule 13 (UGZ13) consistent with the Committee version in Appendix I.

Clause 66.04 Schedule

Amend the Clause 66.04 Schedule consistent with the Victorian Planning Authority Final Day version.

Precinct Structure Plan

Amend the Melton East Precinct Structure Plan consistent with the Victorian Planning Authority Final Day version and include in 'Section 2.3 General Notes' an 'Area of flood risk' note to provide additional guidance about potential residential use and densities if Melbourne Water's flood modelling and mapping or Flood Modelling Hazard Assessment identifies a reduced area of risk.

Infrastructure Contributions Structure Plan

Amend the Melton East Infrastructure Contributions Plan consistent with the Victorian Planning Authority Final Day Final version and include the Committee's changes in Table 8 of this Report.

The Committee further recommends:

The Victorian Planning Authority work with Melbourne Water to confirm the timing of its flood modelling and mapping for Kororoit Creek and if this work can be suitably completed prior to the finalisation of the Melton East Precinct Structure Plan, amend the 'Area of flood risk' and make other consequential changes to the Melton East Precinct Structure Plan and Infrastructure Contributions Plan.

5.5 Other drainage related issues

Escarpment buffer

Mr Bishop considered the 30 metre waterway buffer was not fully justified based on hydrological considerations alone but acknowledged that other factors have been considered in setting the buffer width, for example sodic soils, landscape, geomorphic and cultural heritage.

Melbourne Water set out the rationale for the escarpment buffer in its memorandum (D84). The size of the escarpment setback was not a matter before the Committee as it was not part of the DSS and did not relate to the size and location of drainage assets or removal of the UFZ but served a different purpose. It considered the PSP should clearly define the setback in the relevant plans as a discrete 'waterway and escarpment reserve' instead of the Day 1 PSP designation of 'waterways and drainage'.

Submitter 40 said while the need for an escarpment setback was supported, the related PSP provisions were inflexible (including a requirement for an abutting road) and impacted site parcel yield and an efficient development outcome. The submission proposed an Escarpment Buffer Cross Section that allowed for varied outcomes (such as a road extending into the 30 metre setback) based on site-specific investigations and assessments.

The VPA submitted Melbourne Water's memorandum indicated a clear strategic basis for the nomination of the 30 metre setback. With the agreement of Melbourne Water, the extent of the escarpment setback in parcel 17 had been amended to align with the cadastral boundary in response to submission 4.

The Committee agrees the escarpment setback is not a matter before it but broadly observes the approach to its designation and the Day 1 mapping changes are logical and appropriate. That said, the mapping changes identified by Melbourne Water would assist to differentiate the escarpment area from other drainage areas and assist in the application of the related requirements.

Management of wetlands and surplus encumbered land

Council submitted greater certainty was required around the future ownership, management and maintenance responsibilities of pre-European Wetlands and surplus open space around drainage assets. While this concern is a consequence of providing wetland and drainage assets it is not a referred issue and should be resolved between Melbourne Water and Council.

6 Transport

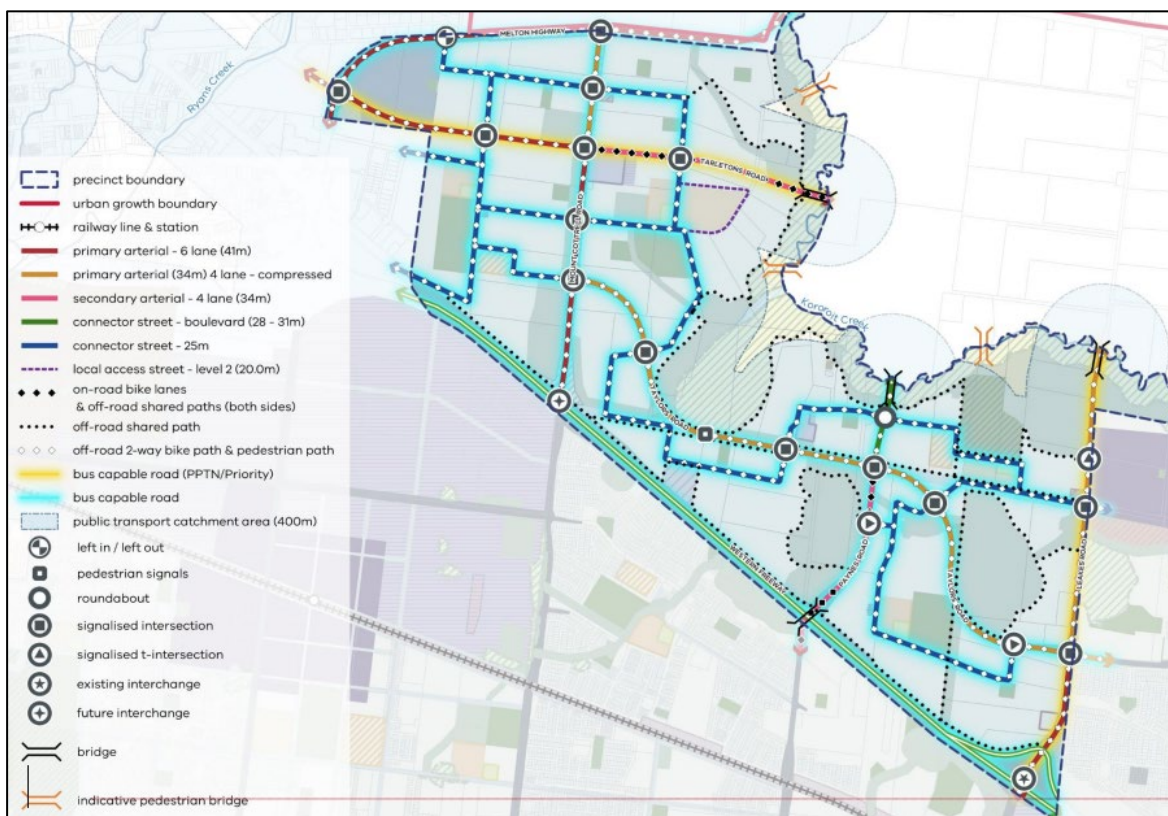
6.1 Background

(i) Amendment documents

Relevant to transport and movement the Day 1 PSP includes:

- 'Section 3.2 Safe, accessible and well-connected' including:
 - movement network objectives, requirements and guidelines
 - Plan 4 Movement network (Figure 18) identifying the arterial and connector street network, road and pedestrian bridges, intersection treatments, road interchanges, pedestrian signals, bike lanes and shared paths, and bus capable roads
- standard road and streetscape cross sections
- Plan 14 Precinct infrastructure plan (Figure 5) showing transport infrastructure items
- Table 24 describing the precinct transport infrastructure projects.

Figure 18 Day 1 PSP Plan 4 Movement Network



The main PSP Day 1 transport and movement changes to the PSP include (refer to Appendix F:1):

- amend Plan 4 to:
 - identify pedestrian bridge in legend as 'indicative' and add proposed path connections along the drainage and waterway corridors for Melton Highway and Leakes Road connections and delete unnecessary duplications of the shared path network
 - delete all Pedestrian Operated Signals except for the Taylors Road signals to the south of WLRB-6/Conservation Area
 - downgrade IN-01 to left-in/left-out and IN-12 to a roundabout.

- in Appendix 5:
 - amend several road cross sections
 - add a new cross section 'Secondary Arterial 4 lane 34 metre Cross Section'.

(ii) Background reports

Exhibited documents

- *Integrated Transport Assessment*, AECOM, February 2025
- *Strategic Transport Modelling*, AECOM, January 2025

Supplementary documents

- *ICP Transport Concept Designs & Costs: Supplementary Design Report*, SMEC, June 2025
- *Bridge Feasibility Assessment*, GHD, March 2024
- Memo 1: VPA position on IN-14 (D106)
- Memo 3: VPA response to Transport conclave (D119)
- Memo 4: VPA response to ICP conclave Statement (D125)
- Memo 6: VPA response to the ICP – Post Transport and ICP conclave (D149)

6.2 The issue

The issue is whether the road network proposed by the PSP, including intersections and road widening, is strategically justified.

6.3 Strategic justification for the road network

(i) Evidence and submissions

Evidence

The Committee asked each of the transport experts whether they considered the road network proposed by the PSP, including intersections and road widening, was strategically justified:

- Ms Garrety, Mr De Young, Mr Maina and Mr Mentha said it was without qualification
- Mr Walsh said it was inclusive of the Transport conclave changes
- Ms Marshall said it was not unless the changes agreed at the Transport conclave were made
- Mr Tivendale said it was not justified because Taylors Road west of Leakes Road was not justified.

Given the changes to the Day 1 PSP population forecasts or potential for additional NDA:

- Ms Garrety while supporting most of the conclusions reached at the Transport conclave disagreed that the road network had sufficient spare capacity to accommodate additional population and said the traffic modelling should be updated
- Mr Maina did not consider that revised and updated traffic modelling was required
- Ms Marshall, Mr Maina, Mr Tivendale and Mr Walsh agreed at the Transport conclave the proposed road network had sufficient spare capacity to accommodate additional population as forecast in the Day 1 PSP above the population that was modelled. After the conclave, Mr De Young agreed.

The traffic experts identified a range of recommended changes to the arterial and connector road network and questioned the need for bridge BR-02. These opinions are set out in the following sections of this Chapter.

Mr Fetterplace considered the proposed road network strategically justified but that the size and design of roads and intersections should be reviewed to:

- where possible minimise land take and improve NDA
- avoid the creation of irregular and awkward shaped parcels of land
- further utilise the existing Beattys Road reservation.

Submissions

Council was concerned the AECOM traffic modelling was based on outdated information. In the absence of further modelling, no part of the road network should be downgraded. In its closing submission Council provided traffic modelling results based on its own analysis and the Melton Integrated Transport Model which identified for the AM peak:

- several key intersections had a poor (D or F) level of service
- key parts of the road network at a level of service at level E or F.

Council advised that it did not provide its data in substitution of expert evidence or rely on it to suggest AECOM's modelling work was wrong. It sought a recommendation that the transport modelling be revised prior to finalising the PSP and ICP to reflect:

- the updated distribution of residential density, employment land, schools and open space
- densities in the Warrensbrook PSP
- the potential additional population accommodated in NDA areas not required for drainage or ultimately outside the 'Area of flood risk'
- changes to the road network arising from the ICP conclave
- straightening the connection between High Street and IN-09
- using the existing Beattys Road reservation as an alternative to Taylors Road.

Submitter 19 based on the evidence of Ms Marshall said the Day 1 PSP road network was overdesigned and not strategically justified. It supported Ms Marshall's changes as sensible and appropriate to ensure transport infrastructure items were basic and essential and ensured the road network will function appropriately post development.

Submitter 19 submitted the AECOM traffic modelling was robust, the scenarios tested helpful and further modelling was not required having regard to the resilience already built into the road network. No traffic expert had identified errors in the modelling. The further modelling proposed by Council was incapable of being properly interrogated, unsupported by evidence and not put to any expert.

Submitters 28 and 30 said that given the significant cost burden of the transport infrastructure, a formal review was required of the arterial/connector intersections and the bridge crossings in the precinct to determine what is needed and what is 'gold plating'. It supported the outcomes of the Transport conclave.

VPA position

The VPA said its position reflected the DTP-Transport's formal position on the arterial road network. It said the road network was not over designed based on the traffic volume ratios and the performance level of the intersections. It submitted:

- the road network spacing, lane designation and speeds were necessary for the precinct

- the road network responded appropriately to its context and continues the pre-existing transport linkages outside the precinct as shown in the West Growth Corridor Plan
- it was not appropriate for the precinct to bear the burden of sub-regional connectivity.

No further changes to the transport network were necessary other than those agreed in Memo 6 and the Final Day version of the PSP, which provided:

- a strategically justified road network based on a grid structure, as fits an irregular shaped precinct, with traffic volumes established using the industry standard VITM model
- an appropriate number of intersections
- appropriate road sections and intersections along Taylors Road
- appropriate road widening on Mount Cottrell Road, Leakes Road and Tarletons Road.

The VPA did not support undertaking further traffic modelling and said it was not possible to draw any inferences from Council's modelling information as a comparison with the AECOM traffic modelling. If anything, the Council modelling supported the VPA position in relation to Tarletons Road that a 6-lane arterial was required between the Melton Highway and Mount Cottrell Road due to the performance of IN-04.

(ii) Discussion

The referred question is whether proposed the transport network for the precinct is strategically justified. The Committee considers that overall, it is. The proposed network is based on sound transport modelling and has been developed in accordance with the PSP Guidelines. It responds appropriately to the precinct's irregular shape and environmental and Aboriginal cultural heritage values and the location and function of the adjoining arterial road network. In the main, the projects forming the road and bike/pedestrian networks satisfy the 'basic and essential' requirement and pass the 'need and nexus' test, noting bike and pedestrian networks are not a referred matter unless they have a direct relationship with the road network.

The Committee's view does not imply that the road network and its constituent projects should be accepted without scrutiny. The precinct has a relatively high ICP supplementary transport levy and low NDA. Every opportunity should be taken to reduce the ICP levy and minimise the land take for transport projects without compromising the function of the transport network.

During the course of the Hearing changes were proposed to the transport network, some significant and other refinements, as reflected in the Final Day PSP and ICP. The Committee notes that except for the downgrading of Taylors Road, the realignment and downgrading of Tarletons Road, the removal of BR-02 and changes to some cross sections, the VPA has accepted the changes agreed at the Transport conclave. These changes are reflected in the Final Day PSP and ICP (refer Table 9). The Committee supports these changes except as set out in the other sections of this Chapter.

While the traffic modelling was based on different population and job number assumptions and additional NDA may become available following flood modelling and DSS finalisation the Committee is satisfied further modelling is not required. The AECOM modelling clearly shows in all scenarios tested that the proposed road network will function to a high level and will have sufficient capacity at completion of the precinct and surrounding areas. Indeed, the network was described by Ms Marshall as having built in resilience and perhaps being overdesigned. This is discussed later in this Chapter. Council's modelling work provided in its closing submission while

informative was incomplete and untested through evidence. The Committee accepted the modelling information by way of submissions but places no reliance on it.

(iii) Conclusions

The Committee concludes:

- The proposed PSP road network is strategically justified.
- No further traffic modelling is required to enable the PSP to be finalised.
- The Final Day changes to the PSP with respect to the road network are appropriate subject to the further changes recommended in the following sub-chapters.

6.4 Arterial roads

(i) Evidence and submissions

Evidence

Taylors Road

Mr Mentha supported the:

- Day 1 PSP arrangements for Taylors Road
- retention of the pedestrian signals on Taylors Road between Paynes Road and Leakes Road.

Mr Maina concluded that the nominated cross sections and intersections along the key arterial road links were technically and strategically appropriate, in particular Taylors Road as a primary arterial road because it is an important east-west link and its proposed road reservation of 34 metres is similar to that required for a secondary arterial road. Further the proposed:

- active transport infrastructure provisions suitably addressed the needs of the PSP community as sought by the PSP Guidelines and accord with the DTP-Transport's Movement and Place principles
- public transport infrastructure nominated as all arterial roads and connector streets in the precinct is technically and strategically appropriate.

Ms Marshall opposed the use of a 'compressed primary arterial' typology being applied to Taylors Road for several reasons, notably that:

- the ultimate volumes for Taylors Road are well within the capacity of a 4 lane arterial road
- it is inconsistent with:
 - VicRoads Planning Guidelines for Growth Areas
 - a Safe Systems approach by adopting the higher speed within a constrained road width
 - with the VPA Benchmark Intersection Design and standardised ICP approach
- the compressed typology increases the cost of seven signalised intersections.

She recommended that a secondary arterial (4 lanes) cross section with a 60km/hr posted speed be adopted for Taylors Road. This would have the additional benefit of all intersections on Taylor Road:

- having the same design speed and fall under the Standard VPA Benchmark designs
- would not need to be included as supplementary items in the ICP.

Adopting an 80 kilometre per hour (km/hr) limit would have a large impost on safety and cost to achieve a travel benefit of 54 seconds between Leakes Road and Mt Cottrell Road, was not 'basic

and essential' and did not meet a need justified by the precinct. As an alternative Ms Marshall supported the upgrading of Beatty Road as a Boulevard Connector Road.

Mr Tivendale said the movement network included a range of high quality active transport elements including bi-directional shared user paths and off-road bicycle infrastructure. He observed, however, that while the extension of Taylors Road was a key element of the road network:

- its alignment duplicates elements of the existing road network including the capacity of the Western Freeway and Melton Highway
- the land required to achieve the alignment was wasteful in the context of seeking to achieve more housing supply in the area and maximise NDA
- the sweeping alignment and high capacity of Taylors Road created a barrier to active transport movement and was likely to encourage short distance internal trips to be completed by car
- was not essential, induced traffic, created intersection complexity, weakened the bus network and service levels and undermined the PSP vision
- there was no empirical need for Taylors Road to continue west of Leakes Road on the alignment shown in the PSP and this movement could be achieved with the existing Beattys Road alignment.

Mr De Young:

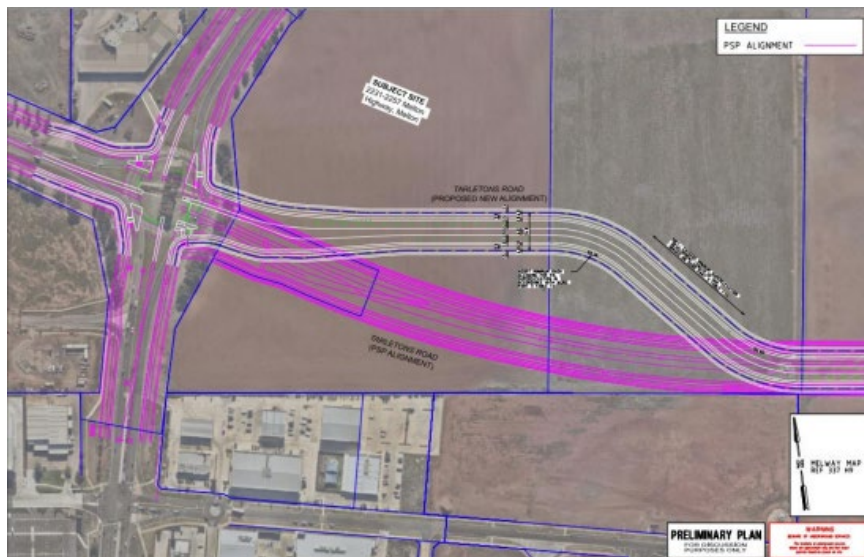
- said while changes could be made to the Taylors Road alignment this would have significant impacts on the PSP and would require more substantive investigation to understand its implications
- supported the removal of IN-15 subject to clarifying the signals had not been proposed to provide full turning movements for buses.

Tarleton Road

Ms Garrety supported the primary arterial designation for Tarleton Roads and did not support it being downgraded between Melton Highway and Mt Cottrell Road to a secondary road without further traffic modelling and analysis.

Mr Walsh recommended:

- Tarletons Road (RD-02-01) between Melton Highway and Mt Cottrell Road be shown as a secondary road within a 34 metre wide reservation with construction of a single carriageway in each direction (interim treatment)
- the Day 1 cross sections for the six lane arterial and the four lane arterial, but these could be refined further by replacing a two-way bike path on one side with a shared path or standard footpath
- the interim arrangement for IN-04 require the construction of a fourth leg to the existing roundabout, inclusive of pedestrian operated signals on the new leg, and the ICP Table 5 be amended to correctly identify the interim requirements
- an alternative alignment for Tarletons Road at its western end be adopted where it meets the existing roundabout (IN-04) (refer Figure 19).

Figure 19 Walsh evidence alignment changes to Tarletons Road

Source: Evidence of Mr Walsh Figure 14 (D55)

Mr De Young suggested:

- IN-08 could be removed without compromising accessibility or capacity to the adjacent land uses
- while changes could be made to the alignment of Tarletons Road as proposed by Mr Walsh, it was indicative and just one potential option. The final alignment should be determined through more detailed investigation.

Submissions

Taylor's Road

Council preferred the Beattys Road alignment over the proposed Taylor's Road alignment because it:

- used the existing reservation and avoided additional land take and reduced ICP costs
- avoided amenity impacts on the conservation area, Aboriginal cultural heritage places or damage to post-contact heritage fabric
- provided a more direct local link to the Rockbank North MAC
- was a straighter, logical connector road network that avoided awkward pockets of NDA.

Submitter 2 and 33 identified that Beattys Road has a 60 metres wide reservation, almost double what would be required for a secondary road, yet the PSP did not seek to maximise its use instead creating a new road reservation requiring the acquisition of some 5.4 ha of land. Using the Kororoit Creek ICP land equalisation rate as an indicator, this would represent a land cost of some \$18 million in *"an already underperforming PSP and overpriced ICP"*.

Submitter 2 and 33 said the West Growth Corridor Plan was a high level strategic plan that was not informed by detailed technical analysis, was 14 years old and had limited strategic weight to justify the proposed alignment of Taylor's Road. It noted in any regard the proposed alignment at its western extent departed from the West Growth Corridor Plan alignment. It preferred the recommendations of Mr Tivendale which, consistent with the AECOM modelling of Scenario 3, did not require Taylor's Road west through the precinct. In this context including the road was not strategically justified and should be excluded from the ICP.

Submitter 19 supported Taylors Road being classified as a secondary arterial road with 4 lanes and a design speed of 60km/hr and removal of the 'compressed' primary arterial cross section from the PSP. It observed most traffic experts agreed the AECOM strategic modelling did not demonstrate Taylors Road performed a broader strategic link and should be a higher speed road. Adopting the evidence of Ms Marshall, an 80km/hr compressed primary arterial road was a poor community outcome and did not deliver basic and essential infrastructure. It submitted:

- Taylors Road can be a declared road without an 80km/hr speed limit
- a consistent speed limit along the totality of Taylors Road was not required and there are many examples of speed limits changing along the length of a road
- the speed limit does not alter the volume of traffic predicted to use the connection
- at 80km/hr:
 - every intersection will increase in size with longer deceleration lanes
 - will require the extensive provision of guard rails
 - be a significant barrier for active transport and connectivity
 - the ICP costs will be higher as noted by Mr Maina, Mr de Young and Ms Marshall
- a secondary arterial road with 60 km/hr speed:
 - would still retain dwellings fronting the road to be rear-loaded vehicle conflict by minimising turning movements and associated congestion
 - was consistent with DTP-Transport's safe system approach entrenched in AustRoads Guidelines with the aim of reducing the severity of crashes.

Tarletons Road

Submitter 35 identified that while Tarletons Road was not classified as either a primary or secondary arterial road in the West Growth Corridor Plan, it is proposed to be both a primary and secondary arterial road either side of Mt Cottrell Road and part of the future PPTN.

The submission noted the AECOM modelling showed in the ultimate scenario, Tarletons Road would carry in the order of 34,000 to 37,000 vehicles per day. The evidence of Mr Maina was Tarletons Road as a primary arterial road would have a 50 per cent capacity and operate at a high level of service (level A) and a maximum degree of saturation in the peak periods well below the "sweet spot" for arterial intersections. This demonstrated Tarletons Road:

- was oversized as a primary arterial road and not strategically justified
- should be classified as a secondary arterial road
- there were no significant impacts to the surrounding road network by classifying Tarletons Road as a 4 lane secondary arterial.

The submission considered Tarletons Road realignment proposed by Mr Walsh (and supported by six traffic experts an appropriate outcome) would:

- not provide for an alignment that was unusual
- not add any perceptible impacts to travel times
- enable better development outcomes for the light industrial precinct, maximise usable employment land and enable activation of both sides of the road and have better design outcomes without impacting adjoining parcels
- be 17 metres longer and include additional road works and cost but these would not outweigh the benefits of increased NDA
- be a balanced approach for dealing with capacity issues on Tarletons Road and at IN-04

- reflect a secondary arterial road but if Tarletons Road remains a primary arterial road, the realignment concept can still occur and meet the AustRoads Guidelines for a 6 lane primary arterial road
- would be further informed by a traffic assessment and detailed design at the permit stage.

Submitter 19 supported downgrading Tarletons Road to a secondary arterial road. This was a position supported by several of the traffic experts and did not require further modelling to justify the conclusion. Consistent with the evidence of Mr Walsh, when the ultimate IN-04 is delivered and additional lanes are required along Tarletons Road, the median within the 34 metre road width provided room to accommodate additional lanes.

Submission 19 did not support Mr Walsh's diagonal shift in the alignment of Tarletons Road. There were no drawings or documentation provided to demonstrate there was sufficient space within parcel 5 to accommodate the suggested alignment without:

- moving IN-05
- shifting the bend, which would impact the developability of residential land which should be avoided.

VPA position

Taylor's Road

The VPA said the assertion that the transport network including Taylor's Road would intentionally divert traffic from the Western Highway was wrong. The design of Taylor's Road was not influenced by it but rather by the West Growth Corridor Plan and the future use of the road by residents of the precinct to travel to Melton's town centre, other precincts or the future Outer Metropolitan Ring Road.

The VPA submitted the Taylor's Road alignment follows the West Growth Corridor Plan alignment as best it can in the context of the precinct's constraints.

The VPA did not support the use of Beattys Road instead of Taylor's Road east (from IN-13 to IN-16) because:

- the land uses on Leakes Road associated with the Rockbank MAC made it preferable to separate traffic wanting to go to the MAC from traffic wanting to enter the precinct or move through the precinct to Melton township
- the inclusion of a 'dog leg' at Leakes Road will funnel east - west movements onto Leakes Road to the detriment of the road.

In terms of speed limits, it submitted that Taylor's Road played a key strategic function within the precinct in that it:

- provides the key east-west arterial through the precinct
- provides an 80km/hr connection to the established Western Growth Corridor area
- improves the function of Tarletons Road as the designated PPTN
- is consistent with the holistic planning for the Taylor's Road corridor within the West Growth Corridor Plan and the adjoining PSP areas to the east
- provides an alternative to Western Freeway and Melton Highway for shorter-length trips
- links with other key arterial roads such as Leakes Road and Mt Cottrell Road which provide north-south connectivity and resilience to travel to/from the Western Freeway.

The VPA did not support a change to 60km/hr because this did not consider the wider role and function of Taylors Road. Any reduction in speed will reduce Taylors Road's viability as a high speed and direction connection which could force unnecessary trips on to the Western Freeway which was at capacity.

The VPA said no evidence had been presented that demonstrated the 80km/hr speed will increase ICP costs, noting the cost of guard rails associated with the speed of the road are not ICP items and are a cost to the State when delivering the ultimate form of the road. Further an assumption that 80 km/hr road is contrary to safe system requirements was baseless, as the design of arterial roads integrate safe system considerations and appropriate sight distances based on the operating speed and road function.

Tarletons Road

The VPA confirmed that for IN-04 (the intersection of Tarletons Road with the existing Melton Highway roundabout) a roundabout is the required interim project and the signalised intersection is the ultimate treatment. It added that the ICP is only proposing the funding of the additional leg of which is appropriately justified in terms of ICP need and nexus principles.

The VPA did not support downgrading of Tarletons Road to a four lane secondary arterial at 60km/hr given the potential for traffic volume increases over the life of the PSP and the need to provide capacity for the road to service the PPTN and future primary arterial road.

The VPA did not support Mr Walsh's suggested realignment of Tarletons Road because:

- it impacted the housing development potential of other parcels
- the addition of an S-bend to the alignment was not a response to something of critical importance to be retained
- there are inherent safety concerns associated with design standard principles including adequate lane width, sight distances and need to super elevate tight radii bends that would necessitate a design assumption report to be provided and verified prior to consideration of the proposal.

(ii) Discussion

Taylors Road

The Committee supports the exhibited alignment and arterial function of Taylors Road which is consistent with its alignment and identification of the road function in the West Corridor Growth Plan (an incorporated document) and implements Clause 11.03-2S which supports the corridor plan transport networks.

That said the key question for the Committee is whether the design required to support its strategic role is appropriate as it relates to the need created by the precinct and its apportionment to the precinct in the ICP. In this context the Committee questions whether the classification of Taylors Road as a primary arterial road with a posted speed of 80Km/hr is appropriate noting:

- it extends through a residential area
- ends at a T intersection and has eight traffic control treatments (roundabouts or signals) along its length.

The VPA argued Taylors Road is designed to be part of the regional arterial road network and it should therefore be classified as a primary arterial road, albeit built in a 'compressed' road reservation of 34 metres, and designed for a posted speed of 80Km/hr. The evidence of the

experts with one exception was that Taylors Road should be downgraded to a secondary road and its speed lowered to 60km/hr.

The Committee agrees with the overwhelming view of the experts. Taylors Road can still function as intended as part of the regional network at a lower classification and posted speed. As a secondary arterial road it would still provide network continuity and a link through the precinct for traffic generated outside the precinct. The 54 second time saving at an 80km/hr speed along the road's length as identified by Ms Marshall is a trifling amount and would do little to discourage drivers from using Taylors Road at a lower speed of 60km/hr if it provided a convenient trip route.

The design of a secondary arterial road with traffic travelling at a lower speed would be more pedestrian friendly and present less of a barrier to the communities in the precinct. It would still retain the rear loading access arrangements for dwellings fronting the road thereby ensuring that it functioned effectively to support through traffic.

The experts disputed the VPA's assertion that there would be no cost savings with a lower design speed and while potential cost savings are important they are not in the primary consideration. The test for the design of Taylors Road is essentially whether it is 'basic and essential'. The Committee considers that the needs of the precinct can be adequately met and the wider network objectives achieved with Taylors Road classified and designed as a secondary arterial road.

A related matter is whether the existing Beattys Road reservation should be utilised in place of the eastern section of the proposed new Taylors Road. The use of the Beattys Road reservation would reduce the land take needed for the road network and result in significant ICP cost savings, an important consideration in the context of a relatively high ICP transport supplementary levy and low NDA.

The AECOM modelling shows that using the Beattys Road reservation is a feasible option. There are, however, some drawbacks to consider including the future land uses on Leakes Road, principally the Rockbank MAC which will be a significant generator of traffic. This makes it preferable to separate as far as possible traffic wanting to go to the MAC from traffic from the east going into the precinct or moving through the precinct to Melton town centre.

Continuation of Taylors Road east through the precinct as proposed would provide a more direct route for traffic from the east than would the so called 'dog leg' that would divert traffic along Leakes Road to Beattys Road.

The Final Day PSP includes a change that Beattys Road be upgraded to a connector boulevard (from IN-14 to IN-18). That will to some extent make greater use of the existing Beattys Road reservation and provide the community in Melton East with good access to the future Rockbank MAC. This is supported.

Tarletons Road

Despite the views of the traffic experts that Tarletons Road could be downgraded between Melton Highway and Mt Cottrell Road to a secondary arterial road, the Committee has some reservations about endorsing this outcome.

This section of Tarletons Road will link Melton Highway (and other roads feeding traffic into IN-04) with Mt Cottrell Road, both of which are primary arterial roads, and will carry a relatively high volume of traffic potentially increasing as the PSP and other precincts develop over time. Unlike other roads in the precinct, Tarletons Road is a part of the PPTN.

Despite the evidence that bus priority on Tarletons Road and crucially at the intersection IN-14 can be maintained on Tarletons Road if downgraded to a secondary arterial, the Committee considers the integrity of the PPTN should not be compromised. A high frequency bus service along Tarletons Road will be essential to provide a high standard public transport service in the area.

The Committee considers that Tarletons Road should remain classified as a primary arterial road.

It was put to the Committee that the alignment of Tarletons Road should be changed primarily to remove what was described as an awkward parcel of land for development.

The evidence was that the re-aligned road based on a concept plan presented by Mr Walsh could be designed to meet both secondary and primary arterial road design standards and have no impact on the design and capacity of IN-04 in its ultimate form. The issue for the Committee is that the proposed realignment as depicted in the Walsh concept plan moves the road alignment into the land parcel to the east thereby potentially impacting housing development outcomes on that site or adjoining sites. The Committee did not hear from the owner of that land. The Committee is reluctant to support the amended alignment in the PSP. Further consideration of a realignment is best left to the planning application stage when subdivision plans and a detailed road design can be examined, and the views of affected land owners considered. The 'generally in accordance with' provisions will allow for such adjustments to be considered.

(iii) Conclusions

The Committee concludes:

- The alignment of Taylors Road is appropriate.
- The classification of Taylors Road should be downgraded to a secondary arterial road within a 34 metre wide reservation with a posted speed of 60km/hr.
- The classification of Tarletons Road as a primary arterial road between IN-04 and Mt Cottrell Road is appropriate.
- The alignment of Tarletons Road as shown in the exhibited PSP should be retained.
- Other road network changes proposed in the Final Day PSP changes are appropriate and supported including designation of Beattys Road as a Connector Boulevard.

6.5 Bridges

(i) Evidence and submissions

Evidence

Ms Garretty considered that BR-02 formed a key north-south connection and there was insufficient evidence (without further modelling) to support its removal.

Ms Marshall said Scenario 1 of the AECOM transport modelling demonstrated the removal of BR-02 would not impact the operation of the surrounding road network. She considered that with the Western Freeway on the southern boundary of the PSP and the Rockbank North MAC on Leakes Road on its eastern boundary, there was limited benefit in including the additional link across Kororoit Creek. The bridge did not satisfy the requirements of being 'basic and essential'. Removal of BR-02 would allow for the northern section of Paynes Road to be downgraded to a lower order street thereby making IN-12 and RD-04-01 redundant ICP projects.

Mr De Young similarly considered BR-02 did not meet the principles of 'basic and essential' or the test of 'need and nexus' and should be removed from the PSP and ICP.

Submissions

Council submitted BR-02 and the land for Paynes Road north of IN-13 should be included in the ICP. In its view, the 'need and nexus' between the precinct and BR-02 will only increase once the 'Area of flood risk' is assumed to be developed post flood modelling.

Submitter 19 said it was clear the transport modelling demonstrated that BR-02 was not 'basic and essential' having regard to traffic volumes. When considering resilience of the precinct's road network beyond traffic volumes, BR-02 provided limited benefit as the totality of the modelling demonstrated there was significant resilience in the road network and the road network as proposed is not close to capacity. The removal of BR-02 was agreed by the Traffic conclave experts because it was not 'basic and essential' for the precinct but that the road reservation up to the creek should be retained to future proof the possibility of providing a bridge crossing later.

Submitter 19 identified a similar approach was adopted for the Sunbury South & Lancefield Road and Beveridge North-West PSPs where the construction of some bridges was not demonstrated to be 'basic and essential', but it was appropriate to identify the land required if the bridges were needed in the future. It submitted that because BR-02 was not required by the precinct then the land component of BR-02 could not be justified as being essential and should be removed from the ICP. If the land was required to enable a future bridge this should be achieved through a PAO.

The conclusions of submitter 19 were consistent with the positions of submitters 2, 13, 28, 30 and 33.

VPA position

The VPA noted bridge projects BR-01 and BR-03 were not disputed.

In relation to BR-02 the VPA (taking a whole of government approach) and Council were of the view that there was a need for the bridge, and a nexus with the precinct. The VPA submitted the project was 'basic and essential' to provide the precinct with connections that promote efficient travel to and from the precinct.

The VPA submitted that:

- BR-02 provides network resilience within the precinct and an alternate north/south connection, offering permeability and connectivity with the future Warrensbrook PSP
- removal of BR-02 will increase pressure on Leakes Road and Melton Highway, noting the Tarletons Road bridge also requires future construction
- Paynes Road will be one of only two north-south connections over Kororoit Creek in the precinct and therefore it is critical for achieving network resilience should the only other crossing of the flood prone creek be compromised
- Paynes Road if realised with BR-02 provides a north-south connection between Melton Highway and Greigs Road that will support the primary arterial function of Leakes Road and Mount Cottrell Road which is particularly important given the physical constraints presented by Kororoit Creek
- following the delivery of the Paynes Road Western Freeway Overpass, Paynes Road is planned to be the primary access corridor for the future rail station south of the Western Freeway
- additionally, the Planning Scheme indicates road connections should be provided at approximately 1.6 km intervals (Clause 56.06-4).

The VPA noted the evidence of Mr Mentha and Ms Garrety in support of BR-02 and submitted that BR-02 ensures that:

...localised trips do not put additional pressure on the arterial network and notes that if this road connection is not provided in this location there would be no north-south connections for over 3km between Leakes Road and Mount Cottrell Road, which would significantly impact network resilience.

The VPA added that should the Committee prefer the submissions of others in relation to BR-02, the land set aside to deliver BR-02 ought to be included in the ICP to facilitate future delivery of the bridge. It noted that some submitters appeared to agree with including the land for BR-02 in the ICP which implied that they also agree that BR-02 will be required in the future.

(ii) Discussion

The Committee considers the provision of bridges BR-01 and BR-03 are appropriate. They have a clear nexus to the future transport needs of the precinct to the north and reflect the key arterial road functions of Tarletons Road and Leakes Road and their links to the Rockbank MAC and Melton town centre.

The Committee is not convinced that BR-02 should be retained in the PSP and ICP. It was not persuaded that BR-02 is 'basic and essential' to the precinct in terms of road network resilience and that it is essential and needed to provide a connection into the future Warrensbrook PSP to the north of the Kororoit Creek in addition to the other bridges. This is particularly the case where the cost of the bridges is a key component of the high supplementary levy. The AECOM modelling demonstrated that the road network would function and have resilience without BR-02. Five of the seven transport experts agreed that BR-02 should be removed from the PSP and ICP. The Committee concurs.

The remaining issue is whether the land for the bridge should be preserved in the PSP to allow for the delivery of the bridge in the future. That is a vexed question especially given that the experts agree that the BR-02 is not 'basic and essential' for the precinct and in the context of the relatively high cost of the ICP.

The Committee is aware that other PSPs have depicted the location of possible bridges across rivers on relevant PSP plans. That is an option in this case, indeed the PSP will show a potential pedestrian bridge without any ICP project associated with it, but preserving land in the ICP for a bridge that is not 'basic and essential' is difficult to justify. Either the bridge is needed for the development of the precinct or it is not. If it is not, the Committee sees no valid reason to retain the land for BR-02 in the ICP. If the VPA considers it essential to preserve the land for a possible bridge to be delivered in the future, the Committee agrees with submitters that preservation should be pursued by other means such a PAO and not be an impost on the ICP.

(iii) Conclusions

The Committee concludes:

- BR-02 is not strategically justified and should be removed from the PSP and ICP.
- Alternative mechanisms to identify a future bridge and preserve the land for a potential bridge at the location of BR-02 should be explored if it is considered to have strategic significance beyond the needs of the precinct.

6.6 Other transport network issues

(i) Evidence and submissions

Evidence

Intersections on Mount Cottrell Road

Mr Mentha supported changes to the ultimate design of IN-02 to provide the second right turn lane on the west leg of the intersection due to the removal of the IN-01 signalised intersection.

Mr De Young supported removing IN-03 however the alternative 'staggered T-intersection' design should be verified to confirm the distance of the stagger.

Connector street network

Ms Marshall considered the connector street network south of Taylors Road between Mt Cottrell Road and Paynes Road was of little benefit and should be provided as a connector street approaching the two signalised intersections on Taylors Road and as a local street for the remaining sections of the road.

Mr Tivendale said the connector street network included a number of dog leg arrangements which provided poor movement and wayfinding outcomes. He considered:

- a revised road network based on the existing grid network would be more efficient, cost effective and successful
- the road reserve widths across the PSP area were overly generous which presented a range of unintended outcomes related to passive surveillance, longer active transport travel distances and increased safety risks.

Ms Marshall noted the Day 1 PSP provided two schools with the same connector road frontage which was a poor outcome for on-street parking and traffic circulation. She recommended that an additional connector road from Taylors Road be added to the PSP road network to circumnavigate the eastern and southern sides of the 7-12 school.

Road cross sections

Several traffic experts identified changes to road cross sections, including to ensure all elements fitted within the road reserve width, to confirm on-street parking area widths and pedestrian/cycle path locations and widths or provide for narrower road pavements in favour of public realm benefits.

Mr Mentha supported the relevant cross sections for Tarletons Road but recommended they be amended to provide consistent approach to bicycle infrastructure.

Ms Marshall noted:

- the Day 1 PSP the additional cross section for a 34 metres wide secondary arterial road did not fully accommodate the road and path network and should be removed
- on-road and off-road bike lanes can be provided within the 34 metres road reserve and cited as an example the Grand Boulevard Secondary Arterial Cross Section in the Mt Atkinson PSP
- there was duplication of the shared paths, bike paths and pedestrian paths which should be revised to include shared paths only.

Pedestrian and cycling paths

Ms Garretty said the bicycle and pedestrian provision in the transport network requires revision and refinement to ensure connectivity.

Requirements and guidelines

Ms Marshall agreed with the VPA's change to R11 to remove the reference to indented parking and also suggested:

- R10 be deleted as the land included in the land budget calculation for an intersection is a high level estimate that should not dictate a design outcome for a signalised intersection
- R12 should be modified to remove the second paragraph that requires the provision of signalised intersections.

Submissions

Connector Street network

Council sought recommendations that:

- the 'trunk connector' concept advanced by Ms Marshall for the residential area south of Taylors Road be adopted
- connector/connector intersections should be provided as roundabouts with raised pedestrian priority crossings
- the road reserve width for Boulevard Connector streets should be changed to 31 metres
- ensure any connection to the Freeway Service Centre does not become an informal freeway access point.

Submitter 18, NNRole Pty Ltd, said the alignment and extent of required roads should be reviewed and, where possible, connector roads should be better aligned with property boundaries and the road layout should be rationalised to reduce duplication and excessive burden of landholdings.

Road cross sections

Council submitted off-road shared paths should be shown on both sides of the Boulevard connector street cross section to maintain connectivity with adjoining arterial roads.

Pedestrian and cycle paths

Council submitted its preferred shared path network and sought a recommendation from the Committee that the VPA should work with Council to update the shared path network and relevant plans in the PSP to implement the network principles tabled with Council's closing submission. It submitted that paths should be shown on the 'correct' side of the road and the PSP plans should be updated to match the preferred side, aligned to service key destinations and provide more direct connections to promote active transport and the PSP should include paths that connect to future pedestrian bridges.

This position was not supported by submitter 19 which said additional changes to the path network were not supported by traffic evidence other than that of Ms Garretty, whose proposed additional paths could not be regarded 'basic and essential'.

VPA position

Connector street network

The VPA agreed that where possible, roads should minimise the creation of undevelopable land parcels. The VPA noted that no alternative alignments had been provided by Council and

encouraged Council to rely on the 'generally in accordance with' principles at the planning permit stage. The VPA's Final Day changes identified opportunities to adjust or realign the locations of some connector roads to create more efficient connections (for example to the Melton High Street) or avoid small pockets of NDA.

With respect to any connection to the Freeway Service Centre, the VPA noted that the PSP does not show a connection and Council will be able to carefully manage any connection.

In response to Council's submission the VPA:

- broadly agreed a local roundabout with raised pedestrian/cycling crossings was an appropriate treatment for connector/connector intersections but it was unclear what changes Council was seeking
- did not agree to remove the variation in width of the connector boulevard street typology as the variation in width allows for a variety of road cross sections with the appropriate width to be determined at the planning permit stage
- considered while pedestrian signals may be required in the ultimate scenario, in the interim with partial development of the PSP and its roads, pedestrian signals were not essential and should not be costed as part of the interim funded ICP projects.

Road cross sections

The VPA noted that the standard cross sections have been developed and refined by the VPA over many PSPs and represented road design best practice and provided for tree canopy cover, pedestrian and cyclist paths and safe road widths. It did not support:

- deleting the 34 metre primary arterial cross section as it was essential to their function and guided by appropriate design parameters
- amending the six lane primary arterial cross section to replace two-way bicycle paths with a shared path on one side as this could be contemplated at the planning permit stage
- amending the secondary arterial cross section to only provide a shared path on one side so that future residents living on both sides of the arterial can have ready access
- amending the Taylors Road and Conservation area/waterway cross section to remove reference to primary arterial and replace bicycle path provisions (consistent with the Taylors Road cross section) on the basis that flexibility is retained for such an outcome to be considered at the permit stage.

The VPA's Final Day changes included a note on the connector street and boulevard connector street cross-sections indicating 2.1 metre parking lanes are preferred over the 2.3 metre bays specified in the Planning Scheme and the Engineering Design and Construction Manual, given that the 2.1 metre parking lanes are consistently applied across PSP-standard connector road cross sections.

The VPA's Final Day changes updated the cross sections to ensure that the concept designs accurately reflected the infrastructure needed according to the land take identified.

Pedestrian and cycle paths

In relation to pedestrian paths being shown on the 'correct' side as requested by Council, the VPA did not support updating functional layout plans to show this detail. It said the plans identify where paths must be included but were only indicative and could be determined at permit stage.

(ii) Discussion

Connector street network

The Committee considers that the issues with respect to the connector street network have generally been resolved by the changes made in the Final Day PSP. There will be opportunities for further refinements to alignments at the permit stage to provide more direct and effective connections, more logical open space interfaces and avoid creating unusable areas of NDA.

Road cross sections

With regard to road cross sections, the Committee accepts the standard cross sections have been developed and refined by the VPA over many amendments and represent best practice in road design that facilitates tree canopy cover, pedestrian and bike paths and safe road widths. No changes to the standard cross sections are required other than those already made in the Final Day PSP (refer Table 9).

Pedestrian and shared user path network

The Committee observes that bike and pedestrian cycle paths are not referred issues unless they directly relate to the road network. That said, it agrees with Council that the bike, pedestrian and shared user path network through the precinct should be reviewed and rationalised before the PSP is finalised. It is unclear, however, what Council means by showing paths on the 'correct' side and agrees with the VPA that there is no need at this stage to revise functional layout plans used for costing purposes. The Committee notes the advice of the VPA that while the functional layout plans include paths, the locations of the paths are indicative and may be altered at subdivision stage as part of 'generally in accordance with' provisions.

The Committee supports the key Final Day PSP changes relating to the road network, subject to minor change, including to requirements, Plans, Tables and cross sections as identified in Table 9.

Table 9 Committee response to Final Day changes to Day 1 PSP - delivery of the road network

PSP ref	VPA Final Day changes	Recommendation
Requirements, Tables and Plans		
R10	Update wording: <i>Any changes required to the design of roads and intersections in the PSP at the time of development must be accommodated within the land identified on Plan 15 Land Use Budget and Plan 4 Movement Network, ensuring the ICP does not contribute to additional land as a result of detailed design.</i>	Support. Include in final version.
R12	Change R12 to a guideline G14, instead of a requirement. Change distance from 400m to 800m.	Support. Include in final version.
Plan 2	- Update Judd Court to a connector street with a Left-in left-out (LILO) on Tarleton Road - Update Beattys Road to a connector boulevard from IN-14 to IN-18 - Provide a more direct connection from Taylors Road/IN-09 to Melton Township High Street - Downgrade the connector street between IN-10 and IN-11 to a bus capable local access street	Support. Include in final version.

PSP ref	VPA Final Day changes	Recommendation
	- Revert road alignment to previous location of IN-01	
Plan 4	- Update Judd Court to a connector street with a LILO on Tarleton Road - Update Beattys Road to a connector boulevard from IN-14 to IN-18 - Provide a more direct connection from Taylors Road/IN-09 to Melton Township High Street - Downgrade the connector street between IN-10 and IN-11 to a bus capable local access street - Add new legend item: 'potential pedestrian bridge'. Allocate to PED-01 - Change RD-04-01 to a connector boulevard (to reflect the deletion of the project).	Support. Include in final version.
Plan 13	- Remove IN-03, IN-12 and IN-15 and Outfall 2 - Include Outfall 4 in Stage 1 - Remove PED-01 and referred to 'future potential pedestrian bridge in legend' - Add labels for Waterways A, B, C and D - Add new legend item – 'constructed waterway (Table 23)'.	Support. Include in final version.
Plan 14	- Update Judd Court to a connector street with a LILO on Tarleton Road - Update Beattys Road to a connector boulevard from IN-14 to IN-18 - Provide a more direct connection from Taylors Road/IN-09 to Melton Township High Street - Downgrade the connector street between IN-10 and IN-11 to a bus capable local access street - Remove IN-03, IN-12 and IN-15 and Remove RD-04-01 (revert to a connector boulevard from IN-13 to BR-02) - Include RD-05-01 and RD-05-02 for land take - Add new project RD-06-01 between IN-02 and IN-06 - Add new legend item – 'potential pedestrian bridge'. Allocate to PED-01	Support. Include in final version.
Table 24	Amend transport project descriptions and add or delete road and intersection projects	Support. Include in final version.
Cross Sections		
Taylors Rd & Conservation Area/ Waterway	Add a note: <i>Paths within the conservation interface will be subject to the design of the conservation area, and are not fixed dimensionally from the road reserve.</i>	Support. Include in final version.
4 Lane Primary	Add a note: <i>Depending on context, a shared path can replace the</i>	Support. Include in final version.

PSP ref	VPA Final Day changes	Recommendation
Arterial	<i>separated footpath and bike path within the arterial road reserve, on both sides, subject to approval from the Responsible Authority. Amend cross section to include offset between path and property boundary.</i>	
4 Lane Secondary Arterial 6 Lane Primary Arterial	Amend cross section to include offset between path and property boundary.	Support. Include in final version.
Connector Street (25m) Connector Street Boulevard (28-31m)	Add note: <i>Council may vary the cross-section at the permit stage to require parking lanes at 2.3 metres</i>	Amend to: <i>Parking lanes are to remain at 2.1 metres</i>
Freeway Interface	Shift noise wall (to the right) to be within the precinct boundary, and not the road reserve.	Support. Include in final version.

(iii) Conclusions

The Committee concludes:

- The path network should be reviewed by the VPA in consultation with Council before the PSP is finalised.
- The Final Day PSP standard road cross sections are acceptable.

6.7 Recommendations

The Committee recommends:

Precinct Structure Plan

Amend the Melton East Precinct Structure Plan consistent with the Victorian Planning Authority Final Day version and:

- include the Committee's changes in Table 9
- designate Taylors Road between Leakes Road and Mt Cottrell Road as a 'secondary arterial road' with a posted speed of 60 kilometres per hour
- delete Bridge BR-02 and the land for it.

Infrastructure Contribution Plan

Amend the Melton East Precinct Structure Plan consistent with the Victorian Planning Authority Final Day version with further changes to reflect the Committee's recommendations relating to transport projects.

7 Housing

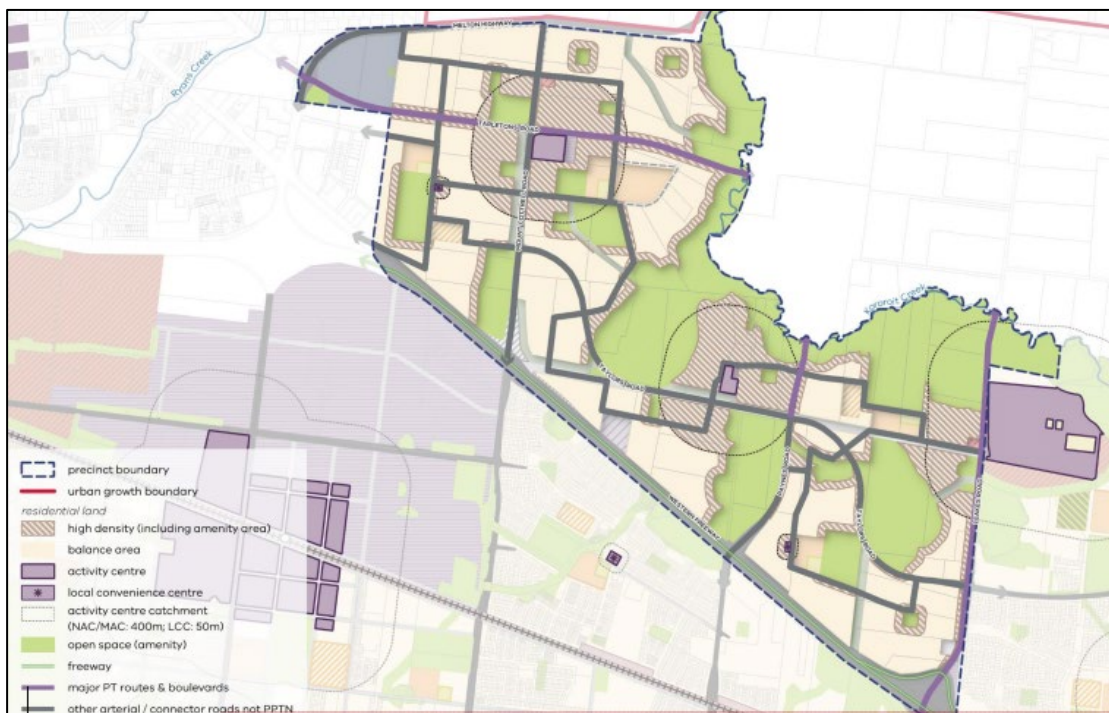
7.1 Background

(i) Amendment documents

The Day 1 PSP includes at 'Section 3.1 Variable densities':

- place based objectives relating to density and affordable housing
- requirements and guidelines relating to density targets and affordable housing
- Table 3 Housing density and diversity (summarised by the Committee in Table 10)
- Table 4 Affordable housing delivery guidance which identified:
 - affordable housing as a percentage of total dwellings (12.02 per cent including 2.47 per cent subsidised market housing and the balance social housing)
 - income band percentages for the two affordable housing types
 - percentages for 1 to 4 bedroom housing for each affordable housing type
- Table 5 Dwelling yields
- Plan 3 Housing (Figure 20) showing higher density 'amenity areas' and 'balance areas'.

Figure 20 Day 1 PSP Plan 3 Housing



The key Day 1 changes for density and affordable housing included (refer also Appendix F:1):

- Housing density:
 - removal of the 'high amenity' and 'standard amenity' categories and their consolidation into two categories: 'Amenity Area' and 'Balance Area'
 - reduction in the overall dwelling yield, with the average density falling from about 27 dwellings/NDHA to 24 dwellings/NDHA
- Housing affordability: clarify the target was not mandatory with delivery to occur voluntarily through negotiation.

Table 10 **Housing density and diversity**

Area	Catchment	Density	Target typologies
Amenity	- 400m walkable catchments from NAC and MACs - 50m walkable catchment of open space, local convenience centres, PPTN and future public transport corridors - Logical inclusions identified in PSP Plan 2	Minimum average of 30 dwellings/ha	- Apartments - Attached multi-units/townhouses - Semi-detached/duplex (Small Lot Housing Code) - 'Shop top' in NACs
Balance	Residential land outside amenity areas	Target average of 20 dwellings or more/ha	- Attached townhouses - Semi-detached/duplex - Detached traditional housing - Multi-unit low rise social and affordable housing - Retirement living - Limited Small Lot Housing Code product

The UGZ13 includes:

- a subdivision application requirement for an affordable housing written statement
- an affordable housing decision guideline.

(ii) Background reports

Exhibited documents

- *Affordable Housing Needs Assessment*, VPA, February 2025 (VHNA)

Supplementary documents

- *Affordable Housing Needs Assessment Model) Method Report*, SGS, 19 July 2024 (AHNA)
- Memo 5: VPA further information on SGS's Affordable Housing Needs Assessment Model (D129)

7.2 Housing density

(i) The issues

The issues are whether:

- the requirements and guidelines in the PSP about housing typologies and subdivision design are appropriate having regard to the density mix proposed by the PSP
- the target density of 40 dwellings/ha on land located within 400 metre walkable catchments of activity centres is appropriate.

(ii) Evidence and submissions

Evidence

Evidence focused on whether the PSP's requirements and guidelines strike the right balance between encouraging diversity and ensuring that the proposed density mix can be delivered.

Mr Fetterplace supported the delineation of higher density amenity areas and the associated guidance on housing diversity, provided they were coupled with clear expectations for quality urban design. In his view, the PSP:

- should encourage a variety of dwelling typologies and subdivision outcomes to meet long term policy objectives
- remain flexible enough to adapt to changing market conditions.
- required further guidance to how high quality streetscape and neighbourhood character outcomes are delivered in higher density settings.

Mr Fetterplace recommended:

- strengthening R2 to be explicit about streetscape outcomes by requiring one canopy tree per dwelling and lot layouts that balance the competing demands of small housing products, service infrastructure, vehicle access and street tree planting. This would embed consideration of amenity earlier in the subdivision stage and avoid assessment uncertainty and heat island effects
- deleting R4, which mandated rear laneway access for lots under 7.3 metres width, because it was unnecessarily restrictive and liable to produce generic design responses
- extending the application of G1 requiring a mix of three housing typologies beyond amenity areas to all residential land in the PSP, to better promote housing diversity across the precinct.

Mr McNeill considered:

Achieving a development density of 40 dwellings/NDHA across an area of 110ha (4,405 dwellings) would have required a significant delivery of 3-level townhouses along with multi-level apartment buildings. Although this may represent a worthy aspirational goal, achieving this level of density across such a significant area has, to date, not been achievable in Melbourne's growth areas.

...

Although this situation can be expected to abate over time (as house prices increase), the viability of higher density development in growth areas is expected to remain a challenge for developers.

He pointed to current demand trends in Melbourne's growth areas and cautioned that setting targets above what the market could absorb risked undermining feasibility.

Mr Black was also critical of the proportion of land still earmarked for higher densities. He noted that while the Day 1 changes removed the distinction between 'high' and 'standard' amenity areas, the quantum of land allocated to higher density outcomes remained unusually high by greenfield standards. He recommended that the typology tables be simplified and softened so they function as guidance rather than establishing 'binding expectations', by avoiding detailed lists of dwelling types and forms. The PSP should establish broad density objectives, but the method of achieving them should be left to the market, ensuring delivery is not constrained by overly prescriptive controls, observing:

... I consider this to still represent an ambitious target and, in my opinion, sufficient flexibility should be provided within decision guidelines in case it is simply not commercially viable to meet a 30 dwellings/NDHA target in the entirety of the Amenity Area.

Mr Hooper also pressed for more flexibility. Given the scale of encumbered land and related concerns over development feasibility, he considered it inappropriate to include further rigidity through density and typology requirements. The PSP requirements should be reframed as guidelines so that they did not create unrealistic expectations on already constrained sites.

Mr Granger cautiously supported the two-tier density approach, describing it as realistic and strategically necessary given the precincts relatively low NDA. Supporting higher yields around NACs was essential to compensate for the precinct's constraints.

Ms Horsfield was supportive of the strategic intent for higher densities and noted that 40 dwelling density targets in activity centre catchments was becoming more common in recent PSPs. However, she was concerned the PSP drafting would be read too rigidly and frustrate the very densities sought and urged that flexibility be embedded so densities could be realised through design-led responses to context.

She said despite the Day 1 changes which were an improvement, there remained inconsistencies in the Table 3 decision guidelines for amenity areas which sought:

- the achievement of 40 plus dwellings/ha in NAC and MAC catchments
- a three housing typology mix to be provided '*where possible*'.

Ms Horsfield recommended the decision guidelines be deleted to avoid uncertainty. She further recommended G1 be amended to remove any explicit reference to delivering three typologies, ensuring consistency with Table 3 and due to the difficulty of achieving the outcome, stating:

For example, Guideline 1 requires that within amenity areas, subdivision design should demonstrate how a minimum of three housing typologies can be achieved. This is qualified to note that 'where a subdivision is of a scale unsuitable to support three housing typologies the subdivision may rely on other typologies within the area if the proposed development will contribute to housing diversity in the vicinity.'

I anticipate that Guideline 1 could be quite difficult to achieve in the 50m band of increased density area that borders the uncredited open space on the land at 34-64 Paynes Road, where the limited 50m depth of this area would most likely achieve only townhouse configurations. Coupled with the requirement to provide rear lane access for any lot under 10.5m as well as a 14.5m access road adjacent to the reserve, the efficiency of the subdivision and potential density outcome becomes quite compromised.

She further recommended:

- R4, which mandated rear-loaded access for lots under 7.3 metres, should be reframed as a performance-based requirement, so front-loaded designs could be approved where they achieved good outcomes for canopy trees, servicing, on-street parking and streetscape quality (noting it was too rigid and inconsistent with the Small Lot Housing Code)
- G12 on laneway design, which specified fixed maximum lengths and dwelling numbers, should be expressed in performance terms rather than strict numerical limits.

Submissions

Submissions on housing typologies and residential densities revealed a broad consensus that the PSP should encourage diversity and higher density living in appropriate locations, but there was little agreement on how firmly those expectations should be expressed.

Council's position was that density has a critical role in achieving liveable neighbourhoods, particularly around activity centres, but warned against provisions that might be read as rigid or mandatory. It said the PSP's role is to set a framework that promotes a mix of lot sizes and dwelling types, supported by design guidance, rather than dictate exact yields.

Council supported Mr Fetterplace's conclusion that a 40 dwelling/ha benchmark was acceptable in principle, provided it was accompanied by stronger emphasis on quality urban design and streetscape outcomes. It highlighted the importance of embedding requirements for high quality

streetscapes, avenues of canopy trees and green infrastructure, noting that these elements were essential to ensuring density translated into attractive, climate-resilient and human-scaled neighbourhoods, rather than more compact development.

Submitter 19 supported the conclusions of Mr Black and Mr McNeill, submitting:

- the density and typology provisions imposed unrealistic expectations in the current market, especially the 40 dwellings/ha target for walkable catchments
- the detail around typologies was unnecessarily prescriptive and that flexibility should be left to the market to determine how density is feasibly achieved in the context of constrained net developable area and comparatively high ICP levies.

Submitters 2, 29 and 32 adopted the evidence of Ms Horsfield, submitting:

- while density targets are common in modern PSPs, the PSP drafting pushed further than precedent and blurred the line between aspiration and control
- the PSP should endorse higher density and diversity as a broad objective but avoid embedding specific figures and typology mixes that may not be achievable in practice
- permit applications should not be compelled to demonstrate delivery of densities that might not be realistic on every parcel.

Submitter 25 similarly observed that precinct constraints meant every hectare must be used efficiently. Binding high density targets would restrict flexibility in subdivision layouts and could discourage delivery. While supportive of the principle of diverse housing, the PSP should not be interpreted as imposing a quantitative obligation.

VPA position

The VPA submitted the PSP density provisions were strategically justified and consistent with Plan Melbourne and the PSP Guidelines with the Day 1 changes retaining the strategic emphasis on increasing densities while avoiding the prescriptive tone of the exhibited version.

It submitted the PSP density expectations should be treated as performance targets rather than binding quotas. This approach reflected the PSP Guidelines' viable densities model, where densities are indicative benchmarks guiding subdivision design and long term neighbourhood character, not mandatory requirements for every individual permit. Setting clear density expectations was critical to supporting the delivery of 20-minute neighbourhoods and ensuring the precinct made an appropriate contribution to housing supply.

The VPA considered the density expectations coupled with good urban design, including tree canopy provisions, were achievable in practice and would underpin higher quality neighbourhood outcomes. The 40 dwellings/ha benchmark had been delivered in comparable growth area precincts, provided subdivision design incorporated smaller lots, terraces and townhouses. Likewise, the 30 per cent street tree canopy target was realistic if planned for early, with subdivision layouts that allow adequate planting space and soil volumes.

(iii) Discussion

The question of how the precinct deals with residential density is not straightforward. Unusually for metropolitan growth area PSPs, for this precinct there has been significant concern expressed by developers about the higher density expectations. In most precincts, landowners and developers are generally supportive of density uplift because it increases yields and can improve feasibility. In this precinct however, the evidence and submissions argued that the targets may not

be achievable in the foreseeable future given current market demand. The concern was that embedding these figures too firmly in the PSP risks creating irreconcilable issues at the permit stage, if applications are assessed against densities that cannot in practice be delivered.

The Committee accepts that the intent to concentrate density around activity centres is strategically sound. Both Plan Melbourne and the PSP Guidelines emphasise that greenfield planning must contribute to the delivery of 20-minute neighbourhoods, which requires housing choice and compact, well-connected urban form. The lower NDA in the PSP adds weight to that policy objective. As several parties observed, if this precinct is to make its expected contribution to housing supply, land close to services must be used efficiently.

Even so, the Committee is not persuaded that prescriptive controls over typologies or rigid benchmarks are the right mechanism. The evidence demonstrated that requiring multiple typologies in small subdivisions or mandating rear-loaded access in all cases risks unintended outcomes. Such drafting has the potential to frustrate innovation and efficiency in subdivision design rather than encourage it. For this precinct the Committee supports a performance-based approach, where the focus is on the outcome, specifically diversity and quality design rather than on fixed typology counts or a focus on access arrangements. The latter can be dealt with at permit stage.

The VPA's Day 1 revisions improved the balance by simplifying the housing framework into two categories and reframing densities as targets rather than requirements. However, the retention of parallel references, to 30 plus dwellings/ha in one part and 40 plus dwellings/ha elsewhere creates ambiguity and should be resolved.

The question of whether 40 dwellings/ha is achievable today, is less important than how density expectations are framed for the long term. The Committee accepts that 40 dwellings/ha may be deliverable in parts of the precinct as the market matures. However, it is considered more appropriate the PSP provisions are expressed with a minimum of 30 dwellings/ha and an aspiration for higher outcomes where appropriate. Framing the benchmark accordingly gives a clear policy signal while ensuring it is not misread as a rigid requirement.

Encouraging higher density development within walkable catchments is consistent with policy, and that setting a minimum of 30 dwellings/ha, coupled with flexibility for densities above this figure, where supported by market demand, strikes the right balance between ambition and feasibility. The average 30 dwelling or more metric is also consistent with PSP Guidelines' Target T1.

The Committee also notes the various submissions on the importance of quality urban design. Even submitters who resisted the numeric targets emphasised that if higher density is to succeed, it must be delivered with tree canopy, open space access, and attractive streetscapes. Council's focus on embedding these design requirements is well placed. If delivered well, they provide the amenity and market confidence that underpin successful take-up of denser forms.

This approach ensures that the PSP gives clear direction consistent with State policy while recognising the practicalities of market delivery. It establishes a floor of 30 dwellings/ha in key locations but avoids dictating a ceiling, leaving scope for design innovation and market evolution to shape the eventual built form.

The Committee supports the Final Day drafting of R2 and considers R4 should be retained but amended consistent with Ms Horsfield's evidence.

Table 11 summarises the Committee's response to the Final Day changes to the Day 1 version of the PSP and additional Committee recommendations where additional changes are required.

Table 11 Committee response to Final Day changes to Day 1 PSP - housing density

PSP ref	VPA Final Day changes	Recommendation
R2	Amend to: <i>Lot widths, depths and layouts (including for super-lots) that balance the public realm conflicts of smaller housing typologies, service infrastructure, vehicle access and street tree planting, to the satisfaction of the responsible authority.</i>	Support with changes to read: <i>Lot widths, depths and layouts (including for super-lots) that balance the <u>provision</u> of smaller housing typologies <u>with appropriate provision of</u> service infrastructure, vehicle access and street tree planting, to the satisfaction of the responsible authority.</i>
R4	Delete	Retain and amend to: <i>Lots with frontage width of less than 7.3 metres must be designed to ensure the provision of canopy street trees, streetscape sharing, servicing infrastructure and on street carparking to the satisfaction of the responsible authority.</i>
Table 3	No change	Amend 'Amenity Area' target typologies decision guideline to: <i>Medium-high density residential development of more than 30 dwellings per hectare is encouraged within and around neighbourhood activity centres and near Rockbank North Major Activity Centre</i>

(iv) Conclusions and recommendation

The Committee concludes:

- The Final Day PSP requirements and guidelines about housing typologies and subdivision design are broadly appropriate having regard to the density mix proposed by the PSP. This includes an Amenity Area decision guideline to encourage higher densities for activity centre catchments and a mix of housing typologies without specifying the number of typologies to be provided.
- That said, the Amenity Area target typologies decision guidelines should be amended to support 30 plus dwelling/ha densities around activity centre catchments and R4 should be retained and amended.

The Committee recommends:

Precinct Structure Plan

Amend the Melton East Precinct Structure Plan consistent with the Victorian Planning Authority Final Day changes and include the Committee's changes in Table 11.

7.3 Affordable housing

(i) The issue

The referred issue is whether the guidelines and information included within the PSP on affordable housing are appropriate for inclusion as a means of encouraging the provision of affordable housing without mandating it.

(ii) Evidence and submissions

Evidence

Evidence on whether the PSP should contain its own guidance and information to encourage affordable housing or rely on the existing voluntary framework in the PE Act and Planning Policy Framework.

Mr Fetterplace said affordable housing is a legitimate planning consideration and the PSP an appropriate vehicle for setting out encouragement and guidance. He supported the exhibited provisions on this basis but qualified this support noting further work is required to identify delivery methods observing:

.. the achievement of affordable housing outcomes could be strengthened by additional guidelines that include the provision of private market housing (affordable to moderate income households) forming part of the delivery options in the PSP. For example, developers may partner with affordable housing associations to offer a percentage of private market housing within a project for a set period of time (implemented via a Section 173 Agreement). In my experience this has been successfully applied to permits in inner and middle ring locations and may also be applicable to growth areas. This will provide more flexibility for the market to respond through physical delivery of housing within future permit applications and create opportunities for near term supply of sought typologies to address demand.

In his view, the PSP should serve as a prompt to facilitate negotiation but also avoid prescription.

Other experts were more critical of the form and wording of the affordable housing content including the basis of the percentage target and housing type breakdowns and concern they might be considered binding. While the PSP should recognise affordable housing at a strategic level it should avoid prescriptive detail which was best addressed through voluntary negotiation with responsible authorities under existing legislative mechanisms.

Mr McNeill noted that while the PSP did not mandate contributions, the articulation of a 12 per cent target, split between subsidised market housing and social housing carried a “*prescriptive flavour*”. The drafting went beyond encouragement and blurred the line between aspiration and expectation. This raised concern that decision-makers may treat the figures as benchmarks which was problematic in circumstances where affordable housing delivery in greenfield contexts is uncertain, and market viability is constrained.

Mr Black also said the 12 per cent target was too high and the PSP’s detail on type, size and number of affordable dwellings was excessive. While framed as guidelines, the provisions were too prescriptive and may create unintended obligations. He said affordable housing should be recognised at a high level in PSPs, but the precise scale and dwelling profile should be left to negotiation under the voluntary framework in the PE Act.

Ms Horsfield observed that recent PSPs had begun to reference affordable housing, although the practice varies considerably. Drawing on comparative examples, she cautioned against over-

prescription in the PSP and recommended a more flexible approach with the PSP indicating support for affordable housing outcomes but avoiding codifying a specific numerical target.

Ms Horsfield identified the UGZ13 included:

the requirements for the subdivision of more than 10 lots or construction of more than 10 dwellings include: “a written statement outlining how the proposal will deliver social and affordable housing in the precinct, including any delivery mechanisms.”

This wording risked generating unnecessary conflict at the permit stage, particularly in circumstances where an applicant was not proposing any affordable housing and therefore could not realistically satisfy the requirement.

Further Ms Horsfield recommended:

- the UGZ13 application requirement and decision guideline be deleted or redrafted, as it was inappropriate to impose such requirements at the permit stage
- PSP Table 4 be deleted or substantially revised, as it was unrealistic in a growth area context and could quickly become outdated
- the PSP’s objectives be redrafted to signal support for affordable housing in principle rather than prescribe a percentage target, so that the provisions encourage but do not mandate delivery.

Submissions

Council acknowledged the significance of housing affordability in the precinct context and recognised the evidence of need identified in the AHNA. However, while the PSP should encourage affordable housing outcomes, it must avoid creating the impression of a mandated requirement. It said the most effective planning tools to support affordability were provisions that promoted diversity in lot sizes, housing typologies and densities.

Council was cautious about the 12 per cent target and the associated breakdown between social and subsidised housing. This level of detail was not appropriate in a statutory document and risked being misconstrued as an enforceable requirement. In response to questions from the Committee, Council confirmed that it does not currently have an affordable housing strategy, nor mechanisms to track or monitor affordable housing delivery rates across the municipality, let alone within individual PSPs.

Council, adopting the evidence of Mr Fetterplace, recommended the PSP be confined to high level guidance that complements State housing policy and to leave delivery to voluntary agreements or higher-level government programs.

Submitter 19, relying on the evidence of Mr Black and Mr McNeill, considered the exhibited provisions on affordable housing were too prescriptive. While framed as guidance, the articulation of a 12 per cent target, coupled with specifications on type, size and bedroom numbers, read as a quasi-mandatory benchmark. In the context of the precinct’s constraints and development costs, layering on implied obligations for affordable housing was economically unsustainable. Affordable housing delivery in growth areas was best managed through voluntary negotiation under the PE Act or by State/Commonwealth programs, rather than prescriptive PSP provisions.

Submitters 2, 32 and 29 adopting the evidence of Ms Horsfield, echoed these concerns. While a feature of recent PSPs, the affordable housing provisions proposed went further than precedent and lacked a clear delivery pathway. The submissions supported broad encouragement of affordable housing outcomes but opposed the detailed dwelling mix and numeric targets in Table

4 and G4 which blurred aspiration with expectation and risked undermining viability. Rather flexibility should be retained so that outcomes can be negotiated on a case-by-case basis, informed by market conditions, landowner make up and feasible delivery mechanisms. Based on Ms Horsfield's evidence the decision guidelines should remove reference to affordable housing observing:

The way that it is drafted assumes that an application to develop or subdivide land for dwellings includes a provision for affordable housing. It should not be relevant to the exercise of the discretion of the Responsible Authority to consider an application to develop or subdivide land to consider whether or not the application makes provision for affordable housing in circumstances where there is no requirement to do so.

Submitter 25 said housing yield in the precinct should be maximised and any implied quota for affordable housing would exacerbate feasibility challenges. While supporting provisions that encourage diversity of product, they resisted any interpretation of the PSP as imposing a quantitative obligation.

VPA position

The VPA said affordable housing was a fundamental component of planning for new communities and should be explicitly recognised in the PSP. Drawing on the AHNA prepared by SGS, it pointed to modelled demand for approximately 12 per cent of dwellings in the PSP precinct to be affordable. The VPA characterised affordable housing as a form of social infrastructure essential to inclusive, balanced communities rather than an optional add-on.

The exhibited PSP translated the AHNA findings into a 12 per cent affordable housing target and typology in Table 4. Together with the housing typology mix and dwelling yields in Tables 3 and 5 the provisions signalled both a quantum and a typological profile of affordable dwellings expected in the precinct.

The provisions were not binding requirements, but guidance intended to encourage delivery through voluntary pathways such as Section 173 agreements, partnerships with registered housing providers, and State or Commonwealth programs, consistent with the voluntary framework in the PE Act.

The VPA's Memo 5 on the AHNA which clarified the assessment was designed to estimate aggregate demand across Victoria and the growth corridors, not to prescribe quotas for individual PSPs. The 12 per cent precinct figure was an interpretation by the VPA, derived by applying the SGS model to the PSP's forecast dwelling yield. Memo 5 outlined that the AHNA identifies indicative need, not delivery targets, and that provision ultimately depends on policy settings, funding, and negotiated agreements.

The VPA supported retention of the target and that without a quantified expression of indicative need, affordable housing risked being sidelined. The numeric references in Table 4, even framed as guidance, provided an appropriate benchmark to support negotiations and keep the issue visible during the permit process.

Over the course of the Hearing, the VPA moderated its approach in response to concerns raised by submitters and experts including revising Table 4 and related guidelines to soften language so it was less directive. References to targets and detailed typologies were reframed as aspirational guidance, reflecting identified need rather than mandatory quotas. While retaining some numerical content to signal policy intent, the VPA accepted that its role must remain one of encouragement within a voluntary system.

(iii) Discussion

The key question regarding the issue of housing affordability is whether the PSP should specify targets and detailed typologies, or whether it should instead rely on the established statutory framework in the PE Act and the Planning Policy Framework, which envisage affordable housing delivery through voluntary agreements and higher-level government programs.

The Committee recognises the importance of affordable housing as a planning consideration. State and local policy raise the expectation that affordable housing should be considered in residential development. Although the PSP Guidelines (Table 4) envisage that a minimum target for affordable housing may be set where supported by policy, evidence and guidance, the exhibited figure of 12 per cent is not justified. There is no legal obligation on a developer to deliver affordable housing, nor any policy direction that establishes a particular quantum or mechanism for delivery within a PSP.

The Committee in the first instance acknowledges that the VPA has appropriately invested in developing a consistent methodological approach to understanding affordable housing need and that this is effectively the first use of the AHNA approach. However, the Committee is not persuaded the AHNA is fit for the purpose of informing statutory provisions at this time. The AHNA has not been tested through any process that allows more considered and focused scrutiny of its assumptions or its application to a site-specific, PSP context particularly in the absence of:

- similar targets in the adjoining PSPs
- a municipal wide approach to affordable housing which might direct affordable housing provision to suitable locations with suitable access to services and public transport.

In the absence of such testing reliance on the AHNA does not provide a sufficient strategic basis to prescribe a specific rate. This position is heightened in the context that the precinct faces significant constraints, including a lower-than-average NDA and high ICP levies. A prescriptive affordable housing target risks further undermines delivery feasibility or at least adds confusion about expectations and outcomes.

PSPs can play a useful role in encouraging affordable housing outcomes. Objectives and guidelines serve as a policy prompt, ensuring the issue is raised in negotiations and at the permit stage. As such, the proposed planning provisions should not extend to setting percentages, dwelling types or mixes in a way that could be misconstrued as a requirement without a substantial evidence base, aligned with local policy and guidance about delivery. A high level guideline would continue to support the objective without creating an obligation.

The Committee agrees with Ms Horsfield, Mr Black and Mr McNeill that the inclusion of Table 4 is problematic and should be deleted. It prescribes a detailed breakdown of dwelling sizes and income bands, including a disproportionately high proportion of one-bedroom dwellings, which is unrealistic in a growth area context. The Committee agrees that its inclusion would create a rigid benchmark unlikely to reflect either market feasibility or negotiated outcomes with community housing providers, and risks becoming outdated as the precinct develops.

Guideline G4 should be revised to instead encourage applicants to consider opportunities for social and affordable housing in consultation with the responsible authority and relevant agencies, without prescribing particular typologies or income bands.

The Committee also notes Ms Horsfield's concern regarding the exhibited UGZ application requirement for subdivisions of more than 10 lots or development of more than 10 dwellings to

include a written statement on affordable housing delivery. While the Committee accepts this could cause conflict where no contribution is proposed, it supports Council's and VPA's Final Day drafting which revises the requirement for a written statement. The revised wording maintains a clear policy signal that affordable housing is supported, while ensuring the PSP's planning provision functions as encouragement rather than as an implied mandate. The related decision guideline should be amended to reflect circumstances where affordable housing is not provided.

Table 12 summarises the Committee's response to the Final Day PSP and UGZ13 changes to the Day 1 versions which has considered the final drafting comments.

Table 12 Committee response to Final Day changes to Day 1 documents - affordable housing

Doc ref	VPA Final Day changes	Recommendation
PSP		
O5	Amend to: <i>To facilitate the voluntary provision of affordable housing.</i>	Amend to: <i>To facilitate the voluntary provision of <u>social and</u> affordable housing.</i>
G3	Amend to: <i>Residential development that contributes to meeting the projected 12% demand for social and affordable housing is encouraged.</i>	Amend to: <i>Residential development that contributes to meeting the projected demand for social and affordable housing is encouraged.</i>
G4	Amend to: <i>Social and affordable housing, where provided, should contribute to housing typology diversity and be located in higher amenity areas close to services, public transport and community facilities</i>	Support. Include in final version.
G5	Amend to: <i>Social and affordable housing, where provided, should contribute to meeting the needs of different income ranges and household sizes referenced in Table 4 Projected Social and Affordable housing demand across the precinct.</i>	Amend to: <i>Social and affordable housing, where provided, should contribute to meeting the needs of the local community both in housing type and income ranges.</i>
Table 4	Rename table to 'Projected Social and Affordable housing demand' Add the following notes: <i>Social and Affordable Housing is to be provided by a mix of development agencies and developers such as Commonwealth, State, Non-for-profit and private market.</i> <i>The bedroom demand provision is based on a minimum expected household size (for example, 1-2 persons is equivalent to demand for a 1 bedroom dwelling).</i>	Delete Table 4

Doc ref	VPA Final Day changes	Recommendation
UGZ13		
Clause 3.0	Amend to: <i>A written statement outlining whether the proposal will contribute to the delivery of social and affordable housing in the precinct, and, if affordable housing is to be provided, including any proposed delivery mechanisms.</i>	Support and include in final version subject to replacing "include" with "including".
Clause 6.0	Amend the Affordable housing decision guideline to read: <i>Before deciding on an application to develop or subdivide land for dwellings, the responsible authority must consider, as appropriate:</i> - Whether the proposed subdivision application contributes towards the <u>voluntary</u> provision of affordable housing. - ...	Amend to read: <i>Where an application proposes the voluntary provision of social or affordable housing the responsible authority must consider, as appropriate:</i> - <i>Whether the proposed subdivision application contributes towards the voluntary provision of affordable housing</i> - ...

(iv) Conclusions and recommendations

The Committee concludes:

- It is appropriate to include an objective and guideline for affordable housing in the PSP, but they should be reworded to remove reference to a specific percentage target and to remove Table 4.
- The Final Day PSP and UGZ13 include the changes recommended in Table 12 relating to PSP objective 05, guidelines G3 and G5 and the UGZ13 application requirements and decision guidelines relating to affordable housing.

The Committee recommends:

Precinct Structure Plan

Amend the Melton East Precinct Structure Plan consistent with the Victorian Planning Authority Final Day changes and include the Committee's changes in Table 12.

Urban Growth Zone Schedule 13

Amend the Urban Growth Zone Schedule 13 consistent with the Committee's recommended version in Appendix I.

8 Community infrastructure

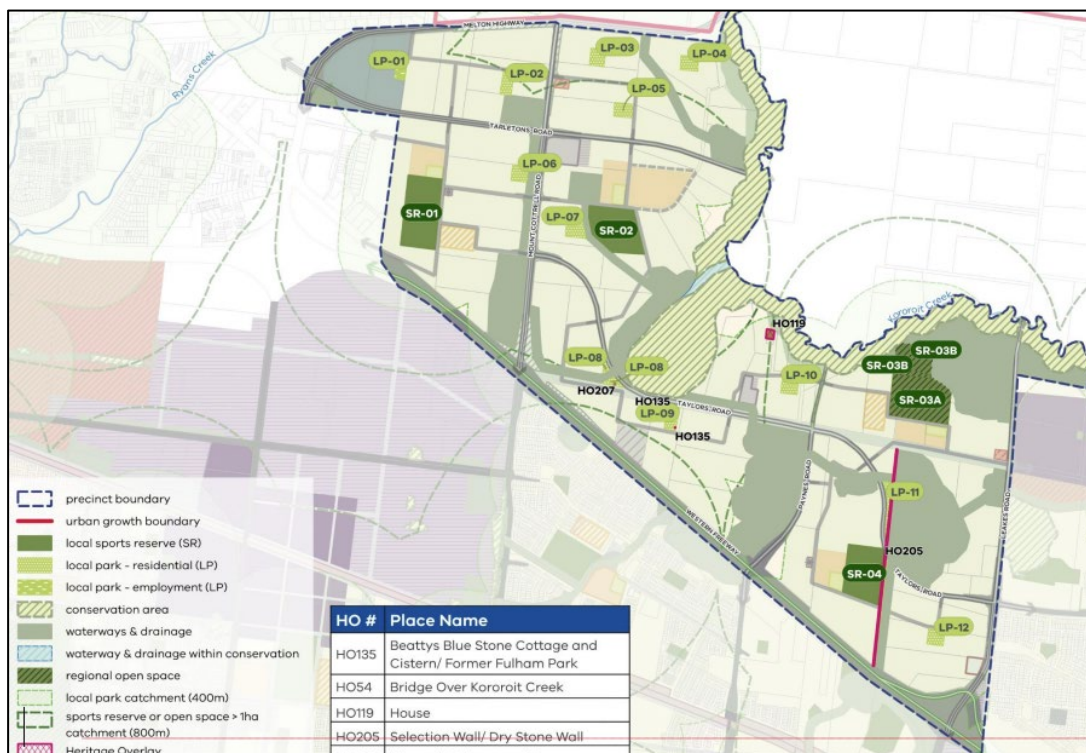
8.1 Background

(i) Amendment documents

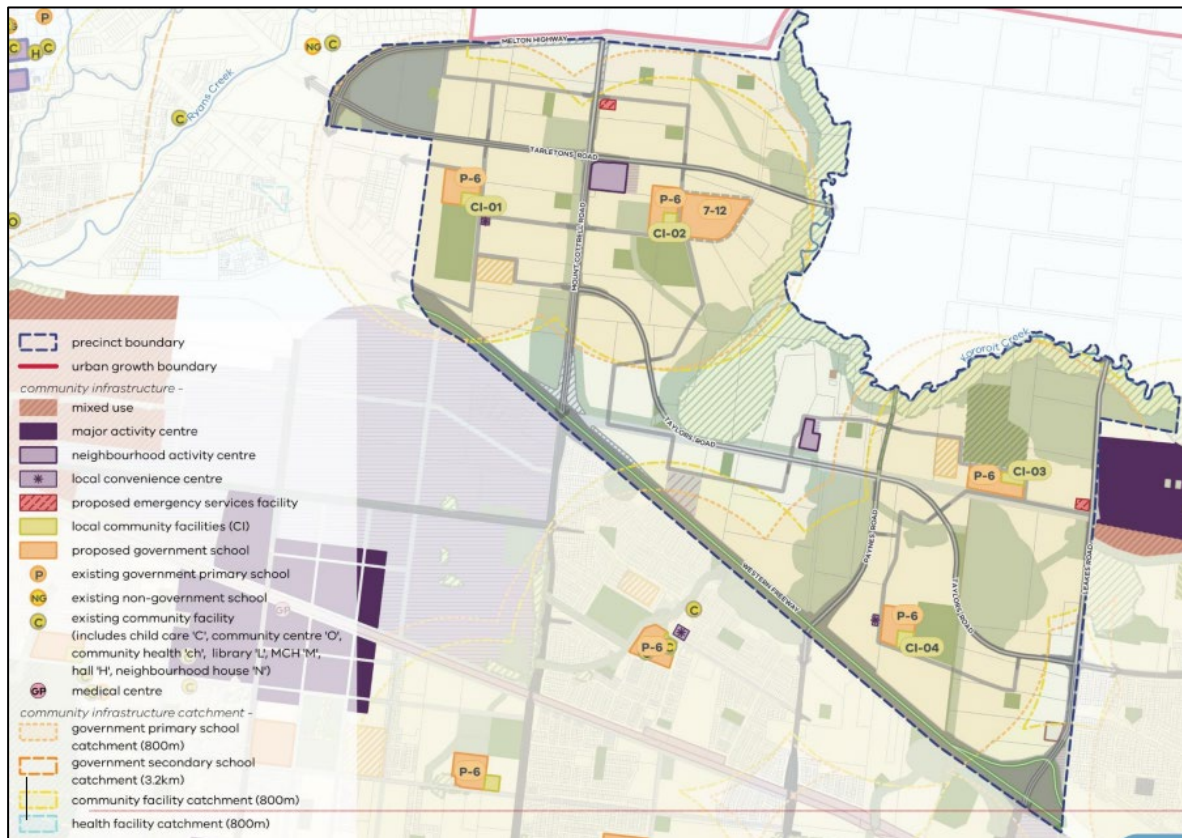
The Day 1 PSP includes:

- at 'Section 3.4 High quality public realm':
 - requirements and guidelines for 'Public realm, Open space and Biodiversity'
 - Table 13 Open space delivery
 - Plan 6 Public Realm (Figure 21) identifying the location of local parks and four sports reserves:
 - SR-01 (10 ha)
 - SR-02 (8 ha)
 - SR-03A (10.95 ha) and SR-03B (4.05 ha) and collectively identified as regional open space. The ICP does not include the land for SR-03B or any sporting infrastructure
 - SR-04 (8h)
- at 'Section 3.5 Services and destinations':
 - objectives, requirements and guidelines relating to locational and design considerations for schools
 - Plan 12 (Figure 22) identifying the location of community infrastructure including for P-6 primary schools (Lightwood, Peppercorn, Nissen Hut⁵, Sugar Gum), a secondary 7-12 school and two potential non-government schools (eastern and western sites).

Figure 21 Day 1 PSP Plan 6 Public Realm



⁵ Referred to as 'Nissan Hut' in DoE correspondence (D150e) and presumably a misspelling of 'Nissen'

Figure 22 Day 1 PSP Plan 12 Community infrastructure**(ii) Day 1 changes**

The key Day 1 changes related to community infrastructure included:

- relocation of SR-02 to the west (refer Figure 20)
- relocating the following school sites:
 - Peppercorn P-6 from parcel 34 to parcels 26 and 24R (refer Figure 23)
 - Nissen Hut P-6 from parcel 54 to parcels 56 and 57 and the eastern non-government school site from parcel 56 to parcel 55 (refer Figure 24).

These changes also involved changes to the location of two community facility sites and local parks (LP-06 and LP-07).

Figure 23 Exhibited (left) and Day 1 (right) location of SR-02 and Peppercorn P-6 school

Figure 24 Exhibited (left) and Day 1 (right) location of Nissen Hut P-6 school and non-government school



(iii) Background reports

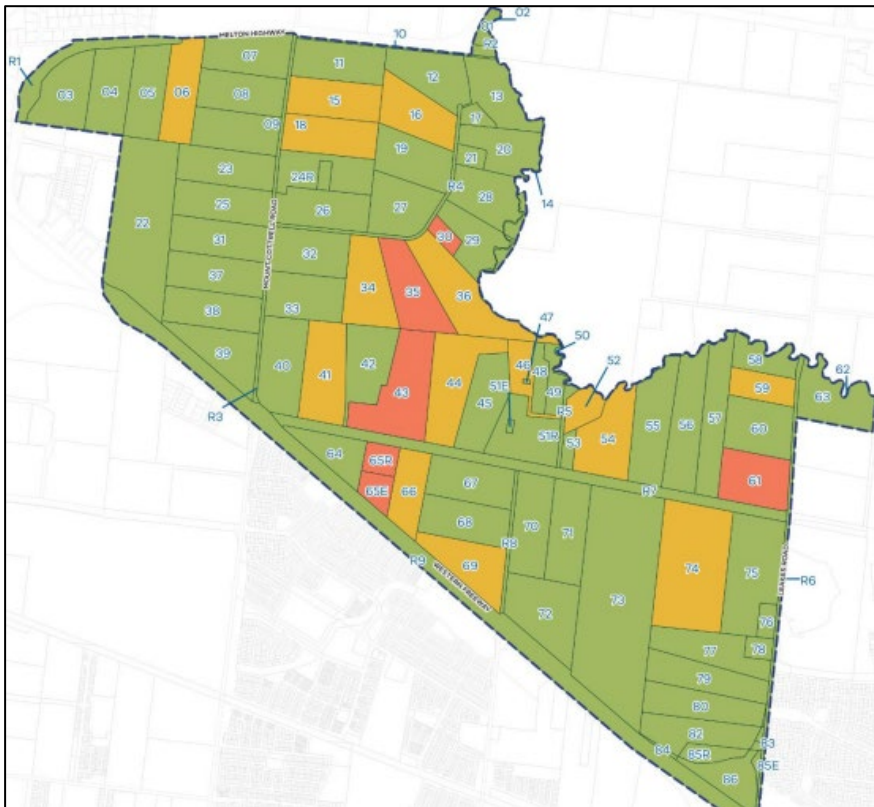
Exhibited documents

- *Community Infrastructure Assessment*, ASR Research, 30 October 2024 (CIA)
- *Land Capability Assessment*, Jacobs, 15 August 2024 (LCA)
- *Draft Melton East ICP Peer Review Assessment*, Urban Enterprise, 29 May 2025

(iv) Potentially contaminated land

The LCA provided desktop contamination, hydrogeological, hydrological, geomorphological, and geotechnical site assessment of the PSP area. It considered each land parcel to establish current and historical land use and evaluate the potential for contamination. Its mapping of low (green), medium (orange) and high (red) high risk potential contaminated sites is replicated in the Day 1 PSP Plan 17 (Figure 25).

Figure 25 Day 1 PSP Plan 17 Potentially contaminated land



8.2 Location and size of sports reserves

(i) The issue

The referred issue is whether the location and size of sports reserves within the precinct is appropriate to balance community needs while maximising NDA.

Although the referred issue does not directly concern the regional open space (SR-03A and SR-03B), this area is categorised as active open space, uses the 'SR' designation for related projects, and will accommodate sports reserve infrastructure. To avoid repeating similar content in Chapter 10.4, the Committee has considered the evidence, submissions and its discussion on the location and size of these reserves together with SR-01, SR-02 and SR-04 in this chapter. Chapter 10.4 deals specifically with ICP related matters for the sports reserves and should be read alongside this discussion.

(ii) Evidence and submissions

Evidence

Mr Shipp identified the basis for the active open space was included in the CIA although he noted the active open space land allocation of 36 ha exceeded the area identified in the CIA by approximately 4.1 ha.

Mr Fetterplace supported the area provided for sports reserves which was consistent with the PSP Guideline target (T11). He considered the number of sports reserves and their general location appropriate in terms of accessibility and allowing for constraints. He considered the gaps in walkable catchment to the reserves were offset by access to local parks LP-03, LP-04 and LP-09.

Mr Hrelja said the ICP contained discrepancies about the land area of SR-01, SR-02 and SR-04 and the sporting infrastructure to be accommodated within each was the same suggesting they had a similar function. No other detail was provided regarding their specification or cost estimates.

Ms Horsfield supported reducing the size of SR-01 to accommodate a better housing configuration on parcel 22 further way from the industrial area to the west which also impinged on the reserve's walkable catchment and accessibility. She considered an expanded SR-02 closer to the north NAC, schools and conservation area was a superior planning outcome.

Mr Black considered the quantum of active open space was consistent with the PSP Guideline target. However, he observed the Day 1 PSP fell short of the 100 per cent of dwellings being within 800 metres of a sports reserve (79 per cent). This was acceptable given many of the gaps occur in areas close to the conservation area which will have some recreational role.

Mr Black said SR-02 should be moved further east to reduce walkability gaps including around the north NAC. He considered the 15 ha Regional Sports Reserve was consistent with the West Growth Corridor Plan.

Mr Hooper supported the relocation of the Day 1 westward relocation of SR-02 as it freed up NDA for parcel 35 which was otherwise an awkward shape and better aligned the reserve with a proposed waterway and assisted accessibility.

Mr Fetterplace supported the Day 1 location of SR-02. While he had not considered the internal configuration of the reserves, he preferred a rectangular east-west shape, extending the reserve eastward (including its interface with the secondary school) and reducing its southern extent.

Submissions

Council considered the overall quantum of active open space was reasonable. Its submission:

- sought to ensure the location and dimensions of active open space were suitable for their future use, noting at this early stage of the planning process it did not have discrete designs and were sized and costed based on VPA benchmark designs
- noted an east-west alignment was preferred to accommodate two senior ovals side by side with additional passive use area which a 10 ha space achieved
- saw merit in increasing SR-02 to 10 ha through a reduction of SR-01 or by combining passive and active open space into one consolidated reserve
- set out the basis for the size and location of the regional open space including the West Growth Corridor Plan (refer further discussion in Chapter 10.4).

Council did not support the allocation of sports reserves on contaminated land without the required environmental audits confirming suitability for the intended use and if necessary agreed arrangements made for remediation. It expressed concern with the basis of moving Peppercorn P-6 for reasons of contamination only to transfer the issue (and potential costs of cleanup) to Council for SR-02.

Submitter 19 said the VPA had not specified the intended use or configuration of the active sports reserves, and therefore there was no strategic justification for SR-01 or SR-02 to exceed 8 ha.

Submitter 34 supported the Day 1 location of SR-02 away from parcel 36 and considered the outcome consistent with the PSP objectives and one which provided more equitable development potential. Submitter 14 also supported the Day 1 location of SR-02 considering it avoided potentially high risk contaminated land but did not support any changes to its size or shape.

Submitter 30 proposed that SR-02 move further eastwards to capture a greater extent of walkable catchment.

Submitter 25 supported the exhibited location of SR-02 (and Peppercorn P-6) which provided a superior planning and land use outcome including the co-location of schools and active open space and maximising NDA and housing densities within the north NAC walkable catchment. Similarly, submitter 19 said the exhibited location of SR-02 further east increased the number of dwellings in its 800 metre catchment and had a better connection to Kororoit Creek.

Submitter 28 considered the burden of providing SR-03A and SR-03B on parcels 55 and 56 excessive and sought:

- a more elongated (east-west alignment) spread across multiple land parcels
- master planning for the reserve prior to PSP finalisation.

As identified in Chapter 5.4, submitter 19 proposed SR-03 be relocated further north-east contiguous with the Kororoit Creek conservation area and predominantly within the 'Area of flood risk' considering this was an acceptable outcome where this risk area was likely to be reduced following further mapping. This outcome would provide more NDA to the south of the reserve.

VPA position

The VPA submitted the number and area of sports reserves was consistent with the:

- open space benchmarks in the PSP Guidelines
- need identified in the CIA
- West Growth Corridor Plan for the regional active open space

- principle to collocate sports reserves with government schools.

The VPA's Final Day changes proposed:

- to reduce SR-01 to 8 ha based on the (reduced) Day 1 population forecasts and overall provision of open space
- add a note on Plan 6 to confirm that SR-03B remains as uncredited open space in the event the 'Area of flood risk' is reduced and it becomes unencumbered.

(iii) Discussion

The PSP Guidelines target between 5-7 per cent of NDA for sports fields reserves (T11). The Day 1 PSP provides 5 per cent of NDA for sports reserves.

The CIA based on the then draft PSP Plan 2 and a population of 37,900 identified the provision of a:

- 10 ha reserve and two 8-ha reserves
- 15 ha reserve performing a dual regional and local sports reserve role with potential for 3 ovals and outdoor playing courts.

It broadly observed the then draft PSP met the PSP Guideline targets for open space including sports reserves. It did not however analyse this need to any great extent beyond confirming the need for district-level sport and recreation facilities to accommodate:

- AFL standard ovals or cricket fields within an 8-10 ha area
- regular playing fields, within a 6 ha area
- pavilions and other amenities
- other sporting infrastructure including tennis courts.

The CIA does not detail the role or range of sporting facilities that will be provided within each sports field reserve or their indicative layout. While this level of detail is not expected at the PSP stage, it leaves uncertainty as to whether the Day 1 and Final Day dimensions for SR-01 and SR-02 will be sufficient to accommodate the intended infrastructure. The Committee has proceeded on the assumption that they will, however this is an important spatial detail the VPA should confirm before finalising the PSP.

Experts and parties did not dispute the number of sports reserves required. The concerns centred on their location and size. No submissions were made regarding SR-04.

There is little real difference at the precinct level between the exhibited and Day 1 version of the sports reserve locations and their walkable catchments. Their general locations including their proximity to school and community centre sites and with connector road frontages is appropriate to support accessibility and meet the anticipated future population need. In general, their sizes (at a minimum of 8 ha) are appropriate given they are intended to include multiple sporting facilities and be multifunctional spaces that also provide for passive and local open space.

While there is some overlap of the sports reserve 800 metre walkable catchments and gaps to the northern edge of the precinct and south of proposed Taylors Road (west of wetland K4), this is to be expected within an irregular shaped precinct with extensive areas of encumbered land.

Catchment gap areas will still benefit from access to local parks and conservation areas. Closing these gaps would involve the relocation of SR-01, SR-02 and SR-03 with consequences for the location of schools, community facilities, activity centres and the connector street network with minimal overall benefit.

The Committee supports the reduction of SR-01 to 8 ha. A substantial portion of its catchment extends into existing and future commercial/industrial precincts, and its downsizing creates additional NDA and residential density opportunities.

The Committee broadly supports the Day 1 location of SR-02. It maintains an important interface with the school and community facility site, LP-07 and waterways while still proximate to the north NAC and providing more usable areas for housing to its east. While the Committee understands Council's concerns about potential costs associated with contaminated land, the exhibited location was also on land identified as having either a high or medium potential contamination risk. While the sports reserves do provide a multifunctional role, PPN30 does not identify active open space or sports reserves as sensitive uses.

In a heavily encumbered, relatively low NDA precinct the Committee does not support increasing SR-02 by 2 ha to 10 ha. In the absence of any high level planning for these reserves there is no clear strategic basis for this in the CIA or demonstrated by Council. While the overall target of sports reserve land may fall below the PSP Guideline target this should be considered in the context of the extent of encumbered land, much of which will provide an open space and recreation function.

The location and size of the regional open space reserve comprising sports reserves SR-03A and SR-03B is appropriate and supported. The location is consistent with the West Growth Corridor Plan and in a heavily encumbered precinct uses part of the 'Area of flood risk' to accommodate SR-03B. This is a logical, balanced approach. Changes to its location proposed by submitters 19 and 28 are premature pending Melbourne Water's flood mapping and have the potential to compromise its regional function. No part of the reserve should extend into the conservation area.

If, however, Melbourne Water's modelling becomes available before finalisation of the PSP and suggests the flood risk is reduced there may be potential to move SR-03A (to reflect appropriate risk levels, in consultation with Council and landowners, which would secure additional NDA.

The Committee supports the VPA's Final Day changes to Plan 6 to clarify that SR-03B will remain uncredited open space in the event the 'Area of flood risk' reduces subject to its proposed drafting comments (refer Table 13).

Table 13 Committee response to Final Day PSP changes - Sports Reserves

PSP ref	VPA Final Day changes	Recommendation
Plan 6	Add note: <i>SR-03B is identified as encumbered land. Should the 'area of flood risk (Kororoit Creek)' identified on SR-03B reduce, the land for SR-03B will remain as uncredited open space</i>	Amend note consistent with VPA's response to Council drafting comments: <i>SR-03B is considered to be flood prone encumbered land and is therefore not included as inner public purpose land.</i>
Table 13	Update area of SR-01 to 8ha and correct areas of SR-03A and SR-03B	Support. Include in final version.
Plan 14	Downgrade SR-01 from 10ha to 8ha	Support. Include in final version.

(iv) Conclusions and recommendations

The Committee concludes:

- The Day 1 PSP location and size of sports reserves appropriately balances community needs while maximising NDA, subject to reducing SR-01 to 8 ha.
- The VPA should ensure changes to SR-01 (to 8 ha) and SR-02 (location) will provide appropriate dimensions to accommodate the delivery of future sporting infrastructure and facilities before finalising the Amendment.
- The reduction of SR-01 to 8 ha should be reflected in PSP and ICP Plans and relevant Tables.
- If Melbourne Water's flood modelling and mapping can be completed prior to finalising the Amendment, and reduces the 'Area of flood risk', the VPA should explore the option to move SR-03A and SR-03B further north and adjust the PSP and ICP accordingly.

The Committee recommends:

Precinct Structure Plan

Amend the Melton East Precinct Structure Plan consistent with the Victorian Planning Authority Final Day version and:

- **reduce the size of SR-01 to 8 hectares**
- **amend Plan 6 Public Realm to include a note relating to SR-03B consistent with the Committee's changes in Table 13.**

Review the changes to SR-01 (to 8 hectares) and SR-02 (location) to ensure they have the appropriate dimensions to accommodate the delivery of future sporting infrastructure and facilities before finalising the Amendment.

8.3 Location and size of schools

(i) The issue

The referred issue is whether the location and size of schools within the precinct is appropriate to balance community needs while maximising NDA.

(ii) Evidence and submissions

Evidence

Mr Fetterplace supported the number of government and non-government schools proposed and their general location. He considered the location of schools was consistent with principle F14.1 of the PSP Guidelines because they were:

- co-located with sports fields and local community facilities
- proximate to and with good links to a neighbourhood activity centre or local convenience centre
- located on connector roads and linked by walking and cycle networks
- close to the PPTN
- located away from potential hazards including potentially contaminated land.

Mr Hooper supported the relocation of Peppercorn P-6 and the shifting of SR-02 to the west as shown in the Day 1 PSP as it freed up NDA for parcel 35 which was otherwise an awkward shape.

Mr Granger however supported the exhibited location of Peppercorn P-6 considering this provided the highest and best use of parcel 26 for higher density housing given its location adjacent to the north NAC. He did not support the basis of moving the school based on the land parcel's medium level contamination potential identified in the LCA or the position of Department of Education (DoE) which identified parcel 26 as the only feasible option.

His assessment of the *Victorian Government School Site Selection Criteria – Toolbox* (October 2021) (School Toolbox) was the Day 1 site ranked poorly against a range of criteria and sensitivity analysis compared to other sites including the original location. He said the PSP Guidelines appropriately provided a wider lens for school site identification and recommended further consultation by the VPA and DoE with land owners to establish the ideal school location and reinstate the exhibited applied residential zoning and housing density designations for parcel 26.

In terms of drafting Mr Granger sought a new guideline consistent with that applied to non-government school sites (G39), to identify a process to use a school site no longer likely to be required for an alternative use.

Submissions

Council said further work was required between the VPA, DoE and landowners to resolve the location of Peppercorn P-6 along with the north NAC, SR-02 and LP-07.

Submitter 14 supported the Day 1 location of Peppercorn P-6 on the basis of:

- DoE's concerns about acquiring a potentially contaminated site
- avoiding it being located on parcel 35 which had a medium potential risk of contamination and based on Granger's assessment, was one of the least attractive potential school sites.

Submitter 19 supported relocating Peppercorn P-6 to a site that did not have a medium contamination risk. It provided a Preliminary Risk Screen Assessment for parcel 34 (D127) which confirmed the exhibited site was contaminated by historical fuel and waste disposal with the potential for impacts *"to human health in the context of sensitive use (primary school/childcare facility)"* and that an environmental audit was required.

While submitter 5 preferred Peppercorn P-6 did not extend onto parcel 24R it accepted the basis for this and the benefits associated with relocating the north NAC and higher residential densities.

Conversely submitter 25 said the VPA's response to DoE's submission had elevated contamination above all other planning considerations and resulted in suboptimal outcomes including on parcel 26. This included the PSP guideline relating to school accessibility targets not being met and the less efficient use of the north NAC catchment. It preferred the exhibited location of Peppercorn P-6 (and SR-02) which created a community hub. It said this was a greater priority than locating the school closer to the NAC which would not assist with its activation. The exhibited location was also superior when assessed against the DoE School Toolkit criteria including:

- its orientation and shape
- a better connector road network
- consolidation on a single land parcel avoiding challenges with acquisition
- safer interfaces and more appropriate interfaces including avoiding proximity to large drainage asset.

Submitter 25 observed that the potential contamination identified in the LCA was typical of such locations. The intent of PPN30 it said was not to prevent sensitive uses, with schools often being

identified in PSPs on land of high or medium contamination risk. Rather it is to ensure land is appropriately remediated or managed to be used safely. The proposed EAO and UGZ13 requirements provided a robust framework and approach to dealing with potential contamination.

Submitter 25 proposed a new guideline consistent with Mr Granger's evidence that provided for the alternative use of the Peppercorn P-6 site if it was not required by DoE based on reduced population estimates and it being the only P-6 school in Stage 2.

Submitter 18 did not support the location of the 7-12 school on parcel 27 saying it:

- lacked a considered assessment
- selectively applied the School Toolbox
- was inconsistent with the PSP Guidelines (catchment) and PSP R56 (connector road frontages) and was not a balanced outcome
- should be located further south towards Taylors Road where it would be more central and better serve its catchment.

Submitter 18 considered parcel 27 would be better suited to a higher density residential outcome given its proximity to the north NAC and its walkable catchment and avoided creating an inefficient land parcel balance for housing.

Submitter 39 supported relocating the Nissen Hut P-6 west of parcel 54 to free up NDA and locate it closer to the central NAC.

Submitter 28 did not support the Day 1 arrangement for the siting of the Nissen Hut P-6 (and community facility) on parcels 55 and 56 considering the outcome:

- unjustified
- was unfair given the existing burden the land bore for community infrastructure including the regional open space area and non-government school site
- inconsistent with the PSP Guideline principles for school location
- rectified by relocating the school and community centre with the central NAC.

The submission considered the reliance on the exhibited school site having a medium potential for contamination was an inadequate response and prevented the best precinct outcomes occurring when requirements in the UGZ13 for a Preliminary Risk Screen Assessment provided an appropriate risk mitigation approach.

Submission 11 requested the east non-government school site be located on a single land parcel, with all non-government school sites to have an east-west orientation. The submission sought new guidelines among other PSP changes, to be the lead delivery agent and for the Special Use Zone to be the applied zone for non-government schools.

VPA position

The VPA advised it collaborated closely with DoE in identifying school locations using the School Toolbox. It acknowledged that following DoE's late consideration of the LCA it had made subsequent changes to the two P-6 school sites to sites with low contamination potential, in addition to responding to DSS changes. This was consistent with DoE's precautionary approach and its advice that parcel 26 offered the best fit against its design criteria. The VPA identified that all locational attributes could not always be met, and a balanced approach was needed to prioritise key criteria.

While the VPA did not support additional changes sought by submitter 11 or Mr Granger, its Final Day changes included a modified location of the eastern non-government school, Nissen Hut P-6 and community facility to improve NDA outcomes.

(iii) Discussion

The CIA identifies the following regarding school numbers and sizes:

- four primary schools of 3.5 ha each and a secondary school of 8.4 ha based on DoE advice and in accordance with the PSP Guidelines and the School Toolbox
- two, 3 ha, non-government school sites based on advice from Melbourne Archdiocese Catholic Schools.

The size or numbers of schools was not generally disputed although some experts considered that a reduction in housing density may not create the same need for schools. The primary issue was their location. In this regard the PSP Guidelines identify:

- catchment accessibility targets (T11)
- principles about their location and design including:
 - co-location within community hubs (with community centres and sports reserves, links to a NAC, located on connector streets and away from potential hazards) (F14.1)
 - consultation with service providers (F15.1)
 - being cost effective, maximising functional use, safety, amenity and operational efficiency through shared use with active open space etc (F15.2).

At a broad level the government and non-government schools locations achieve these outcomes. The Day 1 government school locations adjoin sports reserves, community facilities, two connector streets and adjoin or are reasonably proximate to a NAC or convenience centre. There is overlap of government school catchments which also extend outside the PSP and a gap through the centre of the PSP. However, this should be considered in the context of:

- the irregular shape of the precinct and other constraints including the conservation area
- the arterial and connector road network (including pedestrian and cycle connections) provide gap areas with reasonable access to school sites
- the number of government schools and their locations have been determined in consultation with and agreed by DoE who will deliver them.

The Committee has not had the benefit of any detailed explanation of the location of the schools other than VPA's advice that it had taken a whole of government agency approach and worked with the DoE through the development of the PSP to determine their location. DoE's submission which was not referred to the Committee but was provided by submitter 25 stated:

The number of proposed government school sites in the PSP is considered to be appropriate, with this assessment based on projected development within the PSP area of approximately 12,200 new homes to accommodate an estimated residential population of 38,000 residents. It must be noted that this advice may change if the dwelling and/or population forecasts were to change significantly.

...

DoE notes that it has provided extensive informal input and advice to inform the development of this precinct structure plan, and has provided written comments to the Victorian Planning Authority (VPA) dated 12 April 2024 as part of the Agency Validation stage of the precinct structure planning process. DE appreciates that some of the issues raised have subsequently been addressed. However, there are still some outstanding issues, which are outlined in the Appendix.

...

As detailed in the appendix, DoE is particularly concerned about the location of Peppercorn Proposed P6 due to its medium potential for contamination. According to the Victorian Government School Site Selection Criteria, proposed government school sites should not be located on contaminated or potentially contaminated land, as defined under Ministerial Direction 1, Section 6.

It is unfortunate that, despite the VPA's early engagement with DoE and the availability of the LCA, DoE's position changed based on the LCA findings being overlooked. This is especially challenging when school locations are closely linked with the siting of sports reserves, other community facilities and connector roads. The planning of these elements needs to be coordinated at the development stage of the PSP to ensure a balanced outcome and an efficient land use and development framework.

Achieving a balanced and acceptable outcome is different to achieving the 'best outcome' for a particular asset. It is not always possible to achieve an optimum location for a school (or sports reserve or a NAC) when other sub-optimal outcomes might result including:

- reduced levels of accessibility
- reduced service levels by separating activities which contribute to creating effective community hubs
- creating inefficient land parcels or compromised NDA outcomes.

The Committee considers that while the School Toolkit provides useful principles for considering school sites, it is not referred to in the PSP Guidelines (although it is on the VPA's PSP Guideline website page) or likely to be the only planning tool or consideration applied by DoE when determining school locations.

Specific government school sites

There were no specific submissions opposed to the location of Lightwood P-6 or Sugar Gum P-6. The Committee is satisfied their locations are appropriate and reflect the PSP Guidelines locational principles.

Peppercorn P-6

The Day 1 location of the Peppercorn P-6 is considered on balance an acceptable outcome. Spatially, it aligns with the PSP Guideline principles by providing a more central location for the community facility, creating a consolidated hub of community infrastructure while retaining a strong connection to the north NAC. Its relocation northwards reduces the school catchment gap to the north and makes effective use of interfaces with waterway and drainage areas.

In terms of the potential contamination risk, PPN30 does not distinguish between residential or school uses in terms of sensitivity levels. The subdivision of land within the EAO or identified as medium or high contamination risk in the UGZ13 will trigger the need for environmental assessments. The Committee considers it reasonable however for DoE to take a precautionary approach to the selection of school sites and identify the location of the school that best meets its operational needs.

While Council and other parties sought a recommendation for the further review of the relationship between Peppercorn P-6, SR-02 and the north NAC the Committee resists such a recommendation. There are many ways to potentially rearrange the location of these uses. There will be pros and cons in each and no party or expert sufficiently demonstrated this would result in a better outcome or one that would be accepted by landowners, the Council, VPA and DoE. The Day 1 location is acceptable.

Nissen Hut P-6

The Day 1 location of Nissen Hut P-6 is an improvement on the exhibited version. By co-locating it with the community facility and regional open space and relocating the eastern non-government school nearby onto a single land parcel, it creates a more cohesive and integrated community hub. While the revised Nissen Hut P-6 school location is not within close proximity of a NAC or local convenience store and marginally expands the school catchment gap:

- these gap areas are compromised by the extent of the conservation area but maintain suitable levels of accessibility from arterial and connector road networks and cycle and pedestrian connections
- it is midpoint between the central NAC and the Rockbank MAC.

While DoE did not comment on the Day 1 location of Nissen Hut P-6, its revised siting responds to its concerns about the impact of a proposed sewer main on its exhibited location and will achieve similar location attributes.

The VPA's Final Day changes to the location of the Nissen Hut P-6, non-government school and community facility (Figure 26) further improves the Day 1 version creating a stronger community hub and removing small NDA slithers in favour of more consolidate NDA opportunities.

Figure 26 VPA Closing submission position - location of Nissen P-6 & non-government school



Changes to school need

The PSP does not provide a timeframe for the delivery of government schools. This is determined by the DoE through its land acquisition program and broader delivery priorities across growth areas. Over time, changes in school delivery models, population forecasts, and development rates across precincts may alter the number of schools ultimately required.

While DoE based its school needs on a slightly higher population than the Day 1 PSP, this difference is unlikely to materially affect the number of schools needed, particularly if additional NDA opportunities are realised. More likely, it may affect the timing of delivery or reduce the number of schools required in the Warrensbrook PSP.

While the PSP guideline providing for alternative uses of non-government school sites is reasonable this is not required for government schools. The Committee agrees with the VPA that the risk the proposed new guideline seeks to address is low. The VPA advised the situation had occurred once in precinct structure planning history. If the situation did arise it can be resolved between the Council, DoE and the affected landowner at the time.

(iv) Conclusion and recommendation

The Committee concludes:

- The Day 1 location and size of schools within the precinct is generally appropriate and balances community need while maximising NDA subject to the relocation Nissen Hut P-6 and eastern non-government school consistent with the VPA's Closing submission mapping.

The Committee recommends:

Precinct Structure Plan

Amend the Melton East Precinct Structure Plan consistent with the Victorian Planning Authority Final Day version and amend the location of the Nissen Hut P-6 and eastern non-government school consistent with the VPA's Closing submission mapping (Figure 26 in this Report).

9 Staging

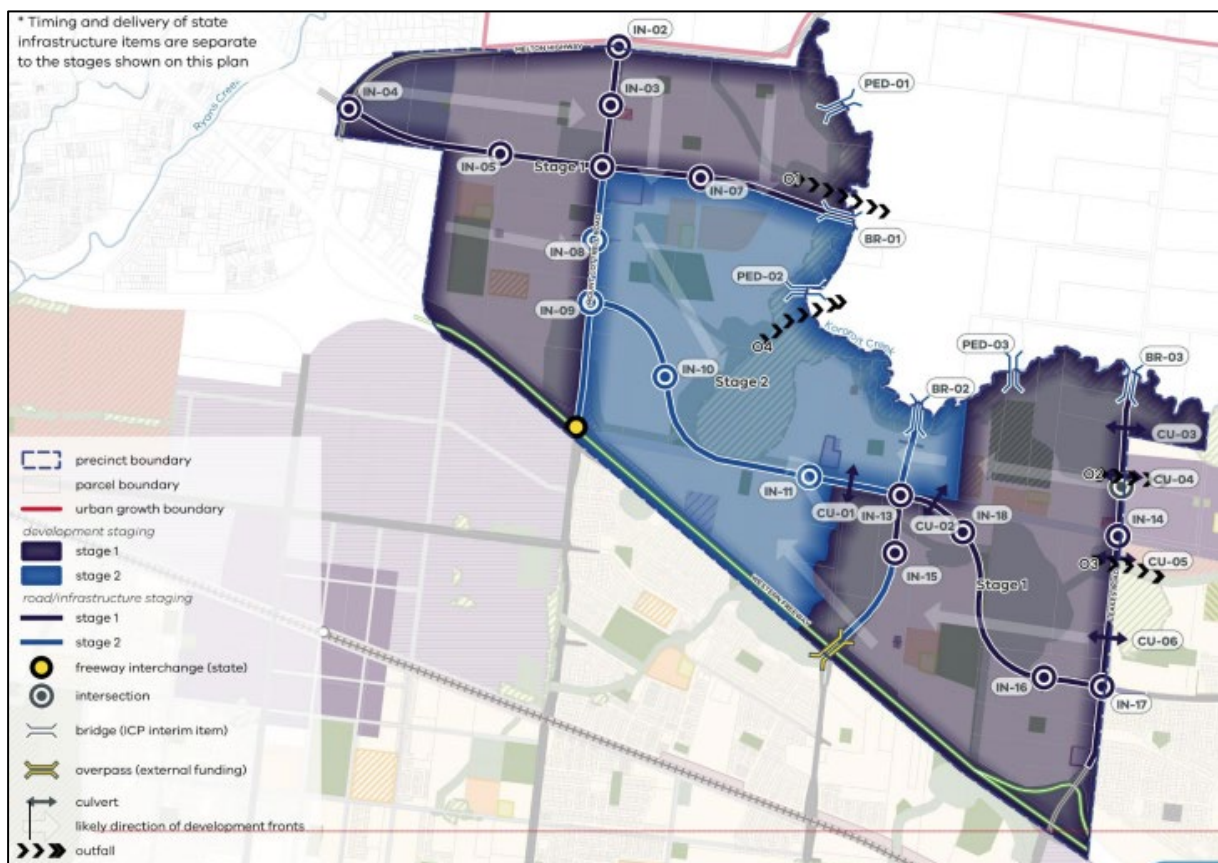
9.1 Background

(i) Amendment documents

The Day 1 PSP includes 'Section 3.7 Infrastructure coordination' which includes:

- objectives, requirements and guidelines relating to infrastructure provision and coordination
- Plan 13 Infrastructure and Development Staging (Figure 27) identifying development and infrastructure Stages 1 and 2
- Table 23 identifying the staging of DSS drainage infrastructure.

Figure 27 Day 1 PSP Plan 13 Infrastructure and Development Staging



The ICP includes:

- Tables 5 and 6 which identify infrastructure provision timing (S, M, L)
- 'Section 3.4 Project staging' which identifies circumstances for alternative staging.

Key Day 1 PSP changes relating to staging (refer also to Appendix F:1) included:

- replace R63 to read:
Development must provide for the delivery of ultimate waterway and drainage infrastructure as detailed in the DSS, including stormwater detention and quality treatment, and outfalls to the satisfaction of Melbourne Water and the responsible authority.

Where it can be demonstrated that this is not possible, development proposals must demonstrate how any interim solution adequately manages flow rates, treats stormwater generated from the development (without causing adverse impacts to the properties within or outside the precinct, the environment, cultural heritage, or other infrastructure), to the satisfaction of Melbourne Water and the responsible authority.

An interim solution will not be considered for assets O1, O2, and O4. These assets must be delivered in their ultimate form.

Development construction and interim solutions must avoid or mitigate the risk of soil erosion and waterway degradation.

- delete G46 and convert to a requirement (R81) to read:
Out-of-sequence development must be by negotiation and agreement between a developer and the impacted infrastructure providers and not impose unreasonable additional burden on infrastructure providers. Stage 2 development will be considered before the completion of Stage 1 by Responsible Authority and infrastructure providers if access and connection to the transport network, utilities infrastructure and closest activity node or urban environment can be demonstrated.
- on Plan 13 identify land west of Mt Cottrell Road as Stage 1 and Taylors Road as a Stage 1 road between Paynes Road and Leakes Road
- include a new Table 23 which identifies the staging and impacted parcels for DSS assets (outfalls O1, O2, O3) and waterways (A, B, C).

(ii) Background reports

Exhibited documents

- *Infrastructure and Development Staging Plan*, March 2025
- *Infrastructure and Development Staging Plan Background Document*, March 2025.

9.2 The issue

The referral issue is whether the Infrastructure and Development Staging Plan (Plan 12) in the PSP in conjunction with the requirements and guidelines in Section 3.7 of the PSP will allow for the orderly development of the precinct.

Note: The VPA Day 1 changes to the PSP rennumbers Plan 12 to Plan 13.

9.3 Evidence and submissions

Evidence

Mr Fetterplace:

- noted the general location of access to existing infrastructure and development fronts
- noted the proposed staging at a high level enabled commencement of development on multiple fronts where access to services and road infrastructure was within a feasible distance for development to start
- was satisfied the PSP provided for orderly planning of the precinct subject to his recommended changes.

Mr Bishop supported the proposal by Melbourne Water to update R63 which provided capacity for some level of flexibility with staging of drainage works.

Ms Horsfield identified most of submitter 29's site (parcels 67 and 68) were within Stage 2 except for areas required for drainage purposes at the eastern edge of the site. She considered:

- this approach unworkable as the subdivision of the broader landholding was necessary to provide the impetus for the drainage infrastructure to be brought forward
- Staging Plan 13 should be amended to include the entirety of these parcels within Stage 1 or remove it entirely.

Mr De Young supported the inclusion of parcels 67 and 68 in Stage 1 in their entirety. He was not aware of any traffic modelling to determine the need for staging from a traffic capacity perspective. Based on the potential access arrangements from Beattys Road, there was no traffic reason why the western part of these parcels should not be included in Stage 1.

Submissions

Melbourne Water submitted that staging for the PSP should ensure that all critical outfalls are delivered in their final form as part of Stage 1.

Council considered the Day 1 provisions for staging and infrastructure were appropriate subject to changes further changes to R81. It submitted the drafting changes to R81 were consistent with the notion that Stage 2 is not a 'hard staging gate' and would provide increased clarity around:

- when the early delivery of Stage 2 will be considered
- the necessary approving bodies
- the standard of infrastructure provision that is required to be evidenced in an application.

Submitter 29 considered it unworkable for drainage asset RB-07 on its land to be in Stage 1 with the balance of its land in Stage 2 because the subdivision of its broader landholding was necessary to provide the impetus for the drainage asset to be brought forward. It noted that only a small part of RB-07 is located on its land and, as the adjoining property to the east has in effect no developable land, there is no incentive for that landowner to deliver RB-07 or join with it in joint delivery or funding of that asset. It simply made sense to have infrastructure and a development area in the same stage.

Submitter 29 said there were no items of State infrastructure required to be delivered to unlock the opportunity for development in any part of the precinct. Rather the infrastructure required by this precinct will be delivered as developer works or as ICP funded infrastructure. Therefore, the precinct should be allowed to be developed *"in the same way that the vast majority of the growth areas have been allowed to develop without any staging requirements"*.

Submitter 30 said the staging plan should be removed because there is strategic basis for the staging boundaries and the provisions provided no value above and beyond the regular sequencing and subdivision requirements and guidelines.

VPA position

The VPA said the Day 1 version of the PSP allowed for orderly development of the precinct. It did not support submissions that proposed:

- to amend R63 or change it to a guideline because it provided sufficient flexibility to allow interim assets if it can be demonstrated to the satisfaction of Melbourne Water that the ultimate asset cannot be delivered
- further changes to the Staging Plan stage boundaries or remove the Staging Plan.

The VPA maintained that the staging related requirements and guidelines Plan 13 are strategically justified and consistent with the PSP Guidelines and the *VPA Guidance Note – Infrastructure Coordination: Infrastructure and Development Staging 2025*. It said it:

...remains committed to the inclusion of staging plans in PSPs as an approach to achieving the orderly and financially viable delivery of infrastructure that avoids out of sequence and disconnected subdivisions and preventing development occurring that may compromise existing infrastructure and its capacity.

The VPA said the staging provisions do not prohibit the interim delivery of drainage or other infrastructure where agreed by Melbourne Water (other than outfalls O1, O2 and O3) or the responsibility authority and the 'generally in accordance with' principle applies to staging where there are no hard stage gates. It had also strengthened G46 and amended R80 in the Day 1 version to assist Council in its assessment of staging.

In closing submissions, the VPA proposed several Final Day changes to the PSP with respect to staging which are discussed below.

9.4 Discussion

The PSP Guidelines and Clauses 11.02-3S and 11.02-3L support the appropriate sequencing of development provide including:

- using staging plans
- for land to be released in a timely fashion to facilitate coordinated and cost-efficient provision of local and regional infrastructure
- to improve the coordination and timing of infrastructure and service delivery.

The Committee is not convinced that the Staging Plan in the exhibited PSP in conjunction with the related requirements and guidelines are necessary to provide for the orderly development of the precinct. Unlike, for example the Officer South PSP, there is no critical State road infrastructure projects needed to open up the precinct's development fronts.

As identified by Melbourne Water there are three critical drainage outfalls that need to be delivered in their final form as part of Stage 1 but in the Committee's view that does not alone justify the need for a staging plan. These drainage assets are outside the PSP area and Melbourne Water may need to exercise its powers to ensure these critical drainage assets are delivered early to allow the development of the precinct to proceed.

The Committee notes, however, that the VPA was adamant that the inclusion of staging plans in PSPs was an appropriate approach to achieving the orderly and financially viable delivery of infrastructure. It said this was needed to avoid out of sequence and disconnected subdivisions and creating development that may compromise existing infrastructure and its capacity. The Committee accepts that these are valid reasons for having a staging plan along with requirements and guidelines in a PSP consistent with guidance the ICP Guidelines and PSP Guidelines. Also the proposed PSP staging plan does not construct a 'hard gate' and Stage 2 development can still be considered before the completion of Stage 1 with appropriate interim drainage assets in place with the agreement of Melbourne Water. The 'generally in accordance with' approach principle will apply and the VPA changes to G46 and R80 will assist Council assessment of 'out-of-sequence' development.

On balance, the Committee supports inclusion of the Staging Plan and related requirements and guidelines (as amended) given the inbuilt flexibility consistent with the VPA's Final Day changes.

The Committee supports the inclusion of all of parcels 67 and 68 within Stage 1. If possible delivery of infrastructure relevant to a land parcel should be in the same stage as that parcel of land. There was no evidence to suggest that including these parcels in Stage 1 would be

problematic and Mr De Young stated there was no traffic reason why the western part of the Yale site should not be included in Stage 1.

The Committee's recommendations to Final Day changes on staging are set out in Table 14.

Table 14 Final Day changes to Day 1 PSP - Staging

PSP ref	VPA Final Day changes	Recommendation
R63	Amend to delete: <i>as detailed in the DSS</i>	Support. Include in final version.
R81	Split into two guidelines (renumbered R79 and R80): R79: <i>Out-of-sequence development must be by negotiation and agreement between a developer, the impacted infrastructure providers and the Responsible Authority, and not impose unreasonable additional burden on infrastructure providers or the satisfaction of the Responsible Authority.</i> R80: <i>Development within Stage 2 development may be permitted before completion of Stage 1 if it can be adequately demonstrated that the development can access and connect to the transport network, utilities infrastructure and closest activity node or urban environment to the satisfaction of the Responsible Authority and infrastructure providers.</i>	Support R79 subject to replacing ' <u>or the satisfaction of the Responsible Authority</u> ' to ' <u>to the satisfaction of the Responsible</u> ' in R78. Amend R80 to: <i>Development within Stage 2 <u>may be permitted</u> before the completion of Stage 1 <u>if such development is able to access and connect to the transport network and utilities to the satisfaction of the Responsible Authority.</u></i>
Plan 13	Amend to: - remove Outfall 2 - include Outfall 4 in Stage 1 - add labels for waterways A, B, C, and D - add new legend item – <i>Constructed waterway (Table 23)</i>	Support subject to including land parcels 67 and 68 in Stage 1
Table 23	Amend to delete O2 and add Asset D – constructed waterway from Shogaki Drive DSS (Stage 1, Parcels 70, 71, 72)	Support. Include in final version.

9.5 Conclusions and recommendation

The Committee concludes:

- The Day 1 version of the proposed PSP including Infrastructure and Development Staging Plan (Plan 13) does not provide a 'hard gate' and provisions in the PSP will allow for Stage 2 development to be considered before the completion of Stage 1.
- The Infrastructure and Development Staging Plan in the Final Day PSP in conjunction with the requirements and guidelines in Section 3.7 of the PSP will allow for the orderly development of the precinct.
- The PSP Staging Plan (Plan 13) should include the delivery of infrastructure relevant to a land parcel in the same stage as that parcel of land and amended to include land parcels 67 and 68 in Stage 1.

The Committee recommends:

Precinct Structure Plan

Amend the Melton East Precinct Plan consistent with the Victorian Planning Authority Final Day version and include the Committee's changes in Table 14 including amending 'Plan 13 Staging and Infrastructure' to include all of land parcels 67 and 68 to be included in Stage 1.

10 Infrastructure Contributions Plan

10.1 Background

(i) Amendment documents

The Day 1 ICP specifies:

- the development and community infrastructure items to be funded by infrastructure contributions
- the total cost of the funded infrastructure items and the proportion of that cost attributed to the precinct
- the levies payable by development
- the timing for delivery of funded infrastructure
- how the ICP will be implemented and administered.

The Amendment proposes to incorporate the ICP into the Planning Scheme through application of an Infrastructure Contributions Plan Overlay Schedule 4 (ICPO4) to the Precinct.

The Day 1 ICP changes are summarised in Appendix F:2. The key changes included:

- including in Section 4.2 Land Component:

For the purposes of this ICP, the net developable area for any specific parcel ID a set out in Table 11 is increased as a result of changes to the PSP design and/or land use variation, the responsible authority may require the land owner to enter into an agreement under section 173 of the Planning and Environment Act 1987 for payment of the Monetary Component for the additional net developable area at the ICP rates applicable at the time of any permit application.
- moving project ME-IN-12 from the standard levy list to the supplementary levy list
- amend the cost of IN-14 to reflect the Rockbank North Development Contributions Plan (DCP) item RD-06
- delete PED-01 from Table 6
- correct the discrepancy between the proposed ICP tables regarding the quantity of inner public purpose land that is funded via the land component
- remove IN-01 and IN-12
- amend the IN-17 design and land take
- include a new intersection IN-18
- remove the Leakes Road projects RD-05-01 and RD-05-02 from the cost list.

(ii) Background reports

Exhibited documents

- *Final Concept Design with Final Cost Estimates (Parts 1 and 2)*, SMEC, 20 February 2025.

Supplementary documents

- *Draft Melton East ICP Peer Review Assessment*, Urban Enterprise, 29 May 2025
- *ICP Transport Concept Designs & Costs: Supplementary Design Report*, SMEC, 26 June 2025
- Estimated construction costs, Rev 3, SMEC, 24 June 2025
- Memo 3: VPA response to Transport conclave
- Memo 4: VPA response to ICP conclave Statement

- Memo 6: VPA response to the ICP – Post Transport and ICP conclave.

10.2 Strategic justification of projects

(i) The issue

The issue is whether the projects proposed in the ICP are strategically justified and fulfil principles of need and nexus.

Note: Evidence and submissions relating to the strategic justification of transport projects including their need and nexus to the precinct and the Committee's discussion are set out in Chapter 6 and should be read in conjunction with this Chapter in the context of the referred issue.

(ii) Evidence and submissions

Evidence

Transport projects

Mr Shipp concluded:

- the draft ICP was prepared in accordance with the PE Act, Ministerial Direction and ICP Guidelines
- the scale of the levies warranted careful review to ensure all the proposed transport items were basic and essential to the new community
- calculations of the levies were accurate except for specific issues raised in the Peer Review Assessment
- further detail is required to confirm the:
 - MD on infrastructure contributions criteria for the supplementary transport levy allowable items is met
 - arterial road network is designed as basic and essential infrastructure
 - need for culverts funded by the ICP
 - scope and cost of BR-01, BR-02 and BR-03
- adjustments be made to RD-05, IN-01 and IN-14.

Mr Hrelja found that the ICP has been drafted in accordance with legislation, directions and guidelines but should be refined and updated.

Ms Marshall assessed the need and nexus of several infrastructure items and concluded:

- BR-01 and BR-03 should be maintained given the important role of Leakes Road and Tarletons Road
- BR-02 should be removed because there was limited benefit in including the additional link across Kororoit Creek and did was not basis and essential
- the removal of BR-02 allowed the downgrading of the northern section of Paynes Road to a lower order street which would make IN-12 and RD-04-01 redundant ICP projects
- PED-01 should be removed from the ICP as it would provide minimal benefit given it would service a limited catchment.

Mr De Young agreed with Ms Marshall that the north-south link (BR-02) should be removed from the PSP and ICP because the bridge did not meet satisfy the principles of need and nexus or being basic and essential. Mr De Young noted that the AECOM traffic modelling indicated that the future road network will operate with a level of service B or better with or without the north-south link

and the modelling states the removal of the link will “*not dramatically impact conditions on the network*”.

Local parks

Several experts raised concerns about the location of particular local park projects including Mr Fetterplace who considered LP-08 was compromised by the inclusion of the heritage place (Nissen Hut - HO207), stating it would be difficult to adaptively reuse and would present significant ongoing management costs to Council.

Submissions

Transport projects

With respect to Leakes Road, Council sought recommendations that:

- prior to the approval of the PSP and ICP, the VPA resolve conflicts between the design of Leakes Road and native vegetation (both in the precinct and retained vegetation in Rockbank North DCP), confirm design assumptions with Melbourne Water and update the design and costing to reflect the agreed design assumptions
- the ICP include a part cost apportioned project for the construction of Leakes Road (RD-05-1 and RD-05-2), currently part cost apportioned to Rockbank North DCP similar to IN-14 and the land required for the ultimate cross section of Leakes Road (RD-05-1 and RD-05-2) as inner public purpose land.

Submitters 28 and 30 considered a functional review was required to establish the need of some of the arterial/connector road intersections and the bridge crossings. It referred to the AECOM modelling scenario that excluded BR-02 and concluded that the internal road network would function adequately without this north-south link. On this basis BR-02 could not be considered ‘basic and essential’. If BR-02 was excluded from the ICP, but the land was still required this should be achieved using a PAO rather than absorbed by the ICP as inner public purpose land.

Submitter 2 and 33 said the ICP Guidelines identified that unless an item of infrastructure is essential to the community within the PSP area, it does not qualify for funding through a supplementary levy. It submitted:

- the Committee should adopt all of the Transport conclave recommendations
- based on the evidence of Mr Tivendale the inclusion of Taylors Road west as an ICP item had not been strategically justified
- BR-02 should be removed and if land is to be set aside to preserve the option of a connection to a future bridge, logically that land should be secured by a PAO and not treated as inner public purpose land accordingly.

Submitter 19 said the ICP Guidelines were clear that the ICP can only properly fund infrastructure that is basic and essential for the development of this precinct (submitter’s emphasis). In its view, if the VPA, DTP-Transport or Council seek provision of infrastructure that goes beyond basic and essential for this precinct, that is their prerogative, but it is not appropriate to burden this PSP, already subject to a very expensive ICP, with funding that infrastructure.

Local Parks

Submissions sought the relocation, resizing or removal of several local park projects because they were either undersized, of awkward shape, compromised by waterway crossings, proximity to arterial roads or containing heritage places, including LP-03 through to LP-09 and LP-11.

Submission 30 considered the distribution of local parks poor, resulting in over supply and catchment overlaps in some areas and under provision in other areas or over reliance on sports reserves or drainage areas. The submission proposed a redistribution of most of the local parks.

Council and other submitters said the opportunity should be taken now to better integrate many of the local parks with drainage assets (to utilise land slithers not required for drainage), sports reserves, conservation areas, NAC's and schools to create more multi-functional spaces.

VPA position

Transport projects

In response to expert evidence regarding the projected costs of the ICP, the VPA submitted that it needed to be recognised this is an extremely constrained PSP with a higher than normal percentage of areas subject to drainage constraints, the impact of Kororoit Creek. In this context the three bridge crossings were required.

The VPA submitted the ICP experts generally agreed except in relation to BR-02 that the ICP was strategically justified and fulfils the principles of need and nexus.

The VPA relied on the agreed removal of projects as set out in Memo 6 and confirmed:

- no additional land was required for the Leakes Road projects (RD-05-01 and RD-05-02)
- trees 'to be retained' in the Native Vegetation Retain and Removal Plan will be amended as 'can be removed' in the vicinity of the Leakes Road land take noting this does not preclude their retention if deemed possible at the planning permit stage.

In closing, the VPA submitted that having regard to the referred issue, the Final Day version of the ICP appropriately:

- reflects the infrastructure required to facilitate and meet the needs of the precinct as listed in Table 23 of the PSP
- includes and apportions BR-01, BR-02 and BR-03
- costs the ICP projects using the VPA benchmark costings that have been further validated by SMEC's Estimated construction costs analysis.

Local Parks

The VPA supported adjusting LP-08 to avoid a waterway but did not support other changes. It noted a range of factors relevant to local park distribution including the location of vegetation to be retained and not overburdening parcels with already extensive drainage areas.

(iii) Discussion

The evidence including the ICP conclave confirmed that the ICP has been prepared in accordance with the relevant legislation and guidelines. What was in dispute was whether:

- some projects met the 'basic and essential' test
- the 'need and nexus' for some infrastructure items have been fully established.

The view was put that there needed to be a thorough review of the design and cost of project to reduce the ICP levies and also land take to maximise NDA in the precinct. It is notable, however, that with the exception of BR-02 and Taylors Road west of Leakes Road, none of the ICP projects were seriously questioned as being needed for the development of the precinct.

Understandably, the emphasis of many submissions was on reducing the ICP Standard and supplementary levies costs and increasing NDA by the redesign or deletion of some

projects, amending the arterial and connector road network alignment to avoid creating inefficient or otherwise encumbered slithers of land and reducing the size of sports reserves or moving them to more optimal locations.

The work done by the VPA and other parties during the Hearing has, in part, served to facilitate a review of infrastructure projects resulting in progressive changes and refinements to the PSP and ICP in response to submissions and evidence and the transport network and ICP expert conclaves. Through this process and the testing of evidence, the strategic merit of the ICP projects in dispute has been appropriately explored and tested.

The Committee is satisfied that the projects included in the Final Day ICP are strategically justified and meet the 'basic and essential' test with the exception of BR-02. This bridge project should be removed from the PSP and ICP as discussed in Chapter 6.

In relation to local parks the Committee notes that the number, size and location of the Local Park projects was not a matter referred to the Committee in the context of Community Infrastructure. However, parties were of the view that as ICP land projects, whether they were strategically justified and met the principles of need and nexus, was before the Committee. In this regard the Committee considers:

- there is not an oversupply of local parks and the cumulative land take is at the lower end of the PSP Guideline target range
- the size of each of the local parks are not large, they are all within the PSP Guideline principles range of 0.1 to 3 ha
- the local parks are broadly distributed across the precinct although there are gaps and overlaps of walking catchments in part reflecting precinct constraints and the extent of land encumbered for drainage and waterways
- the broader need for them was identified in the CIA.

The Committee is satisfied that a need for the local park projects exist and there is a clear nexus for their provision. Local parks play a varied but different role to the other open spaces that are being provided extensively through this precinct. While opportunities to maximise NDA within the precinct are to be supported this should not be at the cost of providing what ultimately is a low level of local park provision.

There are no doubt opportunities to further rationalise the location of some Local Park projects including as proposed by the VPA in relation to LP-08 however this is a largely PSP matter (and not before the Committee) rather than an issue for the ICP which provides for the land only. Once the DSS has been finalised allowing for detailed design at the permit stage this will provide the opportunity for fine tuning local park location or considering co-location opportunities with drainage and waterways, conservation area or sports reserve assets where appropriate.

The changes in response to submissions and the ICP conclave are reflected in the Final Day ICP (refer Table 15). The Committee supports those changes.

Table 15 Committee response to Final Day changes to the Day 1 ICP

ICP ref	VPA Final Day changes	Recommendation
Throughout	Update ICP Ministerial Directions reference to 11 April 2025 version.	Support. Include in final version.
Plan 4	- Remove IN-03, IN-12, IN-15 and RD-04-01 (revert to a connector boulevard from IN-03 to BR-02)	Support. Include in final version.

ICP ref	VPA Final Day changes	Recommendation
	- Add a new project RD-06-01 between IN-02 and IN-06 - Update IN-14 costing to reflect 4 lane intersection	
Table 6	- Update costing of IN-14 to reflect 4 lane intersection - Update project descriptions for RD-03-01, RD-03-02, RD-03-03, RD-03-04 from 41m to 34m	Support. Include in final version.
Table 8	Update project descriptions for CI-01, CI-02, CI-03 and CI-04 to accurately capture location and land take	Support. Include in final version.
Section 4.3	Move the following paragraph from Section 4.3 to Section 5.3: <i>For the purposes of this ICP, if the net developable area for any specific parcel ID as set out in Table 11 is increased as a result of changes to the PSP design and/or land use variation, the responsible authority may require the land owner to enter into an agreement under section 173 of the Planning and Environment Act 1987 for payment of the Monetary Component for the additional net developable area at the ICP rates applicable at the time of any permit application.</i>	Support. Include in final version.

(iv) Conclusion and recommendation

The Committee concludes:

- The projects proposed in the Final Day ICP are strategically justified and fulfil the principles of need and nexus subject to the Committee's recommendations relating to Taylors Road and BR-02.

The Committee recommends

Infrastructure Contributions Plan

Amend the Melton East Infrastructure Contributions Plan consistent with the Victorian Planning Authority Final Day version and include the Committee's changes in Table 15.

10.3 Costings

(i) The issue

The referred issue is whether the proposed ICP costings are appropriate.

(ii) Evidence and submissions

Evidence and submissions

Mr Chrzanowski noted the cost estimates were prepared based on the rates from the VPA Benchmark Costings Report, 2019 using P90 rates based on interim designs. He considered the ICP designs and costings accurately reflected the civil design requirements for the PSP.

Mr Chaudry's evidence statement identified some uncertainty regarding the costings of bridges. Submitter 19 subsequently advised that its concerns in relation to costings had been resolved and Mr Chaudry was not called to give evidence.

Following the ICP conclave no parties made submissions on whether the ICP costings are appropriate.

VPA position

The VPA observed the experts that participated in or provided a response to the ICP conclave statement generally agreed that the ICP costings are appropriate but had also abstained from providing a position on a range of costing matters.

In response to Council's submissions regarding bridge designs, the VPA submitted that the bridge design and cost estimates:

- had captured the full extent of batters and barriers
- designs were realistic and feasible and based on current VPA benchmarks
- included a 20 per cent contingency for BR-03 to enable consideration of potential flood impacts in the absence of Melbourne Water's mapping.

The VPA submitted that the Final Day ICP appropriately costs the ICP projects using the benchmark costings that have been further validated by SMEC's Estimated construction costs, 24 June 2025.

(iii) Discussion

The Committee notes that except for queries about the bridge costings which were resolved during the course of the Hearing, no submissions explicitly raised the costing of ICP projects. Rather the issues made in submissions related to merits of ICP items and concerns over the high ICP levies in the PSP in comparison to other growth area PSPs and associated ICPs.

The only expert who gave evidence on costings, Mr Chrzanowski, advised the ICP designs and costings accurately reflected the civil design requirements for the PSP. No other experts expressed a view on individual project costing and, with the exception of Mr Chaudry with respect to bridge costings (which were subsequently resolved).

The Committee is satisfied the Day 1 ICP costings have appropriately applied the VPA benchmark costings, considered the Peer Review Assessment, and reflected SMEC's Estimated construction costs. They include appropriate contingencies to address a range of impacts including flooding and ecological considerations.

(iv) Conclusion

The Committee concludes:

- The ICP costings are appropriate.

10.4 Sports reserves

(i) The issue

The referred issue is whether the number of sports reserves provided is appropriate, including the regional active open space.

(ii) Evidence and submissions

Evidence

Mr Hrelja considered there was a need to review the scope of sporting infrastructure and associated land requirements based on the revision of PSP population estimates. While the sporting infrastructure levy component was capped to the standard levy it was important for Council to have a clear understanding of the scope of infrastructure, its cost and any funding gap.

Mr Shipp considered the recreation items were suitable for inclusion in an ICP and supported by the CIA while noting the active open space land allocation was approximately 4.1 ha larger than that identified in the Assessment. The CIA did not explicitly identify the need for a regional open space and he considered greater justification was required of the need for regional open space, the approach to its acquisition and the extent of active open space.

As identified in Chapter 8.2, while Mr Black supported moving SR-02 back to its exhibited location he did not question the basis of the number of sports reserves. He considered the 15 ha regional open space and its use as a sports reserve consistent with the West Growth Corridor Plan and supported the location of SR-03B and a lower order training oval within the floodplain to maximise NDA. Mr Black further considered the apportionment of projects SR-03A and SR-03Ac should be reduced to the ICP area in recognition of their regional catchment.

Submissions

Council said the foundation of the size and location of the regional open space (comprising SR-03A and SR-03B) was the West Growth Corridor Plan's identification of a 30 ha 'Regional Active Open Space (under investigation)'. Its submission set out the basis for:

- splitting it into two regional reserves (15 ha both the PSP and Warrensbrook PSP)
- using the whole of SR-03A and SR-03B for regional and active open space purposes
- the non-funding of SR-03B in the ICP (to be purchased and developed by Council) and its partial location within encumbered land ('Area of flood risk')
- amending the ICP so SR-03B was not credited open space to reflect its encumbered location.

Council said the sports reserve projects were not 'gold plated' and were based on VPA benchmarks.

Submitter 19 supported Mr Black's evidence that SR-03A and SR-03Ac should be apportioned to reflect their regional role rather than be attributed 100 per cent to the ICP area.

VPA position

The VPA said the 15 ha provision of regional open was consistent with:

- the West Growth Corridor Plan and Council's approach to splitting the 30 ha area between two PSPs
- PSP Guidelines for open space provision (T11 and T12)
- the identification of SR-03A as credited open space and SR-03B as uncredited open space
- the regional active open space ICP infrastructure comprising local level standard infrastructure, to be upgraded to regional standard by Council in addition to Council purchasing SR-03B.

It proposed several Final Day changes including:

- updating the ICP land take to reflect reduction in the size of SR-01
- adding to Section 3.3 an explanation about SR-03B funding and its retention as uncredited open space in the event of the 'Area of flood risk' reducing.

(iii) Discussion

As identified in Chapter 8.2 the Committee considers that the number of sports reserves (including the regional open space) is appropriate to meet the needs of the precinct's future community consistent with the principles and targets of the PSP Guidelines and confirmed in the CIA.

The West Growth Corridor Plan provides the strategic basis for identifying the location and size of the regional open space. Council has adopted a pragmatic approach to its provision, splitting it between the Melton East and Warrensbrook PSP, acquiring a portion of it and locating it partly within flood encumbered land and funding the regional level facilities.

On this basis it is considered the ICP appropriately:

- apportions the sports reserve land (including the regional sports reserve SR-03A), construction of sports fields, hard courts and pavilions (being basic local level and using standard costings) wholly to the precinct
- excludes the SR-03B land and any infrastructure on it.

Beyond Council's effective external contribution to the regional open space no further external apportionment is necessary.

The Committee has not fully interrogated all aspects of the Day 1 and Final Day versions of the ICP tables to ensure the proportions of the Regional Open Space are correctly designated as either credited or uncredited open space. This check should be undertaken by the VPA before finalising the ICP in addition to the necessary changes to reflect the reduction of SR-01 to 8 ha.

The VPA's Final Day changes relating to ICP Section 3.3 (refer Table 16) are appropriate. No further explanation of the role of the regional open space or its funding is required.

Table 16 Committee response to Final Day ICP changes - Regional Open Space

ICP ref	VPA Final Day changes	Recommendation
Plan 4	Downgrade SR-01 from 10ha to 8ha	Support. Include in final version.
3.3	Add the following text before Table 7: <i>SR-03B, comprising a third of the Regional Active Open Space Facility, is not included in Table 7 as it comprises 4.05 hectares of encumbered (flood-prone) land and is therefore not funded by the standard levy. Should the 'area of flood risk (Kororoit Creek)' identified on SR-03B reduce, the land for SR-03B will remain as uncredited open space. The land acquisition and development costs of this item are to be borne by Melton City Council.</i> Move the land take for RD-04-03 from the Land Use Budget to an Inner Public Purpose Land project.	Support. Include in final version.

(iv) Conclusions and recommendations

The Committee concludes:

- The number of sports reserves provided via the precinct is appropriate, including the regional active open space.
- The addition of a note relating to SR-30B as proposed in the VPA's Final Day version of the ICP is appropriate.
- The reduction of SR-01 to 8 ha should be reflected in relevant ICP plans and tables.

The Committee recommends:

Infrastructure Contributions Plan

Amend the Melton East Infrastructure Contributions Plan consistent with the Victorian Planning Authority Final Day version and reduce the size of SR-01 to 8 hectares.

10.5 Other ICP issues

Funding gap

Mr Shipp identified the Day 1 standard transport levy is underfunded by over \$23 million which needs to be covered by developers through Works in Kind or by Council. He said the ICP should explain how the standard transport funding shortfall would be addressed rather than remaining silent. Alternatively, he identified an exemption should be sought under section 29 of the MD infrastructure contributions to enable the standard levy shortfall to be included in the supplementary levy.

Council identified it was funding:

- around 50 per cent of community projects
- about 20 per cent standard transport projects
- funding regional open space SR-03B and the cost between local and regional standard infrastructure on SR-03A.

It submitted the significant funding shortfall would likely be funded by Council, increase overtime with higher costs, place a financial burden on Council and impact the delivery of infrastructure. Council requested the Committee bring to the Minister's attention what it identified as the systematic and routine nature of these shortfalls. It supported Mr Shipp's recommendation for an exemption under the MD infrastructure contributions to include in the standard levy gap in the supplementary levy.

The VPA did not support Council's position observing the ICP framework was not based on full cost recovery but rather was a contribution mechanism towards basic and essential infrastructure.

That there is a funding shortfall is not unique to this ICP. The ICP Guidelines acknowledge:

Developers, local government, state agencies and other stakeholders all share the responsibility for funding infrastructure and the contribution made by development should be proportionate to the need it is projected to generate. Accordingly, infrastructure contributions will not necessarily fund the full cost of infrastructure to be provided through an ICP.

While the scope of referred issues does not extend to the consideration of any funding gap and accordingly makes no recommendation on this, however, the Committee notes most of the funding shortfall will be borne by Council. This will have a financial impact and may affect the timing or capacity to deliver some infrastructure. While there is a mechanism to increase the supplementary levy to address the shortfall this is something that should have been explored during the preparation of the ICP so the impacts of it could be understood and tested. Increasing the supplementary levy will only compound the challenges of an already high levy. The Day 1 ICP includes a mechanism for Council to apply the ICP rates to the provision of any additional NDA and this will partly assist in reducing the funding gap.

Rockbank North projects

Mr Shipp observed the CIA identified the precinct will contribute to the demand for higher order community facilities provided for in the Rockbank MAC including land for a library and community centre and an indoor sports centre (C05 and C06 in the Rockbank North PSP which are 30 per cent funded by the Rockbank North DCP) and should contribute to these projects. Whether the ICP should contribute to the funding of land for those infrastructure items was a matter he deferred to a community infrastructure expert.

Council said the Rockbank DCP assumed that the two facilities would serve a broader catchment and serve and that residents in that PSP would utilise the regional open space. It sought a 33 per cent contribution (as Outer Public Purpose Land) from the PSP/ICP to the two Rockbank DCP projects (land) with the remainder to be apportioned to Warrensbrook PSP.

The VPA acknowledged that precinct's residents would likely use the indoor sports centre but the need to contribute to that project was effectively offset by the open space target being exceeded including the provision of the regional open.

It is unclear why the ICP did not identify a contribution towards the two Rockbank North DCP community projects when the CIA recommended it in the context of the PSP also providing the 15ha regional open space. This is an unfortunate outcome for Council's planning and capacity to fund those community facilities. The Committee has insufficient information before it to identify what if any contribution is reasonable and whether this is balanced against the provision of the regional open space or whether it can be accommodated within the standard community levy.

11 Drafting

(i) Discussion

The final changes to the PSP (including the recommendations of the Committee) will impact:

- a range of Plans, Tables and cross sections within the PSP
- the ICP in terms of projects included and their descriptions and costs, public purpose land details, land use budget and levy rates to reflect any project cost reductions or increased NDA
- the ICO4 consistent with the above changes.

The ICP will need to be reviewed before finalisation to include the necessary changes. Any changes to the ICP will also need to be reflected in the final ICO4.

The Committee has not cross-checked to see if all the relevant PSP changes (including Plans and cross sections) are reflected in the Final Day versions of Amendment documents or if the changes to the ICP are reflected in ICO4. As identified in Chapter 1 of this Report the Committee has not reviewed all Amendment documents and has focused its discussions, conclusions and recommendation on those referred issues that were subject to submissions and evidence.

The VPA should undertake a final check of all Amendment documents to ensure they reflect the Committee's recommendations.

(ii) Recommendation

The Committee recommends:

The VPA review all Amendment documents to ensure they reflect the final Melton East Precinct Structure Plan and Melton East Infrastructure Contributions Plan and the Committee's recommendations.

Appendix A VPA Projects Standing Advisory Committee Terms of Reference

Terms of Reference

VPA Projects Standing Advisory Committee

Version 1: July 2020

Standing Advisory Committee appointed pursuant to Part 7, section 151 of the *Planning and Environment Act 1987* (the Act) to advise the Minister for Planning and the Victorian Planning Authority (VPA) on referred projects and plans and associated draft planning scheme amendments.

Name

The Standing Advisory Committee is to be known as the 'VPA Projects Standing Advisory Committee'.

1. The Committee is to have members with the following skills:
 - a. Strategic planning
 - b. Statutory planning
 - c. Civil engineering (infrastructure planning)
 - d. Development contributions
 - e. Road and transport planning
 - f. Biodiversity
 - g. Social planning
 - h. Urban design
 - i. Heritage (post contact and Aboriginal)
 - j. Planning law.
2. The Committee will include a Chair, Deputy Chairs and not less than ten other appropriately qualified members.
3. The Committee may seek advice from other experts where it considers this necessary.

Purpose

4. The purpose of the Committee is to provide timely advice to the Minister for Planning and the VPA on specific matters referred to it related to various proposals, including but not limited to structure plans, infrastructure and development contribution plans, framework plans, development plans and any associated draft planning scheme amendment and planning permits.

Background

5. The VPA is responsible for preparing development plans and other proposals in identified metropolitan, growth areas and regional cities and towns. Some of these plans are to be approved through the planning scheme amendment process using the provisions of section 20(4) of the Act.
6. This Committee process allows submissions to be made to the VPA on a draft plan and associated draft planning scheme amendment, with any unresolved issues to be considered by the Committee before the final planning scheme amendment is submitted to the Minister for Planning for approval.
7. The Committee will provide a targeted and timely process to assess the merits of discrete unresolved issues associated with State and regionally significant projects.

Method

8. The Committee may meet, and depending on the nature of the referral and the issues raised, undertake consultation that is fit for purpose. This may be on the papers; through round table discussions or forums;

Terms of Reference | VPA Projects Standing Advisory Committee

or Hearings. There must be a quorum of at least two Committee members, including either the Chair or a Deputy Chair.

9. The Committee may apply to vary these Terms of Reference in any way it sees fit.

Notice

10. As directed by the Minister, the VPA will prepare and give notice of a 'draft Amendment' and receive submissions. The VPA will consider all submissions and where possible seek to resolve issues with submitters prior to referring matters to the Committee.
11. The Committee is not expected to carry out additional public notification or referral of matters but may seek the views of any relevant referral authority, responsible authority or government agency.

Referral

12. Once all submissions are considered, the Chief Executive Officer, VPA (or delegate) will provide a letter of referral to the Committee Chair, seeking its advice on particular matters or unresolved issues raised in the submissions and/or any other relevant matter. The letter of referral will be a public document.
13. The letter of referral must be accompanied by:
 - a. The relevant plan and associated draft planning scheme amendment and planning permit documentation
 - b. The referred submissions
 - c. Any supporting background material.

Committee Assessment

14. The Committee may inform itself in anyway it sees fit, but must consider:
 - a. The relevant components of the referred plan and associated draft planning scheme amendment and any associated planning permit (if relevant) that relate to the submissions or issues referred to it
 - b. The referred submissions
 - c. *Plan Melbourne*
 - d. Any relevant Regional Growth Plan or Growth Corridor Plan
 - e. The applicable Planning Scheme
 - f. Relevant State and local policy
 - g. Any other material referred to it.
15. Depending upon the nature of the referral, the Committee can conduct its proceedings through round table discussions, on the papers or, a public hearing, including by video conference if unable to conduct this 'in person'.
16. The Committee will be provided with the written submissions and other supporting material by parties, and may:
 - a. Direct that parties meet, to discuss and further resolve issues, or
 - b. Act as a mediator to seek to resolve issues in dispute.
17. The Committee may direct the VPA and relevant parties to provide additional information on specified matters.
18. The committee must not consider submissions or evidence on a matter that a planning authority is prevented from considering by operation of ss 22(3) and 22(5) of the Planning and Environment Act 1987.
19. The written submission of the VPA is to include:
 - a. an overview of the draft amendment and/or any relevant planning permit and the relevant Plan, including a detailed explanation of the referred elements.

- b. a written response to each referred submission and how the draft plan, amendment or permit might be changed to respond to the submission.

Outcomes

- 20. The Committee must produce a written report for the VPA and the Minister for Planning, providing the following:
 - a. Whether the referred element(s) of the draft amendment or planning permit is appropriate
 - b. A summary and assessment of the issues raised in submissions referred to the Committee.
 - c. Any other relevant matters raised in the course of the Committee process.
 - d. A list of persons who made submissions considered by the Committee.
 - e. A list of tabled documents.
 - f. A list of persons consulted or heard, including via video conference.
- 21. Following the completion of the report the Committee may deliver an oral briefing to the Minister for Planning or the VPA. The briefing may be in person, by video conference or telephone.

Submissions are public documents

- 22. The Committee must retain a library of any written submissions or other supporting documentation provided to it until a decision has been made on its report or five years has passed from the time of its appointment.
- 23. Any written submissions or other supporting documentation provided to the Committee must be available for public inspection until the submission of its report, unless the Committee specifically directs that the material is to remain 'in camera'. A document may be made available for public inspection electronically.

Timing

- 24. The Committee is required to commence its process by issuing a written notice of the referral of a matter from the VPA to all referred submitters no later than 10 business days from the date of any specific letter of referral received.
- 25. The Committee is required to submit its report in writing as soon as practicable but no later than 20 business days from the last day of its proceedings, tabling of submissions or consultation process.
- 26. The VPA must release the report of the Committee within 10 business days of its receipt.

Fee

- 27. The fee for the Committee will be set at the current rate for a Panel appointed under Part 8 of the *Planning and Environment Act 1987*.
- 28. The costs of the Committee will be met by the VPA.



Richard Wynne MP
Minister for Planning

Date: 17 / 07 / 2020

Appendix B Letter of referral

B:1 Letter of referral (30 April 2025)



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30 April 2025

Doc No:

Mr Tim Hellsten
Lead Chair
Victorian Planning Authority Projects Standing Advisory Committee
Planning Panels Victoria
Sent via: planning.panels@transport.vic.gov.au

Dear Mr Hellsten,

**DRAFT AMENDMENT C244MELT TO THE MELTON PLANNING SCHEME –
MELTON EAST PRECINCT STRUCTURE PLAN AND INFRASTRUCTURE CONTRIBUTIONS
PLAN - REFERRAL TO THE VPA PROJECTS STANDING ADVISORY COMMITTEE**

I refer to draft Amendment C244melt to the Melton Planning Scheme (draft amendment), which proposes to facilitate residential development of the Melton East precinct generally in accordance with the Melton East Precinct Structure Plan (PSP) and Infrastructure Contributions Plan (ICP).

On 29 December 2024, the Minister for Planning approved the VPA to use a streamlined planning process to progress the draft amendment, undertake targeted public consultation and delegated to the VPA Chief Executive Officer the power to refer any unresolved submissions directly to the VPA Projects Standing Advisory Committee (Committee).

The VPA undertook a targeted public consultation process for the PSP, ICP and associated draft planning scheme ordinance during March 2025. A total of 41 submissions were received.

Referral

In accordance with clause 12 of the terms of reference for the Committee (July 2020) and delegation provided to the VPA, I am writing to refer 'key issues' identified in **Table 1** below from unresolved submissions to the Melton East PSP, ICP and associated draft planning scheme amendment for advice and recommendations.

The request for the Committee's advice to facilitate an efficient and effective hearing is contained to the key issues identified in **Table 1**.

The VPA will continue seeking to resolve submissions that have not been referred to the Committee directly with submitters. The submissions that have not been referred are those the VPA is confident will be resolved outside of the Committee process, including submissions by government agencies and submissions that do not request changes to the draft amendment.

Table 1 – Key Issues

KEY ISSUES	ADVICE SOUGHT
Drainage land take and flooding	Please advise if: - The location and size of drainage areas as shown on the PSP provide an appropriate envelope and land take within which to subsequently resolve detailed design of required Melbourne Water infrastructure. - Location of drainage assets outside of areas of cultural and ecological sensitivity is strategically justified. - The removal of the Urban Floodway Zone is appropriate having regard to flood safety risk and implementation of development outcomes in the PSP.

Staging and Infrastructure	Please advise whether: The Infrastructure and Development Staging Plan (Plan 12) in the PSP in conjunction with the Requirements and Guidelines in Section 3.7 of the PSP will allow for the orderly development of the precinct.
Infrastructure Contributions Plan (ICP)	Please advise whether: - The projects proposed in the ICP are strategically justified and fulfil principles of need and nexus. - Proposed ICP costings are appropriate. - The number of sports reserves provided via the precinct is appropriate, including the regional active open space.
Residential densities	Please advise whether: - The requirements and guidelines in the PSP about housing typologies and subdivision design are appropriate having regard to the density mix proposed by the PSP. - The target density of an average of 40 dwellings per hectare on land located within 400 metre walkable catchments of activity centres is appropriate
Transport network	Please advise whether: The road network proposed by the PSP, including intersections and road widening, is strategically justified.
Affordable housing	Please advise whether: The guidelines and information included within the PSP on affordable housing are appropriate for inclusion as a means of encouraging the provision of affordable housing without mandating it.
Community infrastructure	Please advise whether: The location and size of sports reserves within the precinct is appropriate to balance community needs while maximising Net Developable Area.
Aboriginal Cultural heritage	Please advise whether: The material within the PSP relating to Aboriginal Cultural Heritage is strategically justified, specifically R33, G32-34, Plan 10 and Plan 17.

Drainage matters have been referred for advice as described above. However, the VPA requests the Committee focus its consideration on the discrete strategic planning aspects of drainage identified in Table 1 instead of detailed technical matters, as the final drainage outcomes will be determined through Melbourne Water's DSS. Drainage has been included in the PSP for spatial planning purposes and is not intended to fetter Melbourne Water's decision-making discretion. The DSS will be further refined and finalised by Melbourne Water after gazettal of the PSP, as is consistent with the standard approach to DSS design and implementation.

Without limiting its powers under the *Planning and Environment Act 1987 (Vic)*, including the power to regulate its own proceedings, the VPA encourages the Committee to consider adopting the following hearing procedures to provide an efficient and timely process for the assessment of the draft amendment:

- Specifying a time limit for submitters seeking to be heard;
- Regulating evidence in chief to balance efficiency and fairness;
- Limiting cross examination to matters which are of interest to the Committee; and
- Directing the submitters to focus preparation of submissions and appointment of experts only on the specific matters the VPA has requested your advice on and raised in their submission as outlined in Table 1.

The supporting documents required by clause 13 of the terms of reference are enclosed via Sharefile link in the accompanying email.

The VPA requests the Committee confirm the following indicative dates:

- A Directions Hearing commencing in the week of 26 May 2025 – with a preference for 28 May
- A Hearing commencing in the week of 7 July 2025.



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I enclose all referred submissions, and a submissions summary table which identifies the key issues within unresolved submissions and the VPA's current response to submitters.

If you would like further information, please email Justin O'Meara, Executive Director Metropolitan Melbourne at Justin.Omeara@vpa.vic.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Dean Rochfort', is written over a light blue horizontal line.

DEAN ROCHFORT
ACTING CHIEF EXECUTIVE OFFICER

Encl. Melton East PSP and ICP
 Draft Amendment C244melt to the Melton Planning Scheme documentation
 Referred submissions and submitter details
 VPA referred Submissions Summary Table
 Melton East Public Consultation Report (draft)
 Supporting background reports

cc. Roslyn Wai, Chief Executive Officer, City of Melton

B:2 Amended letter of referral (30 May 2025)



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30 May 2025

Doc No: COR/25/680

Mr Tim Hellsten
Deputy Chair
Victorian Planning Authority Projects Standing Advisory Committee
Planning Panels Victoria
Sent via: planning_panels@transport.vic.gov.au

Dear Mr Hellsten,

**DRAFT AMENDMENT C244MELT TO THE MELTON PLANNING SCHEME –
MELTON EAST PRECINCT STRUCTURE PLAN AND INFRASTRUCTURE CONTRIBUTIONS
PLAN – AMENDED REFERRAL TO THE VPA PROJECTS STANDING ADVISORY COMMITTEE**

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The VPA undertook a targeted public consultation process for the PSP, ICP and associated draft planning scheme ordinance during March 2025. A total of 41 submissions were received.

Referral

In accordance with clause 12 of the terms of reference for the Committee (July 2020) and delegation provided to the VPA, I am writing to refer 'key issues' identified in Table 1 below from unresolved submissions to the Melton East PSP, ICP and associated draft planning scheme amendment for advice and recommendations.

The referral letter, dated 30 April 2025, has been amended to include a request for advice from the Committee on the location of schools as part of the community infrastructure key issue. The location of schools has changed since the Melton East PSP and ICP was referred to the Committee and has been identified as a relevant issue for the Committee to consider. Accordingly, Table 1 below has been updated.

The request for the Committee's advice to facilitate an efficient and effective hearing is contained to the key issues identified in Table 1.

The VPA will continue seeking to resolve submissions that have not been referred to the Committee directly with submitters. The submissions that have not been referred are those the VPA is confident will be resolved outside of the Committee process, including submissions by government agencies and submissions that do not request changes to the draft amendment.

Table 1 – Key Issues

KEY ISSUES	ADVICE SOUGHT
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	The removal of the Urban Floodway Zone is appropriate having regard to flood safety risk and implementation of development outcomes in the PSP.
Staging and Infrastructure	Please advise whether: The Infrastructure and Development Staging Plan (Plan 12) in the PSP in conjunction with the Requirements and Guidelines in Section 3.7 of the PSP will allow for the orderly development of the precinct.
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Aboriginal Cultural heritage	Please advise whether: The material within the PSP relating to Aboriginal Cultural Heritage is strategically justified, specifically R33, G32-34, Plan 10 and Plan 17.

Drainage matters have been referred for advice as described above. However, the VPA requests the Committee focus its consideration on the discrete strategic planning aspects of drainage identified in Table 1 instead of detailed technical matters, as the final drainage outcomes will be determined through Melbourne Water's DSS. Drainage has been included in the PSP for spatial planning purposes and is not intended to fetter Melbourne Water's decision-making discretion. The DSS will be further refined and finalised by Melbourne Water after gazettal of the PSP, as is consistent with the standard approach to DSS design and implementation.

Without limiting its powers under the *Planning and Environment Act 1987 (Vic)*, including the power to regulate its own proceedings, the VPA encourages the Committee to consider adopting the following hearing procedures to provide an efficient and timely process for the assessment of the draft amendment:

- Specifying a time limit for submitters seeking to be heard;
- Regulating evidence in chief to balance efficiency and fairness;
- Limiting cross examination to matters which are of interest to the Committee; and
- Directing the submitters to focus preparation of submissions and appointment of experts only on the specific matters the VPA has requested your advice on and raised in their submission as outlined in Table 1.

The supporting documents required by clause 13 of the terms of reference are enclosed via Sharefile link in the accompanying email.



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The VPA requests the Committee confirm the following indicative dates:

- A Directions Hearing commencing in the week of 26 May 2025 – with a preference for 28 May
- A Hearing commencing in the week of 7 July 2025.

I enclose all referred submissions, and a submissions summary table which identifies the key issues within unresolved submissions and the VPA's current response to submitters.

If you would like further information, please email Justin O'Meara, Executive Director Metropolitan Melbourne at Justin.Omeara@vpa.vic.gov.au.

Yours sincerely,

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DEAN ROCHFORD
ACTING CHIEF EXECUTIVE OFFICER

Encl. Melton East PSP and ICP
Draft Amendment C244melt to the Melton Planning Scheme documentation
Referred submissions and submitter details
VPA referred Submissions Summary Table
Melton East Public Consultation Report (draft)
Supporting background reports

cc. Roslyn Wai, Chief Executive Officer, City of Melton

Appendix C List of referred submissions

No.	Submitter
2	Growland
3	Robert Luhan and Richard Luhan
4	Susan and Raymond Mercieca
5	JK Constructions Group
6	The Trustee for 68 Paynes Rd Family Trust
8	George and Najat Salloum
12	John Yalden
13	Eleonora Longo
14	YWY Unit Pty Ltd
15	Melbourne Water
18	NNROLE Pty Ltd
19	3L Alliance
21	Vella Family
22	Department of Justice and Community Safety
24	Kulbeer Singh
25	Grange Haven
26	Gold Rush Investments Pty Ltd
27	SIG Group
28	Xingsi Ru-De Kong Meng Association Ltd; and KN Lin & YL Lin Huangwith Association Ltd
29	Yale Asset Development 2
30	Jeanette Moreland, Nick and Nicole Magro & Daniel Magro
31	VLG Nominees Pty Ltd and D Grima Pty Ltd
33	Mt Cottrell Land Pty Ltd (Growland) (second submission)
34	J & M Portelli
35	Maximise Group
36	Victorian National Parks Association
37	VIP Woodlands Estate Pty Ltd
38	Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation
39	Synergy Living Developments
40	Sandra Green
41	Melton City Council

Appendix D Parties to the Committee Hearing

Submitter	Represented by
VPA	Mark Bartley, Sonia Turnbull and Lauren Millington of Russell Kennedy and Gemma Walkley of the VPA who called evidence from: - Benjamin Mentha of AECOM/Colliers on transport - John-Paul Maina of Impact on transport - Paul Shipp of Urban Enterprise on infrastructure contributions - Glen Chrzanowski of SMEC on infrastructure contributions
Melton City Council	Greg Tobin assisted by Aaron Shrimpton of Harwood Andrews, who called evidence from: - Rob Swan of HARC on drainage - Jo Garretty of Salt3 on transport - Jonathon Fetterplace of A Different City on community infrastructure
Melbourne Water	Rupert Watters of Counsel and Breanna Eastaugh assisted by Charlie Wurm of Maddocks, who called evidence from: - Warrick Bishop of Water Technology on drainage - Lance Lloyd of Lloyd Environmental on ecology
Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation	Lauren Modra, Senior Heritage Adviser
Victorian National Parks Association	Adrian Marshall
3L Alliance (acting for Yingde Investments Pty Ltd)	Paul Connor KC and Carly Robertson of counsel, who called evidence from: - Jason Black of insight Planning on planning and infrastructure contributions - Michael Mag of Stormy Water Solutions on drainage - Chris McNeil of Ethos Urban on infrastructure contributions - Awais Chaudry of Hatch on infrastructure costings - Hilary Marshall of Ratio on traffic - Oona Nicholson of Ecology & Heritage Partners on Aboriginal cultural heritage
Peng Heng Wong (VIP Woodlands Estate Pty Ltd)	Jane Sharpe of counsel instructed by Rhodie Anderson of Rigby Cooke Lawyers
Grange Haven Pty Ltd Maximise Group	Ellen Tarasenko of Polis Legal, who called evidence: - John Mathios of DPM Consulting on drainage (Grange Haven) - Chris Beardshaw of Afflux Consulting on drainage (Maximise Group) - Jason Walsh of Traffix Group on transport (Maximise Group) - Evan Granger of Urbis on community infrastructure (Grange Haven)

Submitter	Represented by
Mt Cottrell Land Pty Ltd (Growland) Yale Asset Development 2	John Cicero and Eliza Minney of Best Hooper, who called evidence from: - Sarah Horsfield of Urbis on planning (Growland) - John Mathios of DPM Consulting on drainage - Knowles Tivendale of Movement and Place on transport (Growland) - Tim De Young of Eukai on transport (Yale Asset Development 2) - Mark Hrelja of Hill PDA on infrastructure contributions (Growland) - Alan Brennan of Nature Advisory on ecology (Yale)
YWY Unit Pty Ltd VLG Nominees Pty Ltd and D Grima Pty Ltd (Grima family)	Jarryd Gray of Minter Ellison, who called evidence from: - Andrew Matheson of Taylors on drainage (Grima Family) - Nick Hooper of Taylors on town planning
NNRole Pty Ltd Vella Family*	Alisanne Boag of Beveridge Williams
Xingsi Ru-De Kong Meng Association Ltd and KN Lin & YL Lin Huangwith Association Ltd Jeanette Moreland, Nick and Nicole Magro, Daniel Magro	Sam Sawaya of SPOT Planning
The Trustee for 68 Paynes Rd Family Trust* JK Constructions Group* Gold Rush Investments Pty Ltd*	Robert Williams of Human Habitats
Sandra Green*	Robert Ford of Town Planning People
J & M Portelli	Shannon Hill of Urban Design & Management
Eleonora Longo	John Shone of Food Circle Pty Ltd
Robert Luhan and Richard Luhan*	
Raymond and Susan Mercieca*	
* Parties who advised before or during the Hearing that they would not make verbal submissions at the Hearing but rely on original or additional written submissions instead	

Appendix E Procedural issues

E:1 Issues before the Committee

i) Background

The Committee's Terms of Reference provides [Committee's emphasis]:

4. The purpose of the Committee is to provide timely advice to the Minister for Planning and the VPA on specific matters referred to it related to various proposals, including but not limited to structure plans, infrastructure and development contribution plans, framework plans, development plans and any associated draft planning scheme amendment and planning permits.
12. Once all submissions are considered, the Chief Executive Officer, VPA (or delegate) will provide a letter of referral to the Committee Chair, seeking its advice on particular matters or unresolved issues raised in the submissions and/or any other relevant matter. The letter of referral will be a public document.
14. The Committee may inform itself in anyway it sees fit, but must consider:
 - a. The relevant components of the referred plan and associated draft planning scheme amendment and any associated planning permit (if relevant) that relate to the submissions or issues referred to it
 - b. The referred submissions
 - c. *Plan Melbourne*
 - d. Any relevant Regional Growth Plan or Growth Corridor Plan
 - e. The applicable Planning Scheme
 - f. Relevant State and local policy
 - g. Any other material referred to it

The referral letter of 30 April 2025 identified the VPA:

- was referring only 'key issues' relating to the referred issues Table 1 from unresolved submissions
- limits the consideration of drainage issues to the Table 1 elements and "*discreet strategic aspects of drainage*" rather than detailed technical matters
- it would continue seeking to resolve the submissions not referred to the Committee directly with submitters.

In relation to the Table 1 issues the VPA's referred submissions summary table (D6) identified the elements of each referred unresolved submission which related to the identified Table 1 issue and whether it was 'referred'.

At the Directions Hearing parties queried among other matters whether the Committee would:

- be considering all unresolved submissions (beyond the Table 1 issues)
- be considering other matters including matters generally relating to the Table 1 theme but not the specific elements of each theme – for example expanding on drainage to include DSS matters and allowing drainage evidence and submissions to include detailed modelling and technical design to support the reduction in asset land take or a change in asset design.

ii) Committee response

The Committee considered that the Terms of Reference clearly enables the VPA through its referral letter to limit the submissions referred to the Committee or limit the matters relating to unresolved submissions. For this matter the Committee's considerations and scope is limited to the Table 1 issues and the specific elements or questions of each theme.

In relation to drainage matters the referral identifies that drainage has been included in the PSP for spatial planning reasons with detailed drainage outcomes to be determined through Melbourne Water's DSS process.

In relation to PSP post-exhibition changes to change the location of several schools the VPA sent an amended referral letter to the Committee on 30 May 2025 (Appendix B:2) which identified:

The VPA, due to a change to the Place Placed Plan from the exhibited PSP and in response to the Department of Education and the affected submitters is of the view that the relocation of the proposed government (Peppercorn P-6) school from parcel 34 to parcel 26 and 24E, and proposed government primary (Nissan Hut P-6) school from 54 to parcel 56 and 57, and non-government school from parcel 56 to parcel 55 ought to be included in Key Issues under the theme Community Infrastructure.

In this regard the Committee has been received an amended referral letter (Appendix B:2) which updates Table 1 issues under Community Infrastructure seeking advice on whether:

1. The location and size of sports reserves and schools within the precinct is appropriate to balance community needs while maximising Net Developable Area.

The Committee issued directions requiring evidence and submissions:

- be limited to matters in the referred issues
- not include detailed modelling or technical detail particularly in relation to drainage.

To assist parties however the Committee directed the VPA to provide (which it did):

- a copy of its referred submissions summary table (D6)
- a joint statement from VPA and Melbourne Water regarding the status of the DSS, agreed changes and Melbourne Water's outstanding drainage issues (D25)
- an early summary of proposed Amendment document changes (D28)
- Day 1 version of all Amendment documents including a summary of changes table.

The VPA included redacted copies of all submissions on the shared document drive used for the Hearing and provided a Table showing submissions referred and not referred (D17).

E:2 Documentation

i) Cultural heritage assessments

At the Directions Hearing submitter 19 and other parties sought unredacted versions of the:

- Aboriginal Cultural Values Assessment, Unearthed Heritage, 18 December 2024
- Aboriginal Cultural Heritage Impact Assessment, Unearthed Heritage, 27 February 2025.

The Committee on 30 May 2025 requested the VPA to discuss with the WWCHAC the possibility of the documents being provided in unredacted form. The VPA advised on 13 June 2025 (D27) that the request had not been agreed due to WWCHAC Elders were not comfortable releasing culturally sensitive information contained within the documents.

The Committee respects this advice and has not sought to direct the documents be provided in unredacted form noting submissions and evidence can be made about the weight to be applied to these documents based on the redactions.

ii) Housing affordability modelling

On 11 June 2025 submitter 19 requested the data underpinning the affordable Housing Needs Assessment Model, SGS, 19 July 2024 which informed the VPA's Affordable Housing Needs Assessment Report (AHNA) and PSP target of 12 per cent (D24).

On 20 June 2025 the VPA advised (D31) responded to the request advising the majority of data used in the modelling was publicly available and set out in the SGS report appendix. It further advised however:

The VPA's data agreement with Homes Victoria allows use of its dataset in the VPA model on the basis that the raw dataset or any variation is not publicly released. The model calculates the outputs utilising the method articulated in the Methodology Report drawing from the data sources specified in Table 1. Without the Homes Victoria dataset, the model will not accurately calculate the overall demand percentage as the Homes Victoria dataset includes data to calculate social housing demand.

Accordingly, the VPA will not distribute the model as without the Homes Victoria dataset, the model will not advance further consideration of the demand percentage identified in the HNAR than is provided in the Methodology Report.

The Committee was satisfied by this response and made no directions for the circulation of additional modelling data noting submissions and evidence can be made about the weight to be applied to the exhibited document (D33).

E:3 Site inspection

The Committee advised parties that it intended to undertake its site inspection unaccompanied and from the public realm but invited parties to nominate sites to be included in the inspection itinerary prepared by the VPA at the direction of the Committee. This inspection included views to submitter land parcels and precinct surrounds including nearby bridges and housing development sites identified by Council and other features nominated by parties.

The Committee was unable to enter a property it had been invited to inspect due to the timing of its inspection allowing insufficient time to provide the permission sought to the land owners. In this instance the Committee invited that land owner party to provide aerial or other photographic images of the site as part of their submission.

E:4 Conduct of hearing (evidence and cross examination)

The VPA's referral letter encourages the Committee to conduct a hearing in a manner which uses a range of procedures to provide an efficient and timely assessment of the Amendment including submission time limits, regulating evidence in chief and limiting cross examination. While the PE Act enables the Committee to regulate its own proceedings it is also cognisant of its obligations to afford natural justice.

On 17 June 2025 the Committee advised parties that given the extensive number of experts to be called by parties it would be issuing directions regarding the provision of evidence in chief and cross examination to ensure an efficient hearing (D29). It identified this was necessary also ensure that sufficient time is available for party submissions noting the range of advocate date limitations that the Committee had endeavoured to accommodate.

On 27 June 2025 the Committee issued directions (D41) for evidence in chief and cross examination which included:

- Evidence in chief:
 - time limits for evidence in chief and where conclaves have been conducted, limited to matters of disagreement
 - to relate to the referred issues and not include strategic or detailed site context or detailed modelling

- where an expert is providing evidence on behalf of multiple parties only one evidence in chief presentation is made with extra time for each additional party to which the evidence related.
- Cross examination:
 - time limited
 - limited to matters associated with the referred theme issues
 - largely confined to parties calling like evidence unless time permitted questions from other parties who raised related submission issues
 - advocates encouraged to identify lead cross-examiners for VPA and Melbourne Water witnesses.

On 13 June 2025 the Committee issued directions for the conduct of expert conclaves for the following referred issues:

- ICP
- Transport network.

On 2 July 2025 a request was made for the Committee to direct the conduct a drainage conclave. The request was not supported for reasons including:

- the drainage issues before the Committee in the referred issues are relatively confined and do not include resolving DSS detailed design issues
- the VPA is not calling drainage evidence
- the current timetable is tight and constrained by both advocate and expert availability and the suggested conclave timing leaves insufficient time for Melbourne Water or VPA to respond
- there is a separate process available through the Water Act 1987 to pursue detailed DSS design issues.

E:5 Supplementary evidence and party position statements

Experts were permitted to provide supplementary evidence where unable to attend the related conclave and to respond to the delayed circulation of the Day 1 ICP.

Parties were provided with the opportunity to provide opening position statements before the commencement of the Hearing. Several parties took up this opportunity. These statements were helpful for the Committee and VPA to understand the remaining scope of issues early in the Hearing process.

E:6 Further submissions from parties who did not attend the Hearing

During the Hearing several parties elected to either rely on their original submissions or provide additional written submissions rather than attend the Hearing including:

- Vella Family
- JK Constructions Group
- Gold Rush Investments Pty Ltd
- The Trustee for 68 Paynes Road Family Trust
- Sandra Green
- Raymond and Susan Mercieca
- Robert Luhan and Richard Luhan.

These submissions were considered by the Committee in preparing its Report.

E:7 Responses to Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation hearing submission

The WWCHAC provided a detailed presentation to the Hearing which provided useful context to the development of the PSP mapping, requirements and guidelines. It contained substantial information which was not within the referred submission which was largely limited to suggested drafting changes which were subsequently included in the Day 1 version. On the basis that the submission contained important additional detailed information, was presented after the cultural heritage expert and after the majority of submissions had been made responding to the referred Cultural Heritage issues, the Committee provided parties with the opportunity to respond to the new material. Several parties elected to do so.

Appendix F VPA Day 1 changes summary tables

Based on the VPA's Summary of Day 1 changes (D37).

F:1 Day 1 PSP changes

Section	Proposed change
All	Updated including consistent references to legislation, Wurundjeri Woi-wurrung and Traditional Custodians
Context	Update cultural context
Outcomes	<u>Purpose:</u> - Amend to reduce housing figures to 11,651 dwellings - Amend the second paragraph to read: <i>The long-term conservation of significant flora and fauna areas within the precinct such as the BCS conservation areas located along the Kororoit Creek and Seasonal Herbaceous Wetland will be a distinct asset of the community. Public open space, active transport routes and community facilities will be located in proximity to these natural assets. Communities will be designed to support connectivity between the built environment and natural landscapes integrating water sensitive urban design principles where appropriate to deliver a green and climate resilient precinct.</i> <u>General Notes:</u> (New section) insert the following notes: - <i>Progressive certainty:</i> • <i>The Melton East PSP includes land set aside for development services scheme assets.</i> • <i>Any change to the size, type, staging or location of DSS assets, will be considered by the responsible authority as being generally in accordance if those DSS assets achieve the intended performance standards and are approved by Melbourne Water in respect of drainage matters.</i> • <i>Should the land required for the delivery of these assets be reduced with the written consent of Melbourne Water post-gazettal of this PSP, then that surplus land may be used and development in accordance with the applied zoning of that land under Schedule 13 of the Urban Growth Zone.</i> • <i>Any increases in NDHA are subject to Section 4.2 of the Melton East Infrastructure Contributions Plan – which sets out the process for changes to the land use budget.</i> for 'Kangaroo management'. <u>Plan 2:</u> - Relocation of local parks LP-01, LP-02, LP-03, LP-05 and LP-09, remove LP-06, LP-07, LP-08 and LP-10 09 and add LP-013 and on parcels 25, 51 and 32. - Relocate the eastern P-6 to properties 56 and 57, and non-Government school to property 55. Size of CI-03 reduced to 0.8 hectares and CI-04 increased to 1 hectare and relocate the P-6 near the secondary school to Properties 26 and 24. Relocate SR-02 to properties 32 and 34. Shift town centre on property 24 west to accommodate part of the P-6 - Identify a 1ha substation - Amend colours of amenity areas to make heritage areas more identifiable. - Shift northern NAC to the corner of Mount Cottrell Road and Tarletons Road. - Add new intersection at Taylors Road and Beattys Road. - Remove amenity area designation from linear waterways. - Distinguish between UFZ area and DSS in legend - name UFZ area 'Area of flood risk (Kororoit Creek)'

Section	Proposed change
3.1	<u>Objectives:</u> - Update O3 to delete reference to 'high' amenity areas - Update O5: <i>To facilitate work towards meeting the long-term aspiration of delivering 12% affordable housing.</i> - Add new O6: <i>To promote and facilitate environmentally sustainable and climate resilient housing.</i> <u>Requirements and guidelines:</u> - Amend R4 relating to rear access - Amend G4 to: <i>Where affordable housing is provided, affordable housing products should be predominantly located in higher amenity areas close to services, public transport and community facilities and provide for a range of housing typologies to meet demonstrated local needs having consideration to Table 3 Housing density and diversity</i> - Amend G6 to delete reference to amenity areas - Add a new Guideline (G7) for best practice ESD (Environmentally Sustainable Development) outcomes <u>Table 3:</u> - Delete Amenity Area (High) content - Amend 'Amenity Area (Standard)' to 'Amenity Area' and amend catchment, typologies and decision guidance - Change Amenity Area wording: - Low to mid-rise developments should be prioritized around schools, the periphery of amenity areas, and adjoining Kororoit Creek, <i>natural wetlands and conservation areas</i>. - Change 'integrated/apartment developments' to 'apartment developments'. - Update wording: <i>To support delivery of diverse housing outcomes in amenity areas, planning applications should enable opportunities to deliver a mix of different housing typologies which should include, but is not limited to...</i> - Add Decision guidelines: <i>Subdivision applications should provide a mix of three (3) housing typologies, where possible. Fragmented parcels or smaller parcels within the precinct could consider a reduction in the provision of housing typologies.</i> <u>Table 4:</u> Amend to reflect changes to Table 3 and amend all figures <u>Plan 3:</u> Remove 'high density areas' from linear drainage areas and high amenity designation
3.2	<u>Requirements and guidelines:</u> - Amend R11 to remove reference to parking provision - Amend G7 (new G8) to exclude particular locations - Amend G8 (new G9) to remove reference to matrix methodology - Amend G11 (new G12) to add greater clarity - Amend G13 to clarify laneway design outcomes <u>Plan 4:</u> - identify pedestrian bridge in legend as 'indicative' - Add proposed path connections along the drainage and waterway corridors for Melton Highway and Leakes Road connections - Delete all Pedestrian Operated Signals with the exception of the Taylors Road Public Open Space to the south of WLRB-6 / BCS Conservation Area - Delete unnecessary duplications of shared path network

Section	Proposed change
	- Downgrade IN-01 to left in / left out - Downgrade IN-12 to a roundabout
3.3	<u>Objectives:</u> Amend 014 (new 015) to refer to Rockbank Train station <u>Requirements and guidelines:</u> - Amend R19 to delete reference to NAC Concept Plans - Amend R21 to include “to the satisfaction of the Head, Transport for Victoria”. <u>Plan 5:</u> Amend to identify the amended location of the northern NAC
3.4	<u>Objectives:</u> Add new objectives: - O25 To ensure stormwater is managed for flood protection factoring in climate change and water quality treatment - O26 To optimise the quantum of land required for flood and stormwater management to maximise land available for development <u>Requirements and guidelines:</u> - Amend R24 to refer to appropriate species to the satisfaction of Melbourne Water - Amend R25 to remove reference to the agreement of the responsible authority - Amend R29 to add to the satisfaction of DEECA (Department of Energy, Environment and Climate Action), Melbourne Water and the responsible authority - Amend R33 to add: <i>Where possible, harm should be avoided and/or minimised to any identified Aboriginal cultural heritage values.</i> - Amend R35 to read: <i>Drainage waterways are to be designed generally in accordance with Plan 7 Water and the relevant Melbourne Water Development Services Scheme. Waterways must be delivered to:</i> - <i>Provide safe drainage and flood protection</i> - <i>Have regard to environmental, cultural and amenity value</i> - <i>An open drainage system all to the satisfaction of Melbourne Water and the responsible authority</i> <u>Melbourne Water and the responsible authority will consider alternative drainage solutions for waterways and Drainage Services Scheme assets where it can be demonstrated to the satisfaction of Melbourne Water and the responsible authority that the waterways and Development Services Scheme asset design and associated land take can be optimised.</u> - Amend R37 to add <i>constructed waterway pipes</i> - Amend R39 to include <i>with the written approval of DEECA, Melbourne Water and the responsible authority</i> - Amend R46 regarding changes to the Drystone wall - Amend R31 regarding bushfire hazards - Amend R51 to exclude Council managed land - Amend R52 relating to setbacks to bushfire hazards - Delete G15 - Add a new guideline (G27) relating to subdivision design interfaces with DSS assets, waterways and open space - Amend G31 (new G32) to remove reference to property boundary wall - Amend G32 (new G33) to include reference to CHMP activity area and replace ‘recommendations’ with ‘provision’

Section	Proposed change
	- Amend G33 (new G34) to replace 'listed' with 'defined' - Amend G34 (new G35) to add an additional dot point: <i>Adopting harm avoidance and/or minimisation to Aboriginal cultural heritage values where possible, by relocating or redesigning development.</i> <u>Table 13</u> Updated to amend size of LP-01 (0.5ha), LP-07 (1.4ha), LP-08 (0.48ha), LP-09 (1ha), LP-10 (1ha) and LP-11 (0.8ha) <u>Table 14:</u> Updated to amend area required for DSS assets <u>Table 15:</u> Updated to correct WWCHAC references and include responsible authority and Melbourne Water in relation to place-based planting <u>Plan 6:</u> Amended to reflect relocation of local parks <u>Plan 7:</u> - Add notes: <i>Note: Drainage Services Scheme assets identified as RBs 1-15 are subject to refinement during detailed design and may vary in size and extent.</i> <i>Note: Drainage Services Scheme assets identified as RBs 1-15 are subject to refinement during detailed design and may vary in size and extent.</i> - Distinguish between UFZ area and DSS in legend - name UFZ area 'Area of flood risk (Kororoit Creek)' <u>Plan 8:</u> Make various changes relating to vegetation patches outside the PSP boundary, vegetation to be retained and vegetation patch clarification <u>Plan 9:</u> Various changes regarding bushfire hazard setbacks <u>Plan 10:</u> Amend note in legend to add 'is required' at the end of the sentence <u>Plan 11:</u> Moved from Appendix to body of PSP – subsequent plans renumbered
3.5	<u>Plan 12:</u> Updated consistent with changes to other plans. <u>Objectives and guidelines</u> renumbered
3.6	<u>Objectives:</u> Amend O27 (new 30) amended to include responsiveness to <i>local economics and demand</i> <u>Requirements and guidelines:</u> - Amend R57 to refer to Activity centre performance requirements and guidelines - Add a new guideline (G46) relating to design considerations for development of the NAC.
3.7	<u>Objectives:</u> Amend O32 (new 35) relating to sustainable infrastructure and renewable energy. <u>Requirements and guidelines:</u> - Amend R63 to read: <i>Development must provide for the delivery of ultimate waterway and drainage infrastructure as detailed in the DSS, including stormwater detention and quality treatment, and outfalls to the</i>

Section	Proposed change
	satisfaction of Melbourne Water and the responsible authority. Where it can be demonstrated that this is not possible, development proposals must demonstrate how any interim solution adequately manages flow rates, treats stormwater generated from the development (without causing adverse impacts to the properties within or outside the precinct, the environment, cultural heritage, or other infrastructure), to the satisfaction of Melbourne Water and the responsible authority. An interim solution will not be considered for assets O1, O3, and O4. These assets must be delivered in their ultimate form. Development construction and interim solutions must avoid or mitigate the risk of soil erosion and waterway degradation. - Amend R68 to clarify it relates to stormwater infrastructure within Conservation Areas. - Amend R77 to refer to the responsible authority - Add new requirement (R81): <i>Out-of-sequence development must be by negotiation and agreement between a developer and the impacted infrastructure providers and not impose unreasonable additional burden on infrastructure providers. Stage 2 development will be considered before the completion of Stage 1 by Responsible Authority and infrastructure providers if access and connection to the transport network, utilities infrastructure and closest activity node or urban environment can be demonstrated.</i> - Amend G45 (new G47) to remove reference to crushed rock for safe pedestrian paths - Delete G46 - Amend G47 (new G48) to include 'Seasonal Herbaceous Wetlands' <u>Insert a new Table (Table 23) for DSS drainage infrastructure</u> <u>Plan 12: (Now Plan 13)</u> - Identify land west of Mt Cottrell Road as Stage 1 - Identify Taylors Road as a Stage 1 road between Paynes Road and Leakes Road.
Appendix 1	<u>Plan 13</u> (now Plan 14): updated for constancy with other changes, include new IN-18, redesign of Taylors Road, removal of IN-01 and movement of connector road adjacent to industrial area and IN-12 change to roundabout. <u>Table 23</u> (now Table 24): various changes to update infrastructure descriptions, lead agencies and interim construction provisions and bridge lane numbers.
Appendix 2	- Plan 14 (now Plan 15) Land budget map updated consistent with other plans Summary land use budget and parcel specific land use budget updated - Table 24 (now Table 25) figures updated.
Appendix 4	Minor changes regarding carparking and addition of a generally in accordance with note
Appendix 5	Amend the following cross-sections: - Taylors Road & Conservation area/waterway Primary Arterial to delete reference to "The local frontage may not be required" - Local Access Street Conservation Interface to - Delete the wording "in accordance with the MSA Growling Grass Frog Crossing Design Standards" in the street light dot point. - Updating fencing note to say: <i>Conservation area boundary must be delineated by fencing that restricts vehicle access and directs pedestrian movement to indicated paths.</i> - Replace reference to 'fire breaks' with 'bushfire setbacks'. - Remove wording "minimum bushfire setback distance of BAL 12.5 according to management proposed in conservation area". - Open Space Conservation Area Section: Update wording of note to: <i>Conservation area boundary</i>

Section	Proposed change
	<i>must be delineated by fencing or bollards to DEECA's satisfaction.</i>
	- Taylors Road & Conservation area/waterway to include new and updated notes relating to bushfire setbacks, fencing of conservation area and other DEECA requirements - Bushfire cross section – note added - Secondary arterial 4 lane 34m – new cross section added
Appendix 6	Amend Table 28 (now Table 31): Row 1: remove <i>'the plan may be subject to change'</i> and Row 3: update wording: <i>All necessary bushfire setbacks must be achieved outside the conservation area.</i> Amend plans to: - Add 'indicative' before 'Pedestrian Bridge' and 'Waterway & drainage within conservation area'. - Include note: Off road shared path and two-way bike paths are to continue underneath the bridges where feasible. - Remove references to bushfire buffers.
Appendix 7	Amend Plan 15 (now 16) to reduce noise influence area
Appendix 8	New appendix with map identifying low, medium and high potentially contaminated land
Appendix 8	Amended to Appendix 9 with Plan 17 (now Plan 18) amended to include proposed sewer line and proposed substation
Appendix 9	Amendment to Appendix 10 with reduced dry stone wall buffer
Appendix 10	Renumber 11 to include definition of 'subsidised market housing': <i>Housing (rented or owned) which is made available to households at below market rates through subsidies (eligibility criteria set out in the Act).</i>

F:2 Day 1 ICP changes

	Proposed change
Whole document	- ICP Costings updated including to add Taylors Road / Beattys Road intersection (IN-18) and remove IN-01 and IN-12, amend IN-17 design and land take re-distribution with PAO and remove Leakes Road road projects from cost list (RD-05-02 and RD-05-01). - Correct the discrepancy between the proposed ICP tables regarding the quantity of inner public purpose land that is funded via the land component.
Table 1	Updated costings and NDA
Table 2	Updated ICP land contribution percentages
Table 3	Updated parcel contributions for parcels 4, 5, 9, 12, 18 23, 24E, 24R, 25, 28, 32, 33, 34, 35, 36, 37 41, 42, 43, 45 51R, 54, 57, 64, 71, 73, 74, 76, 77, 78, 79
2.4	Timeframe identified as 25 years from gazettal
Table 4	NDA and contribution land amounts updated
Plan 1	Updated to reflect changes to NDA
3	Insert: The monetary component will contribute towards two types of infrastructure projects (refer to Plan 2 Monetary Component Standard Levy Transport Projects, Plan 3 Monetary Component Supplementary Levy Transport Projects and Plan 4 Standard Levy Community and Recreation Construction Projects, and Table 5 Standard levy transport construction projects, Table 6 Supplementary levy transport construction projects and Table 7 Standard levy community & recreation construction projects):

Proposed change	
Plan 2	Updated to reflect changes to PSP, new IN-18, redesign of Taylors Road, removal of IN-01, movement of connector road and change of IN-12 to roundabout
Table 5	Remove Project ME-IN-12 from the standard levy list and place it in the supplementary levy list, add IN-02, IN-14, IN-18 and changes to costings and apportionment
Table 6	Amend costing of IN-14 reflecting inclusion of item in Rockbank North DCP (RD-06) and deletion of RD-05-01, RD-05-02, IN-01, IN-02, IN-14, PED-01 and changes to costings and apportionment
Plan 3	Amend to reflect PSP/ICP changes and movement of SR-02, two P-6 schools and CI-02 and CI-03
Table 7	Amend to delete PED-01 and include PED-02 and PED-03 and changes to costings and apportionment
Plan 4	Amend to reflect PSP/ICP changes and new IN-18, redesign of Taylors Road, removal of IN-01, movement of connector road and change of IN-12 to roundabout
Table 8	Amend to change project IPPL area or delete/add projects
Table 9	Amend to update land area and percentage figures
Table 10	Amend to update ICP land percentages
4.2	Added wording: <i>For the purposes of this ICP, if the net developable area for any specific parcel ID as set out in Table 11 is increased as a result of changes to the PSP design and/or land use variation, the responsible authority may require the land owner to enter into an agreement under section 173 of the Planning and Environment Act 1987 for payment of the Monetary Component for the additional net developable area at the ICP rates applicable at the time of any permit application.</i>
Table 10	Amend to update all figures to reflect ICP changes
Tables 13 & 14	Amend to update construction costs and supplementary levy totals to reflect ICP changes
5.9.2	Amend to replace all references to 'DHHS' with 'Department of Families, Fairness and Housing'.
Appendix 2	- Amend Table 16 to update land area totals to reflect ICP changes - Amend Table 17 to update to reflect ICP changes - Amend Plan 5 to reflect ICP changes

F:3 Day 1 planning control changes

Provision	Section/Plan	Proposed change
SUZ13	1.0 The Plan	Update Plan 1 consistent with PSP plan set.
	2.2 Applied zones	Amend Table 1: Applied zone to show the Paynes Road arterial as TZ3
	2.3 Use of land	Amend table of uses – Section 1: - add specific uses within the applied GRZ with a condition they not be in flood risk areas - add '(other than informal outdoor recreation)' after Minor sports and recreation facility Add 'Area of flood risk' provisions relating to permit applications in identified flood risk areas in Plan 1

Provision	Section/Plan	Proposed change
	2.5 Specific provisions - Buildings and works	Add 'Area of flood risk' provisions relating to permit applications in identified flood risk areas in Plan 1
	3.0 Application requirements	- Amend to not allow a waiver of a requirement to provide a Flood Management Strategy or Preliminary Risk Screen Assessment - Amend subdivision requirement for a Stormwater management Plan to refer to the DSS/PSP - Amend ESD requirements to add clarity - Delete shared path requirement - Add a Flood Management Strategy requirement for flood risk areas - Amend Preliminary Risk Screen Assessment requirement to identify when an Assessment was required and other requirement clarifications - Amend Preliminary Site Investigation requirement to extend the relevant land uses and make other minor changes in addition to adding two additional land parcels to Table 3
	4.0 Conditions and requirements for permits	- Amend 'Condition – Integrated water management and Stormwater management plans to apply to buildings and works - Delete the Shared path network condition - Amend the 'Condition – Environmental Audit' to identify when it was to be applied and to remove the dot points - Amend the 'Condition – Salvage and translocation' to add '<i>and translocation</i>'
	6.0 Decision Guidelines	- Add 'Areas of flood risk' considerations - Add 'Existing developed land (Freeway service centre)' considerations including access to the Western Freeway
ESO6		Amend to apply to BCS Conservation Area rather than match ESO5
ICO4		- Updated monetary component supplementary levy to align with updated ICP - Updated ICP land contribution percentage to align with updated ICP - Updated land component parcel contribution percentage to align with updated ICP
IPO6		Minor correction relating to bushfire mapping
PAO14 PAO15		Consolidate into a single schedule (PAO14) and reword purpose to 'Road construction'
Clause 66.04		Amend schedule to identify DEECA (conservation area) and Melbourne Water (Area of flood risk) as determining referral authorities

Appendix G Planning context

G:1 Planning Policy Framework

The VPA submitted that the draft Amendment is supported by relevant planning policy and strategies in the Planning Policy Framework, which the Committee has summarised below.

Victorian planning objectives and infrastructure contributions

The State policy objectives are set out in section 4 of the PE Act. They include to:

- provide for the fair, orderly, economic and sustainable use, and development of land
- provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity
- secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria
- conserve and enhance buildings, areas or places which are of scientific, aesthetic, architectural or historical interest or special cultural value
- protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community
- facilitate development in accordance with the above objectives
- facilitate the provision of affordable housing in Victoria
- balance the present and future interests of all Victorians.

Part 3AB of the PE Act addresses Infrastructure Contributions and includes at Section 46GG(1):

Without limiting section 6, a planning scheme may include one or more infrastructure contributions plans for the purposes of imposing infrastructure contributions to fund -

- (a) the provision of works, services and facilities
 - (i) in the ICP plan area; and
 - (ii) outside of the ICP plan area, if the works, services or facilities are essential to, and the need for which is generated by, the development of land in the ICP plan area;
- (b) the provision of works, services and facilities
 - (i) in the ICP plan area; and
 - (ii) outside of the ICP plan area that is essential to, and the need for which is generated by, the development of land in the ICP plan area; and
- (c) the reasonable costs and expenses incurred by the planning authority in preparing the infrastructure plan and the related precinct structure plan relating or strategic plan.

G:2 Other relevant strategies and policies

Plan Melbourne 2017-2050 (2017)

The draft Amendment Explanatory Report and VPA's Part A submission set out the relevant directions and policies that supported or implemented Plan Melbourne. The PSP area is identified as an 'urban area' of the Western Region.

Amendment VC283 amended the way in which Plan Melbourne is referenced in the Planning Policy Framework. It is no longer a reference document.

Moving Melton Integrated Transport Strategy (Melton City Council, 2015)

The Strategy (a background document) advocates for critical transport infrastructure (public, active and road) to provide for Melton's growing population and to reduce current levels of car dependency (85 per cent of the population rely on cars for everyday transport and work trips).

The Strategy identifies Council will work with the community, developers and other levels of government to make improvements to the transport system and deliver a sustainable, integrated transport network that meets the needs of city now and in future.

The principles which underpin the strategy include:

- Improved, resilient and sustainable mode choices.
- Easy to use, safe, reliable and frequent transport network and facilities.
- Connected transport network – Connecting the communities of the City of Melton to each other and beyond.
- A transport system to develop City of Melton as a centre for employment, services and recreation to provide social and economic opportunities.

G:3 Planning scheme provisions

Zone and overlay provisions

A common zone and overlay purpose is to implement the Planning Policy Framework and Local Planning Policy Framework. Table 17 includes the zone and overlay provisions (as summarised from the Practitioner's Guide) related to the referred issues.

Table 17 Zones and overlays

Clause	Zone purpose and application
Zones	
General Residential Zone (GRZ)	This zone is applied to areas where housing development of three storeys exists or is planned for in locations offering good access to services and transport. A mandatory maximum building height of 11 metres and three storeys applies to a dwelling or residential building. A schedule to the zone can be used to: - change the permit requirement for a dwelling (based on lot size) - specify a higher mandatory maximum building height - set local requirements for specified Clauses 54 and 55 standards.
Residential Growth Zone (RGZ)	This zone is applied to areas suitable for housing diversity and housing at increased densities in locations offering good access to services, jobs and public transport, and to provide a transition between areas of more intensive use and development such as activity centres, and other residential areas. A discretionary maximum building height of 13.5 metres applies to a dwelling or residential building. A schedule to the zone can be used to specify a mandatory maximum building height and local requirements for specified Clauses 54 and 55 standards.

Clause	Zone purpose and application
Transport 2 Zone (TZ2)	This zone identifies land in the transport system. State-managed transport infrastructure is designated Transport Zone 1. A road declared under the Road Management Act 2004 is designated Transport Zone 2 and significant municipal roads are designated Transport Zone 3. Other transport infrastructure is designated Transport Zone 4.
Urban Floodway Zone (UFZ)	This zone is applied to urban land where the primary function of the land is to carry or store floodwater. It applies to high hazard areas with high flow velocities, where impediment of floodwater can cause significant changes in flood flows and adversely affect flooding in other areas. Where land is subject only to inundation and low velocities, the Land Subject to Inundation Overlay can be used. The views and flooding information of the relevant floodplain management authority must be considered when applying this zone.
Urban Growth Zone (UGZ)	This zone sets out the requirements for the development of new residential and employment precincts on previously undeveloped land. It requires the establishment of a precinct structure plan before a growth area can be developed and subdivided. The zone includes provisions to ensure that any new use and development does not prejudice the future urban use and development of the land where a precinct structure plan is yet to be applied. Where a precinct structure plan is in place, the zone provides for specific zone provisions to be applied by way of a schedule.
Overlays	
Environmental Significance Overlay (ESO)	This overlay seeks to address areas where the development of land may be affected by environmental constraints such as effects from noise or industrial buffer areas, as well as issues related to the natural environment. The schedule to the zone must clearly set out the environmental significance of the area and the resultant objective of the overlay.
Incorporated Plan Overlay (IPO)	This overlay is used to: - prescribe a plan for an area to coordinate proposed use or development before a permit can be granted under the zone - exempt from notice and review any permit applications that conform with the plan. A plan established by the Incorporated Plan Overlay is incorporated in the planning scheme. It can only be introduced or changed by a planning scheme amendment and will normally be publicly exhibited as part of that process, making it appropriate to use when a plan is likely to affect third-party interests. Planning Practice Note 23 – Applying the Incorporated Plan and Development Plan Overlay provides advice on the operation of this overlay.
Public Acquisition Overlay (PAO)	This overlay identifies land that is proposed to be acquired for a public purpose. It has the effect of reserving the land under the <i>Land Acquisition and Compensation Act 1986</i> . The authority acquiring the land and the purpose of the acquisition must be set out in the schedule. Once land is acquired by a public authority, it should be rezoned to an appropriate zone.
Environmental Audit Overlay (EAO)	This overlay is applied to land identified, known or reasonably suspected of being contaminated for which certain obligations under the EP Act have not been met. Refer to MD1 and PPN30 for further direction on how the overlay is applied.

Clause	Zone purpose and application
Infrastructure Contributions Overlay (ICO)	This overlay identifies the area where an infrastructure contributions plan applies for the purpose of imposing contributions for the provision of infrastructure. The schedule to the overlay summarises the development contributions required. A more detailed incorporated document will be associated with the overlay. The Infrastructure Contributions Overlay is used to implement any new infrastructure contributions plan into a planning scheme.

G:4 Ministerial Directions, Planning Practice Notes and guidelines

(i) Ministerial Directions

Ministerial Direction on the Form and Content of Planning Schemes

The Ministerial Direction sets out the layout and mandatory information that must be included in a planning scheme and also applies to amendments to planning schemes. These matters were set out in the Explanatory Report and not repeated here.

Ministerial Direction 1 – Potentially Contaminated Land

MD1 applies to potentially contaminated land and seeks to ensure the land is suitable for a use which is proposed to be allowed under a planning scheme amendment and which could be significantly adversely affected by contamination. It includes a definition of potentially contaminated land and requirements that must be met in preparing a planning scheme amendment for potentially contaminated land.

For sensitive land uses, including residential use or use of land as a playground or secondary school, MD1 contains requirements for planning scheme amendments which allow land to be used for a sensitive use, including residential, childcare centre, kindergarten, pre-school centre or primary school, even if ancillary to another use. In preparing the planning scheme amendment the planning authority must comply with one of the following:

- satisfy itself whether or not the land, or parts of the land, are potentially contaminated
- where it has determined that the land is not potentially contaminated, state the determination in the amendment Explanatory Report
- where it has determined the land, or parts of the land, are potentially contaminated, must state the determination in the amendment Explanatory Report and satisfy itself that the environmental conditions of that land are or will be suitable for that use.

Where land has been determined to be potentially contaminated, but it is difficult or inappropriate to meet environmental audit system requirements at the amendment stage, the requirement to apply the Environmental Audit Overlay (EAO) may be deferred.

A land capability assessment was conducted to determine whether there was any land that may be potentially contaminated. The report found several lots with a medium or high potential for contamination. The Amendment proposes to apply the EAO to lots within the PSP area which were identified as having a high risk for potential contamination and a requirement to undertake a Preliminary Risk Screen Assessment in the UGZ13 for sites identified as having a medium risk for potential contamination.

Ministerial Direction 11: Strategic Assessment of Amendments

The Ministerial Direction requires the responsible authority to ensure a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces. The Explanatory Report sets out how this was undertaken although this did not include changes made in the context of VC283 which introduced references to Plan for Victoria.

Ministerial Direction 12: Urban Growth Areas

The Ministerial Direction is to manage the provision of sustainable and coordinated urban development in growth areas. The Explanatory Report sets out how this was undertaken and:

- implements the relevant Growth Area Framework Plan (West Growth Corridor Plan)
- is in accordance with the PSP Guidelines.

Ministerial Direction 19: Ministerial direction on the preparation and content of amendments that may significantly impact the environment, amenity and human health

The VPA sought the EPA's advice as part of the agency validation phase of the draft amendment on matters including Potentially Contaminated Land, noise and air quality impacts in the precinct, and risks of sodic soils. The EPA's response has informed the EAO approach and UGZ13 provisions.

(ii) Planning Practice Notes**Planning Practice Note 30: Potentially contaminated land**

PPN30 provides planning guidance on:

- how to identify potentially contaminated land
- the appropriate level of assessment of contamination in different circumstances
- appropriate provisions in planning scheme amendments
- appropriate conditions on planning permits.

PPN30 was considered as part of the Land Capability Assessment and approach adopted through the application of the EAO and UGZ13 requirements relating to medium level contamination risk.

Planning Practice Note 46: Strategic Assessment Guidelines, September 2022

Provides a consistent framework for preparing and evaluating a proposed planning scheme amendment. This Practice Note was addressed in the Explanatory Report and is not repeated here.

(iii) Guidelines**Precinct Structure Planning Guidelines**

The PSP Guidelines launched by the Victorian Planning Authority in October 2021 provide the framework for preparing Precinct Structure Plans (PSPs). They provide guidance on the following topics:

- Viable densities
- Safe, accessible and well-connected places
- Connecting people jobs and higher order services
- Public realm quality
- Services and destinations
- Economic outcomes
- Infrastructure coordination

The Guidelines deal with various technical aspects of preparing PSP, including land use planning, infrastructure provision, and staging of development.

Infrastructure Contribution Plan Guidelines

The ICP Guidelines usefully sets out an overview of the ICP legal framework (refer Figure 28) including the:

- relevant provisions of the PE Act in Part 3AB and associated Ministerial Direction on infrastructure contributions
- the role and key content of an ICP
- the role of the Infrastructure Contributions Overlay.

The ICP Guidelines provide that an ICP can impose infrastructure contributions on the development land to:

- fund the provision of infrastructure:
 - in the ICP plan area
 - outside of the plan area, if it is essential to, and the need for it is generated by, the development of land in the ICP plan area
- require the provision of land for public purposes in the ICP plan area (inner public purpose land)
- fund the acquisition of land for public purposes outside of the ICP plan area if it is essential to, and the need for which is generated by, the development of land in the ICP plan area (outer public purpose land)
- fund the reasonable costs and expenses incurred by the planning authority in preparing the ICP and the related precinct structure plan or strategic plan.

The ICP Guidelines set out requirements including for:

- levy indexation
- works-in-kind
- allowable items
- land components
- collecting agencies and development agencies
- preparing ICPs
- specified development settings.

Figure 28 ICP legal framework

Planning and Environment Act 1987	Ministerial Direction	Planning scheme	
		ICP	Infrastructure Contributions Overlay
Sets the legal framework and requirements of the ICP system: • Defines key terms. • Specifies the matters that must be included in an ICP. • Specifies the matters that the Minister may issue written directions about. • Sets out the process for the valuation of inner public purpose land and resolving disputes about valuations. • Specifies how infrastructure contributions are imposed and collected. • Specifies the responsibilities of collecting agencies and development agencies, including the use of levies and public purpose land, and reporting requirements.	The Ministerial Direction specifies: • The type of land where an ICP may be applied ('development setting'). • Development that is exempt from an infrastructure contribution. • Requirements for imposing a standard levy, including standard levy rates. • Requirements for imposing a supplementary levy. • Infrastructure items that can be funded from the monetary component ('allowable items') • Types of public purposes that land can be set aside for ('allowable public purposes'). • Methods for calculating the estimated value of public purpose land. • Methods for calculating land credit amounts and land equalisation amounts. • Methods for indexing levies and infrastructure costs. • The timing and method for indexing land credit amounts and land equalisation amounts.	An ICP specifies: • The area the ICP applies to ('ICP plan area'). • Contribution land. • Infrastructure projects funded through the ICP. • Land to be set aside for public purposes. • The ICP land contribution percentage for each class of development. • The monetary component of the infrastructure contribution (standard and/or supplementary levies). • The strategic justification for the infrastructure contributions. • Land credit amounts and land equalisation amounts. • Method for indexing the levies, land credit amounts and land equalisation amounts.	The overlay: • Identifies where an ICP applies. • Sets out the requirements for the granting of permits to give effect to an ICP. • Summarises the monetary component (levies) and land component (public purpose land) of the infrastructure contribution to be imposed under the ICP.

Source: ICP Guidelines page 11

Appendix H Document list

No	Date	Description	Presented by
2020			
1	1 July	Terms of Reference	Minister for Planning
2025 Referred documents			
2	30 April	Referral letter	VPA
3	30 April	Referred documents:	VPA
		a) Melton East Precinct Structure Plan, March 2025	
		b) Melton East Infrastructure Contributions Plan, March 2025	
		c) Melton East Precinct Structure Plan Background Report, March 2025	
		d) Infrastructure and Development Staging Plan Background Document, March 2025	
		e) Integrated Water Management – Issues and Opportunities Report, Alluvium, May 2023	
		f) Aboriginal Cultural Values Assessment (redacted version), Unearthed Heritage, 18 December 2024	
		g) Aboriginal Cultural Heritage Impact Assessment (redacted version), Unearthed Heritage, 27 February 2025	
		h) Post Contact Heritage Assessment, Ecology and Heritage Partners, September 2022	
		i) Heritage Citation Report, Nissen Hut, Ecology and Heritage, 2023	
		j) Integrated Transport Assessment, AECOM, February 2025	
		k) Strategic Transport Modelling, AECOM, January 2025	
		l) Utilities Servicing Assessment, Aurecon, 19 September 2022	
		m) Community Infrastructure Assessment (Version 7), ASR Research, 30 October 2024	
		n) Economic and Retail Assessment, Urbis, 31 August 2022	
		o) Final Concept Design with Final Cost Estimates (Parts 1 and 2), SMEC, 20 February 2025	
		p) Affordable Housing Needs Assessment, VPA, February 2025	
		q) Land Capability Assessment (Parts 1 – 8) (Revision 4), Jacobs, 15 August 2024	
		r) Landscape and Visual Assessment, Urbis, October 2022	
		s) Bushfire Assessment and Development Report, Terramatrix, November 2023	
		t) Arboricultural Assessment and Report (Parts 1 – 6), Tree Logic Pty Ltd, 21 July 2022	
		u) Arboricultural Assessment and Report: River Red Gum	

No	Date	Description	Presented by
		trees Kororoit Creek, Tree Logic Pty Ltd, 5 May 2023	
		v) Sodic Soils Assessment, Jacobs, 26 April 2023	
		w) Climate Resilience Assessment, Hip V. Hype, 2 November 2022	
4	30 April	Referred exhibited draft amendment provisions:	VPA
		a) Exhibited Clause 37.07s13 (UGZ13)	
		b) Exhibited Clause 43.01 Schedule (HO207)	
		c) Exhibited Clause 43.03 Schedule 6 (IPO6)	
		d) Exhibited Clause 45.01 Schedule (PAO)	
		e) Exhibited Clause 45.11 Schedule 4(ICO4)	
		f) Exhibited Clause 52.17 Schedule	
		g) Exhibited Clause 66.04 Schedule	
		h) Exhibited Clause 72.03 Schedule	
		i) Exhibited Clause 72.04 Schedule	
		j) Exhibited Zone Maps 8 and 9	
		k) Exhibited Overlay Maps 8 and 9 – HO, IPO, EAO, ESO, PAO, ICO	
		l) Explanatory Report	
		m) Instruction Sheet.	
5	30 April	Referred submissions 2, 3, 4, 5, 6, 8, 12, 13, 14, 15, 18, 19, 21, 22, 24, 25, 26, 27, 2829, 30, 31, 33, 34, 35, 36, 37, 38, 39, 40 and 41	VPA
6	6 May	VPA referred submissions summary table	VPA
7	7 May	Public Consultation Report, April 2025	VPA
2025		Pre-Directions Hearing documents	
8	5 May	Directions Hearing notification letter	Planning Panels Victoria (PPV)
9	16 May	Email requesting clarification of Table 1 issues	Sandra Green
10	20 May	Letter requesting submission details and expansion of drainage Table 1 issues	3L Alliance
11	20 May	Email to VPA forwarding Sandra Green email (D9)	PPV
12	20 May	VPA advice to Committee on Sandra Green correspondence (D9)	VPA
13	21 May	Email to VPA and 3L Alliance regarding 3L Alliance correspondence (D10)	PPV
14	23 May	VPA response to D10	VPA
2025		Hearing documents	
15	26 May	Committee email – Matters for discussion at Directions Hearing	PPV
16	29 May	VPA referred submissions summary table (D6) distributed to parties	VPA

No	Date	Description	Presented by
17	29 May	VPA Table identifying submissions referred and not referred	VPA
18	30 May	Committee Directions and Notional Timetable outline	PPV
19	30 May	Amended VPA referral letter	VPA
20	10 June	Hearing Timetable Version 1	PPV
21	11 June	Site inspection Map	VPA
22	11 June	Site inspection Itinerary	VPA
23	11 June	Photo index of additional site inspection locations suggested by Melton City Council	VPA
24	11 June	Letter – Request for affordable housing modelling data, enclosing exhibited SGS Report	3L Alliance
25	12 June	Joint Statement – VPA and Melbourne Water	VPA
26	12 June	Committee letter – Conduct of conclaves	PPV
27	13 June	Email – VPA update regarding request for unredacted copies of Aboriginal cultural heritage documentation	VPA
28	13 June	Summary of proposed changes to Amendment documentation	VPA
29	17 June	Committee letter, enclosing Hearing Timetable Version 2	PPV
30	20 June	Email – Supplementary submission enclosing five photos	Eleonora Longo
31	20 June	Letter – VPA response to 3L Alliance request (D22), enclosing: a) SGS Affordable Housing Needs Assessment Model (AHNAM) Report, 19 July 2024 b) Excel workbook – Input and output sheets for AHNAM	VPA
32	20 June	Committee email – Attendance of experts at conclaves	PPV
33	20 June	Committee email – Response to request for affordable housing modelling data	PPV
34	24 June	Letter – Request for Hilary Marshall and Jason Black to attend ICP conclave	3L Alliance
35	25 June	Committee email – Timing of Day 1 ICP and ICP conclave attendance	PPV
36	25 June	Part A submission	VPA
37	25 June	Summary of Day 1 Changes	VPA
38	25 June	Day 1 version of Precinct Structure Plan (PDF)	VPA
39	25 June	Day 1 planning scheme ordinance and maps: a) Day 1 version of Explanatory Report b) Day 1 version of Instruction Sheet c) Day 1 version of Clause 37.07s13 (UGZ13) d) Day 1 version of Clause 43.01 Schedule (HO207) e) Day 1 version of Clause 43.03 Schedule 6 (IPO6)	VPA

No	Date	Description	Presented by
		f) Day 1 version of Clause 45.01 Schedule (PAO) g) Day 1 version of Clause 45.11 Schedule 4 (ICO4) h) Day 1 version of Clause 52.17 Schedule i) Day 1 version of Clause 66.04 Schedule j) Day 1 version of Clause 72.03 Schedule k) Day 1 version of Clause 72.04 Schedule l) Day 1 version of Zone Maps 8 and 9 m) Day 1 version of Overlay Maps 8 and 9 – EAO n) Day 1 version of Overlay Maps 8 and 9 – ESO6 o) Day 1 version of Overlay Maps 8 and 9 – HO207 p) Day 1 version of Overlay Maps 8 and 9 – ICO4 q) Day 1 version of Overlay Maps 8 and 9 – IPO6 r) Day 1 version of Overlay Maps 8 and 9 – PAO (Map 1 of 2) s) Day 1 version of Overlay Maps 8 and 9 – PAO (Map 2 of 2)	
40	25 June	Urban Enterprise Peer Review (May 2025)	VPA
41	27 June	Committee letter – Directions regarding evidence in chief, cross examination, attendance at conclaves	PPV
42	30 June	Day 1 version of Infrastructure and Development Staging Plan Background Document (tracked changes)	VPA
43	30 June	Day 1 version of ICP	VPA
44	30 June	Addendum ICP Costing and Design Report (SMEC, 26 June 2025) Appendix C - Cost estimates	VPA
45	30 June	Updated Day 1 version of Clause 45.11 Schedule 4 (ICO4)	VPA
46	30 June	Expert witness statement of Jonathon Fetterplace	Council
47	30 June	Expert witness statement of Rob Swan	Council
48	30 June	Expert witness statement of Jo Garretty	Council
49	30 June	Expert witness statement of Nick Hooper	YWY
50	30 June	Expert witness statement of Andrew Matheson	YWY
51	30 June	Expert witness statement of Nick Hooper	Grima Family
52	30 June	Expert witness statement of Andrew Matheson	Grima Family
53	30 June	Expert witness statement of John Mathios	Grange Haven
54	30 June	Expert witness statement of Evan Granger	Grange Haven
55	30 June	Expert witness statement of Jason Walsh	Maximise Group
56	30 June	Expert witness statement of Jason Black	3L Alliance
57	30 June	Expert witness statement of Michael Mag	3L Alliance
58	30 June	Expert witness statement of Chris McNeill	3L Alliance

No	Date	Description	Presented by
59	30 June	Expert witness statement of Oona Nicolson	3L Alliance
60	30 June	Expert witness statement of Chris Beardshaw	Maximise Group
61	30 June	Expert witness statement of Warwick Bishop	Melbourne Water
62	30 June	Expert witness statement of Lance Lloyd	Melbourne Water
63	30 June	Expert witness statement of Paul Shipp	VPA
64	30 June	Expert witness statement of Benjamin Mentha	VPA
65	30 June	Expert witness statement of Glen Chrzanowski	VPA
66	30 June	Expert witness statement of John-Paul Maina	VPA
67	30 June	Expert witness statement of Alan Brennan	Yale
68	30 June	Expert witness statement of Tim de Young	Yale
69	30 June	Expert witness statement of Alex Hrelja	Yale
70	30 June	Expert witness statement of John Mathios	Yale
71	30 June	Expert witness statement of Sarah Horsfield	Yale
72	30 June	Expert witness statement of John Mathios	Growland
73	30 June	Expert witness statement of Alex Hrelja	Growland
74	30 June	Expert witness statement of Sarah Horsfield	Growland
75	30 June	Expert witness statement of Knowles Tivendale	Growland
76	30 June	Expert witness statement of Awais Chaudry	3L Alliance
77	30 June	Expert witness statement of Hilary Marshall	3L Alliance
78	1 July	Letter providing documents referred to in expert evidence	Melbourne Water
79	1 July	High Street Melton DSS - DRAFT Revised Plan	Melbourne Water
80	1 July	Kororoit Creek Upper DSS - DRAFT Revised Plan	Melbourne Water
81	1 July	Rockbank Area Wetland Survey (Rakali, May 2013)	Melbourne Water
82	1 July	Kororoit Creek Wetland Ecohydrology (Alluvium)	Melbourne Water
83	1 July	Flora and Fauna Survey and Condition Assessment (Rakali, April 2021)	Melbourne Water
84	1 July	Escarpment Memo (Melbourne Water, 13 June 2025)	Melbourne Water
85	1 July	Hearing Timetable Version 3	PPV

No	Date	Description	Presented by
86	2 July	Amended Day 1 version of PSP and ICP summary land use budget	VPA
87	3 July	Opening submission position statement	3L Alliance
88	3 July	Opening submission position statement	YWY and Grima Family
89	3 July	Opening submission position statement	Council
90	3 July	Opening submission position statement	Maximise Group
91	3 July	Opening submission position statement	Grange Haven
92	3 July	Committee letter regarding proposed conclave	PPV
93	3 July	Opening submission position statement	Xingsi & Jeanette Moreland, Nick and Nicole Magro and Daniel Magro
94	4 July	Opening submission	VPA
95	4 July	Opening presentation	VPA
96	4 July	Opening submission	Melbourne Water
97	4 July	New Draft Land Use Layout - June 2025	Melbourne Water
98	4 July	Urban Design Testing Report	Growland
99	4 July	Indicative layout report	Growland
100	4 July	Indicative layout - Sheet pages	Growland
101	7 July	Expert witness statement of Jason Black - ICP addendum	3L Alliance
102	7 July	Evidence presentation of Sarah Horsfield	Growland & Yale
103	7 July	Supplementary written submission, with enclosures: 01 Letter of Advice (Water Studio, 4 July 2025) 02 PSP Compliant Concept (Measured Land Surveyors, July 2025) 03 Road Part of Setback Concept (Measured Land Surveyors, July 2025) 04 Varied Setback Concept (Measured Land Surveyors, July 2025)	Sandra Green
104	7 July	Evidence presentation of Warwick Bishop	Melbourne Water
105	7 July	Transport conclave statement	VPA
106	7 July	Memo 1 - VPA updated position on IN-14	VPA
107	7 July	Memo 1 - IN-14 cost sheet	VPA

No	Date	Description	Presented by
108	7 July	Plan 7, Day 1 PSP (Additional Drainage Areas)	3L Alliance
109	8 July	Expert witness statement of Alex Hrelja - ICP addendum	Growland & Yale
110	8 July	Expert witness presentation of John Mathios	Growland, Yale & Grange Haven
111	8 July	Letter to Committee regarding evidence of Warwick Bishop	Melbourne Water
112	8 July	Email correspondence to Warwick Bishop (17 June 2025)	Melbourne Water
113	8 July	Alluvium Melton East public exhibition updates	Melbourne Water
114	8 July	Submission response table and comments (7 July 2025)	Council
115	8 July	Expert witness statement of Paul Shipp - ICP addendum	VPA
116	8 July	Memo regarding position on Plan 7 and June DSS (Memo 2)	VPA & Melbourne Water
117	8 July	Expert witness statement of Chris McNeill - ICP addendum	3L Alliance
118	11 July	Evidence presentation of Andrew Matheson	YWY & Grima Family
119	11 July	Memo 3 - Response to transport conclave statement	VPA
120	11 July	Rockbank North Major Town Centre Urban Design Framework - Stormwater Management Strategy	Melbourne Water
121	14 July	Expert witness statement of Jo Garretty - Transport conclave addendum	Council
122	14 July	Expert witness statement of Tim De Young - Transport conclave addendum	Yale
123	15 July	ICP conclave statement	VPA
124	16 July	Knowles Tivendale CV	Growland
125	16 July	Memo 4 - Response to ICP conclave statement	VPA
126	17 July	Evidence presentation of Evan Granger	Grange Haven
127	17 July	Preliminary Risk Screening Assessment - 12 Judd Court, Grangefields (24 June 2025)	3L Alliance
128	22 July	Part B submission	VPA
129	22 July	Memo 5 - Further information on AHNAM	VPA
130	23 July	Submission	Melbourne Water
131	23 July	Evidence presentation of Lance Lloyd	Melbourne Water

No	Date	Description	Presented by
132	23 July	Written submission	JK Constructions Group
133	23 July	Written submission, with attachment: a) Additional Site Investigation and Remediation Advice Report	Trustee for 68 Paynes Road Family Trust
134	23 July	3L Alliance original referred submission	3L Alliance
135	23 July	<i>The impact of Melbourne's growth on 'seasonal herbaceous wetlands (freshwater) of the temperate lowland plains' - Melbourne Strategic Assessment, (Department of Environment and Primary Industries, May 2013)</i>	3L Alliance
136	23 July	<i>Biodiversity Conservation Strategy for Melbourne's Growth Corridors (June 2013)</i>	3L Alliance
137	23 July	<i>Final Approval for Urban Development in Three Growth Corridors under the Melbourne Urban Growth Program Strategic Assessment (Cth Department of Sustainability, Environment, Water, Population and Communities, 5 September 2013)</i>	3L Alliance
138	23 July	<i>Final Approval for Urban Development in Three Growth Corridors under the Melbourne Urban Growth Program Strategic Assessment</i>	3L Alliance
139	24 July	Proposed amendment to G3 drafting	VPA
140	24 July	Submission	J & M Portelli
141	24 July	Submission	VIP Woodlands Estate Pty Ltd
142	24 July	Submission, with attachments: a) Engineering Design and Construction Manual for Subdivision in Growth Areas (EDCM)-501Residential-Vehicle-Crossing-Single b) EDCM-502Residential-Vehicle-Crossing-Double c) Extract - Council Meeting Minutes - 31 July 2023 - Open Space d) ICP Guidelines e) ICP Ministerial Direction f) Melton East Amenity Sketches g) Officer-South-Employment-Infrastructure-Contributions-Plan-November-2024 h) Officer-South-Employment-Precinct-Structure-Plan—November-2024 i) Rockbank North DCP March 2012 Amended December 2023 j) VPA Benchmark designs - Appendices 3-6 Community	Council

No	Date	Description	Presented by
		Pavilions Sports Non Benchmark Infrastructure	
		k) VPA <i>Precinct Structure Planning Guidelines: New Communities In Victoria</i> Part 3 October 2021	
		l) West Growth Corridor Plan	
143	24 July	Submission, with attachment: a) VPA Response Tracker	Vella Family
144	24 July	Amended cross-section – CS standard primary arterial 4 lane 34m	VPA
145	24 July	Amended cross-section – CS standard primary arterial 6 lane 41m	VPA
146	24 July	Amended cross-section – CS standard secondary arterial 4 lane 34m	VPA
147	25 July	Hearing Timetable Version 5	PPV
148	25 July	Submission	Gold Rush Investments
149	25 July	Memo 6 - VPA updates to ICP in response to conclaves	VPA
150	28 July	Submission, with attachments: 1) <i>Functional Design Report</i> (Alluvium, February 2025) 2) <i>Victorian Government School Site Selection Criteria – Toolbox</i> (October 2021) 3) DoE alternative acquisition example (redacted) 4) Toolbox Assessment 5) Department of Education submission 6) Ministerial Direction 1 Potentially Contaminated Land 7) PPN30 Potentially Contaminated Land 8) <i>Intrapac Ellarook Pty Ltd v Wyndham CC [2024] VCAT 499</i> 9) Co-design submission to VPA - January 2023	Grange Haven
151	28 July	Submission, with attachments: 1) Concept sketch 2) Parcel 4 Concept Plan of Subdivision	Maximise Group
152	28 July	Hearing Timetable version 6	PPV
153	29 July	Combined submission	YWY & Grima Family
154	30 July	<i>Delivering Melbourne's Newest Sustainable Communities</i> , Final Report (December 2009)	YWY & Grima Family
155	30 July	<i>Delivering Melbourne's Newest Sustainable Communities - Public Consultation Final Report on Submissions</i> (November 2009)	YWY & Grima Family

No	Date	Description	Presented by
156	30 July	Melton Planning Scheme UGZ4	YWY & Grima Family
157	31 July	Presentation	VNPA
158	31 July	Submission	Jeanette Moreland, Nick and Nicole Magro and Daniel Magro
159	31 July	Submission	Xingsi
160	31 July	Submission	NNROLE Pty Ltd
161	1 August	Submission	Growland & Yale
162	1 August	Submission, with attachments: a) Spiire Memorandum, 'K6 Depression – Soil Disturbance' dated 30 July 2025 b) Victorian Planning Authority Standing Advisory Committee Referral 8 Report (Cardinia C274card) [2024] PPV 19	3L Alliance
163	5 August	Presentation (updated)	WWCHAC
164	5 August	Speaking notes	WWCHAC
165	5 August	Closing submission, with attachment: a) Email from WWWCHAC (20 May 2025)	Melbourne Water
166	5 August	Closing submission with attachment	Council
167	5 August	Closing submission	VPA
168	5 August	Memos: 1) IN-14 Cost sheet 2) VPA position on IN-14 3) VPA and Melbourne Water position on Plan 7 and June DSS (final) 4) VPA response to Transport Conclave Statement (final) 5) VPA response to ICP Conclave Statement 6) VPA further information on AHNAM 7) VPA response to SAC ICP update (final)	VPA
169	5 August	Final Day PSP	VPA
170	5 August	Final Day ICP	VPA

No	Date	Description	Presented by
171	5 August	Final day ordinance: a) Explanatory Report b) Instruction Sheet c) 37_07s13 d) 43_01s e) 43_03s6 f) 45_01s g) 45_11s4 h) 52_17s i) 66_04s j) 72_03s k) 72_04s l) Heritage Citation Report (Ecology and Heritage Partners, October 2023)	VPA
172	5 August	Final day planning scheme maps: a) 001hoMap09 b) 002znMaps08_09 c) 003ipoMap09 d) 004icoMaps08_09 e) 005eaoMap09 f) 006esoMap09 g) 007paoMaps08_09 h) 008paoMap09	VPA
173	5 August	VPA Proposed Changes Summary Table, August 2025, Final Day Changes	VPA
174	5 August	Submission	Eleonora Longo
175	11 August	Drafting comments	Grange Haven
176	11 August	Drafting comments	Maximise Group
177	11 August	Letter regarding drafting comments	YWY & Grima Family
178	11 August	Drafting comments	WWCHAC
179	11 August	Letter advising no further response to WWCHAC	Melbourne Water
180	11 August	Drafting comments	Melbourne Water
181	11 August	Drafting comments	Council
182	11 August	Drafting comments	3L Alliance
183	11 August	Response to WWCHAC submission, with attachment	3L Alliance

No	Date	Description	Presented by
184	11 August	Drafting comments	NNROLE & Vella Family
185	12 August	Drafting comments	Growland & Yale
186	13 August	Email adopting 3L Alliance response to WWCHAC submission	Growland & Yale
187	14 August	Response to Parties' Final Day drafting comments	VPA

Appendix I Committee recommended version of the Urban Growth Zone Schedule 13

This Committee recommended version of the UGZ13 shows recommendations based on the VPA's Final Day 1 version (Document 171c).

[Tracked Added](#)

~~Tracked Deleted~~

SCHEDULE 16 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ13**.

MELTON EAST PRECINCT STRUCTURE PLAN

1.0 The Plan

Plan 1 shows the future urban structure proposed in the Melton East Precinct Structure Plan. It is a reproduction of Plan 2 in the *Melton East Precinct Structure Plan*.

Plan 1 to Schedule 13 of Clause 37.07

[Committee Note: Insert new plan based on Committee recommendations](#)

2.0 Use and development

2.1 The Land

The use and development provisions specified in this schedule apply to the land within the 'precinct boundary' on Plan 1 and shown as UGZ13 on the planning scheme maps. This schedule must be read in conjunction with the Melton East Precinct Structure Plan (PSP).

Note: If land shown on Plan 1 is not zoned UGZ13, the provisions of this schedule do not apply.

2.2 Applied zone provisions

Table 1 allocates the land use/development shown on Plan 1 of this schedule with a corresponding zone from this scheme.

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

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

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

Table 1: Applied zone provisions

Land shown on plan 1 of this schedule Neighbourhood activity centre Local convenience centre	Applied zone provisions Clause 34.01 – Commercial 1 Zone
Land shown on plan 1 of this schedule Business / Small local enterprise precinct Existing developed land	Applied zone provisions Clause 34.02 – Commercial 2 Zone
Land shown on plan 1 of this schedule Area of increased density	Applied zone provisions Clause 32.07 – Residential Growth Zone 1
Land shown on plan 1 of this schedule Light industry	Applied zone provisions Clause 33.01 – Industrial 3 Zone
Land shown on plan 1 of this schedule Arterial road	Applied zone provisions Clause 36.04 – Transport Zone 2
Land shown on plan 1 of this schedule Paynes Road arterial	Applied zone provisions Clause 36.04 – Transport Zone 3
Land shown on plan 1 of this schedule All other land	Applied zone provisions Clause 32.08 – General Residential Zone

2.3**Specific provisions – Use of land****Section 1 - Permit not required**

Use	Condition
Bed and breakfast, Community care accommodation, Dwelling, Place of worship, Residential aged care facility, Rooming house, and Small second dwelling where the applied zone is General Residential Zone	Must not be on land shown as 'Area of flood risk'
Primary school Secondary school	On land identified as 'potential non government school' in the incorporated <i>Melton East Precinct Structure Plan</i>
Child care centre Hall Indoor recreation centre Library Medical centre Restricted recreation facility	On land identified as 'local community facilities' in the <i>Melton East Precinct Structure Plan</i> The use must be carried out by or on behalf of the public land manager.
Minor sports and recreation facility (other than Informal outdoor recreation)	On land identified as 'local sports reserve' in the incorporated <i>Melton East Precinct Structure Plan</i> . The use must be carried out by or on behalf of the public land manager.

Retail premises (other than Food and drink premises, Gambling premises, Motor vehicle, boat or caravan sales, and Shop other than Restricted retail premises) where the applied zone is Commercial 2 Zone	The leasable floor area must not exceed 900 square metres.
Restricted retail premises where the applied zone is Commercial 2 Zone	The combined leasable floor area of all Restricted retail premises must not exceed 3,000 square metres.
Shop (other than Supermarket) where the applied zone is Commercial 1 Zone	The combined leasable floor area of all Shops must not exceed: 14,500 square metres for land shown as Northern Local Town Centre in the incorporated <i>Melton East Precinct Structure Plan</i> 6,000 square metres for land shown as Central Local Town Centre in the incorporated <i>Melton East Precinct Structure Plan</i> 1,000 square metres for land shown as Local Convenience Centre in the incorporated <i>Melton East Precinct Structure Plan</i>
Any use listed in Clause 62.01	Must meet requirements of Clause 62.01.
Any use listed in Section 1 in the Table of uses in the applicable applied zone	

Section 2 - Permit required

Use	Condition
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Any other use not in Section 1 or 3 in the Table of uses in the applicable applied zone

Section 3 – Prohibited

Use	Condition
Food and drink premises where the applied zone is Commercial 2 Zone	If the Section 1 condition in the applied zone is not met.
Gambling premises, Motor vehicle, boat or caravan sales where the applied zone is Commercial 2 Zone	
Retail premises (other than Gambling premises, Motor vehicle, boat or caravan sales, and Shop except Restricted retail premises) where the applied zone is Commercial 2 Zone	If the Section 1 condition is not met.
Restricted retail premises where the applied zone is Commercial 2 Zone	If the Section 1 condition is not met
Supermarket where the applied zone is Commercial 2 Zone or Industrial 3 Zone	
Industry (other than service industry, materials recycling and transfer station) where the applied zone is Commercial 2 Zone	
Any use listed in Section 3 in the Table of uses of the applicable applied zone	

Area of flood risk

A permit must not be granted to use land shown as 'Area of flood risk' on Plan 1 of this schedule until a Flood Modelling and Hazard Assessment has been prepared for the area by Melbourne Water.

A permit for use ~~on~~ of land shown as 'Area of flood risk' must be consistent with the Flood Modelling and Hazard Assessment and the Flood Management Strategy prepared under this schedule.

2.4 Specific provisions - Subdivision

Area of flood risk

A permit must not be granted to subdivide land shown as 'Area of flood risk' on Plan 1 of this ~~scheudle~~ schedule until a Flood Modelling and Hazard Assessment has been prepared for the area by Melbourne Water.

A permit for the subdivision ~~on~~ of land shown as 'Area of flood risk' must be consistent with the Flood Modelling and Hazard Assessment and any ~~the~~ Flood Management Strategy prepared under this schedule.

2.5 Specific provisions - Buildings and works

Area of flood risk

A permit must not be granted to construct a building or construct or carry out works on land shown as 'Area of flood risk' on Plan 1 of this schedule ~~scheudle~~ until a Flood Modelling and Hazard Assessment has been prepared for the area by Melbourne Water.

A permit to construct a building or construct or carry out works on land shown as 'Area of flood risk' must be consistent with the Flood Modelling and Hazard Assessment and any ~~the~~ Flood Management Strategy prepared under this schedule.

This provision does not apply to an application to construct a building or carry works associated with an existing use as defined at Clause 63.01 of the Melton Planning Scheme ~~on land in the Area of flood risk~~ established immediately before the approval date of C244melt.

Dwellings on a lot less than 300 square metres

A permit is not required to construct or extend one dwelling on a lot of less than 300 square metres, if either of the following apply:

- There is a restriction registered on the plan of subdivision identifying the lot as a lot to which the *Small Lot Housing Code* (Victorian Planning Authority, November 2019) applies and the development complies with the *Small Lot Housing Code* (Victorian Planning Authority, November 2019) incorporated into this planning scheme.
- There is a restriction registered on the plan of subdivision identifying the lot as a lot to which the *Small Lot Housing Code* (Victorian Planning Authority, November 2024) applies and the development complies with the *Small Lot Housing Code* (Victorian Planning Authority, November 2024) incorporated into this planning scheme.

Buildings and works for a school

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

3.0 Application requirements

The following application requirements apply to an application for a permit under Clause 37.07, in addition to those specified in Clause 37.07 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority.

If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of an application, (except for a ~~Flood Management Strategy or Preliminary Risk Screen Assessment~~) the responsible authority may waive or reduce the requirement.

Subdivision

In addition to the requirements of Clause 56.01-2, a subdivision design response for a residential subdivision of 10 lots or more must be accompanied by the information listed below. An application for the construction of 10 or more dwellings on a lot must be accompanied by the same information:

- A written statement that sets out how the application implements the incorporated *Melton East Precinct Structure Plan*.
- A land use budget setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- A Traffic Impact Assessment including functional layout plans and a feasibility / concept road safety audit that demonstrates how the local street and movement network integrates with adjacent urban development or can integrate with future development on adjacent land parcels.
- A plan showing the proposed road network, that addresses the interface treatments adjacent to arterial roads, open space and environmentally sensitive areas.
- A plan showing access arrangements for properties adjacent to all existing and future arterial roads.
- Potential bus route and bus stop locations prepared in consultation with the Head, Transport for Victoria.
- A hydrogeological assessment of the groundwater conditions on the site and the potential impacts on the proposed development and protected ecological features and pre-European wetlands, including any measures required to mitigate the impacts of groundwater on the development and the impact of the development on groundwater.
- A drainage and integrated water management plan.
- A Stormwater Management plan that assesses the existing surface and subsurface drainage conditions on the site, addresses the provision, staging and timing of stormwater drainage works required to service the land and/or DSS and PSP, including any temporary outfall provisions, to the satisfaction of Melton City Council and Melbourne Water.
- A landscape master plan that:
 - Shows natural features including trees and other significant vegetation, habitat for protected species, drainage lines, water courses, wetlands, ridgelines, hill tops and features of geomorphic significance;
 - Recognises and responds to sodic or dispersive soils;
 - Shows recreation facilities to be provided within public open space;
 - Shows storm water facilities that are compliant with the relevant approved drainage strategy;
 - Incorporates relevant EVCs and ecological requirements in planting selection surrounding waterways and pre-European wetlands; and
 - Identifies vegetation to be retained and removed and any re-vegetation.
- A written statement outlining ~~if whether~~ the proposal will contribute to the delivery of social and affordable housing in the precinct, and, if affordable housing is to be provided, ~~include~~ any proposed delivery mechanisms.

- Where relevant, demonstration of how the subdivision will respond to and integrate sensitively with the heritage significance of the Beattys Road Nissen Hut (HO217), the Former Fulham Park (HO135), the Selection Wall (HO205), the 107-121 Water Reserve Road House (HO119) and their surrounding areas.

Environmentally sustainable development

An application to construct a building or construct or carry out works must be accompanied by a Sustainable Design Assessment (SDA) report or a Sustainability Management Plan (SMP), whichever is specified below.

The SDA or SMP must be prepared by a suitably qualified professional that demonstrates how the development will achieve best practice sustainable design. This includes energy performance, integrated water management, indoor environment quality, transport, waste management and urban ecology. Best practice environmental design for the development can use the Built Environment Sustainability Scorecard (BESS) or other comparable sustainable design tool.

A SDA (including an assessment using BESS, STORM or other methods) is required for applications in the following categories:

Residential

- 2-9 dwellings.
- A building used for accommodation other than dwellings with a gross floor area between 100 square metres and 1000 square metres.

Non-residential

- A non-residential building with a gross floor area of 300 square metres to 1000 square metres.
- An extension to an existing non-residential building creating between 300 square metres to 1000 square metres of additional gross floor area (excluding outbuildings).

A SMP (including an assessment using BESS/Green star, STORM/MUSIC or other methods) is required for applications in the following categories:

Residential

- 10 or more dwellings.
- A building used for accommodation other than dwellings with a gross floor area of more than 1000 square metres.

Non-residential

- A non-residential building with a gross floor area of more than 1000 square metres.
- An extension to an existing non-residential building creating more than 1000 square metres of additional gross floor area (excluding outbuildings).

Mixed use

Applicable assessments for the residential and non-residential components of the development.

Public infrastructure plan

An application for subdivision and/or use and development of land must be accompanied by a public infrastructure plan which addresses the following:

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

Acoustic Assessment Report

Any application for use, subdivision or development of land for Accommodation, Education centre (other than Tertiary institution and Employment training centre) or Hospital within a noise influence area shown on Plan 15 Noise Influence Areas of the *Melton East Precinct Structure Plan*, must be accompanied by an acoustic assessment report prepared by a suitably qualified and experienced acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority which:

- Applies the following noise objectives:
 - Not greater than 35 dB LAeq,8h when measured within a sleeping area between 10pm and 6am.
 - Not greater than 40 dB LAeq,16h when measured within a living area between 6am and 10pm.
 - For areas other than sleeping and living areas, not greater than the median value of the range of recommended design sound levels of AS/NZS 2107:2016 (Acoustics - Recommended design sound levels and reverberation times for building interiors).
- Noise levels should be assessed:
 - Considering the cumulative noise from all sources impacting on the proposal including existing and likely future road traffic noise, industry noise and other potential noise sources; and
 - In unfurnished rooms with a finished floor and the windows closed and be based on average external noise levels measured as part of a noise level assessment.
- Identifies lots and/or buildings requiring mitigation from noise from all sources impacting on the proposal, including road traffic noise and industry noise, having regard to the environmental values for ambient sound defined in the Environment Reference Standard (ERS) (Gazette No. S 245, 26 May 2021). The objectives for ambient sound of the ERS can be used to inform the degree of noise attenuation required, and thereby a relevant suite of noise attenuation measures. If lots and/or buildings requiring acoustic mitigation are identified, the report should include recommendations for any noise attenuation measures required to meet the applicable noise level objectives. These recommendations should prioritise measures that benefit both outdoor and indoor spaces, and should address:
 - Noise compatible design for buildings, with siting, orientation, and internal layout, to be considered prior to setting building envelope performance requirements.
 - Potential noise character (tonality, impulsiveness or intermittency);
 - Noise with high energy in the low frequency range;
 - Transient or variable noise; and
 - Vibration.

This requirement does not apply if the permit applicant provides, to the satisfaction of the responsible authority, a statement in writing, supported by verifiable evidence, from a suitably qualified and experienced acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority that, having regard to Clause 13.05, the proposed development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions, and that no noise attenuation measures are required.

Flood Management Strategy

An application to use, subdivide or develop land shown as 'Area of flood risk' on Plan 1 of this schedule must be accompanied by a Flood Management Strategy to the satisfaction of the responsible authority and Melbourne Water. The strategy must include, as relevant to the application:

- The existing use and development of the land.
- A plan showing the design and layout of the subdivision, location of buildings and works and areas of the land where the proposed use(s) will occur.

- ~~If Whether~~ the proposed subdivision, buildings and works, or use will be located on land identified by Melbourne Water as being at risk of flooding from Kororoit Creek.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
 - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
 - The flood warning time available.
 - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of development on reducing flood storage and increasing flood levels and flow velocities.
- The effects of the development on environmental values, including the values of Kororoit Creek, such as natural habitat, stream stability, erosion, water quality and sites of scientific significance.
- Demonstration of how the proposed use or development mitigates the impact of flooding (inclusive of predicted climate change scenarios) and meets the following requirements:
 - No new lots created where the building envelope is subject to inundation from 1% AEP flows (accounting for climate change scenarios).
 - Overland paths in road reserves meet Melbourne Water's floodway safety criteria for depth of flow and flow velocity.
 - Overland flows can be fully contained within reserves (roads, open space).
 - Flooding is not increased upstream or downstream of the precinct.
 - Flood volume capacity is managed on the subject site.
 - The drainage network has capacity for the 5 year (20% AEP) flood.
- Flood modelling where required to demonstrate the impacts of the proposed development on flooding behaviour within and outside of the development.

Integrated Water Management

An application to subdivide land must be accompanied by an Integrated Water Management Strategy, with a focus on drainage servicing, that assesses the existing surface and subsurface drainage conditions on the site, addresses the provision, staging and timing of stormwater drainage works, including temporary outfall provisions, flow rate and flow volume management, to the satisfaction of Melton City Council and Melbourne Water.

Bushfire Management Plan

An application to subdivide land adjacent to a Bushfire Hazard Area shown on Plan 9 Bushfire of the *Melton East Precinct Structure Plan* must be accompanied by a Bushfire Management Plan that demonstrates how the application will address bushfire risk at the site. The plan must be prepared in accordance with the relevant requirements and guidelines in the *Melton East Precinct Structure Plan*, unless otherwise agreed in writing by the Responsible Authority and CFA. The plan must include:

- The design and layout of the subdivision, including lot layout, road design and access points, both vehicular and pedestrian;
- The location of any bushfire hazard areas;
- The details of any bushfire protection measures required for individual lots;
- The identification of any areas to form the setback between a bushfire hazard and built form;
- The details of any vegetation management in any area of defendable space including, information on how vegetation will be managed and when the vegetation management will occur i.e. annually, quarterly, during the fire danger period;
- Notation that indicated what authority is responsible for managing vegetation within open space areas; and

The responsible authority and fire authority may waive this requirement if a plan has been approved for the land.

Preliminary Risk Screen Assessment

An application to subdivide land or to use land for a sensitive use (residential use, childcare centre, kindergarten, pre-school centre, primary school, even if ancillary to another use) or children's playground or secondary school, or construct or carry out buildings and works associated with these uses, and where identified as having a medium potential risk for contamination on Appendix 8 of the Melton East Precinct Structure Plan and described in Table 2 must be accompanied by either:

- A Preliminary Risk Screen Assessment in accordance with the *Environment Protection Act 2017* stating that an environmental audit is not required for the proposal; or
- An environmental audit statement under Part 8.3 of the *Environment Protection Act 2017* stating that the land is suitable for the proposal; or
- A certificate of environmental audit for the land issued in accordance with Part IXD of the *Environment Protection Act 1970*; or
- A statement of environmental audit for the land issued in accordance with Part IXD of the *Environment Protection Act 1970* stating that the environmental conditions of the land are suitable for the proposal.

If an environmental audit statement under Part 8.3 of the *Environment Protection Act 2017* has been issued stating that the land is suitable for the proposal, a condition must be included on the planning permit consistent with section 4.0 of this schedule.

Where a Preliminary Risk Screen Assessment (or environmental audit) has already been undertaken for the land, a further preliminary risk screen assessment (or environmental audit) may not be required, if the previous Preliminary Risk Screen Assessment (or environmental audit) has considered the relevant land uses.

This requirement does not apply to the construction or carrying out of buildings and works if:

- The buildings and works are associated with an existing sensitive use, secondary school or children's playground, included in Clause 62.02-1 or 62.02-2, and the soil is not disturbed;
- The buildings and works are required by the Environment Protection Authority Victoria or an environmental auditor appointed under the *Environment Protection Act 2017* to make the site suitable for use; or
- The buildings and works are reasonably required by environmental auditor appointed under the *Environment Protection Act 2017* or the *Environment Protection Act 1970* to undertake a preliminary risk screen assessment or environmental audit.

This application requirement does not apply to buildings and works associated with a residential use established before the approval date of Amendment C244 or to construct or carry out buildings and works associated with these uses, or to any lot where the Environmental Audit Overlay applies.

Table 2

Address	Legal Description
2145-2169 Melton Highway Melton	Lot 4 LP200559
499-525 Mount Cottrell Road Grangefields	Lot 2 LP216717
527-555 Mount Cottrell Road Grangefields	Lot 3 LP216717
4 Judd Court Grangefields	Lot 16 LP218298
10 Judd Court Grangefields	Lot 10 LP218298
12 Judd Court Grangefields	Lot 8 LP218298
28-100 Water Reserve Road Grangefields	Lot 2 LP98912
107-121 Water Reserve Road Grangefields	Lot 1 TP213863

Water Reserve Road Grangefields	Lot 1 TP118945
1031-1085 Beattys Road Grangefields	Lot 3~7 PP2927
1072-1114 Beattys Road Grangefields	Lot 1 TP542527
1192-1230 Beattys Road Grangefields	Lot 1 PS446475
1267-1289 Beattys Road Grangefields	Lot 2 PS537638
1294-1328 Beattys Road Grangefields	Lot 2 LP217378
780-792 Leakes Road Grangefields	Lot 2 PS518411
66-114 Paynes Road Grangefields	Lot 5 LP137020

A Preliminary Site Investigation

An application to use, subdivide land (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), construct a building or construct and carry out works on land associated with use of the land for Minor sports and recreation facility, Retail premises, Office, Agriculture, Informal outdoor recreation, Industry or Warehouse on land described in Table 3, must be accompanied by a Preliminary Site Investigation (PSI) prepared by a suitably qualified environmental consultant in accordance with *National Environment Protection (Assessment of Site Contamination) Measure* (National Environment Protection Council, 1999) to the satisfaction of the responsible authority.

The PSI must make a recommendation as to:

- The likelihood of contamination and its potential to affect the planning proposal.
- Whether a risk-based remediation or management strategy can be derived or further investigation (such as an audit) is recommended.

Table 3

Address	Legal Description
2530 Western Highway Grangefields	Lot 1 PS537638
11 Judd Court Grangefields	Lot 9 LP218298
9A Judd Court Grangefields	Lot 2 PS520699
942-996 Beattys Road Grangefields	Lot 1 LP127283
1232-1290 Beattys Road Grangefields	Lot 4 LP217378

Sodic and dispersive soils management plan

For an application to subdivide land, a sodic and dispersive soils management plan must be prepared by a suitability qualified professional, that describes:

- The existing site conditions, including:
 - extent of sodic and dispersive soils based on topsoil and subsoil samples in the works area.
 - land gradient.
 - erosion risk mapping
 - the extent of any existing erosion, landslip or other land degradation.
- Soils investigation, undertaken by a soil scientist;
- The extent of any proposed earthworks;
- Recommendations for soil management practices (including fill) with consideration of anticipated sodic and dispersive soil exposure;
- The management of drainage during all stages of development (including run-off);
- The staging of development;
- Any training and supervisions processes proposed for construction contractors to ensure compliance with the sodic and dispersive soils management plan;

- Proposed document monitoring and reporting processes that ensure works are undertaken in accordance with the sodic and dispersive soils management plan;
- Any treatment of soil proposed to be removed from the site;
- Any post-construction monitoring and/or management requirements; and
- Recommendations that inform a site management plan including:
 - The management, volume and location of any stockpiles.
 - Vehicle access and movement within the site area.
 - Any treatment to manage the soil while works are undertaken.
 - Treatments to rehabilitate areas that are disturbed during site works.
 - Any soil treatment to manage the soil to reduce risk to existing or current infrastructure and dwellings.

Salvage and translocation

All applications for subdivision of land identified as 'Potential Salvage Operations' by the MSA Map Share tool must be accompanied by evidence that a salvage enquiry form has been submitted to the Department of Energy, Environment and Climate Action.

4.0 Conditions and requirements for permits

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

A permit issued before 31 December 2026 which allows for the subdivision of land to create a lot of less than 300 square metres, must include the following condition:

- Before the plan of subdivision is certified under the *Subdivision Act 1988*, a plan must be approved and endorsed by the responsible authority, that identifies the lots to which:
 - type A or type B of the *Small Lot Housing Code* (Victorian Planning Authority, 2019) applies; or
 - type A, type B or type C of the *Small Lot Housing Code* (Victorian Planning Authority, November 2024) applies to the satisfaction of the responsible authority.

A permit issued on or after 31 December 2026, other than an amendment of a permit issued before 31 December 2026 under section 72 of the Act, which allows for the subdivision of land to create a lot of less than 300 square metres, must include the following condition:

- Before the plan of subdivision is certified under the *Subdivision Act 1988*, a plan that identifies the lots to which type A, type B or type C of the *Small Lot Housing Code* (Victorian Planning Authority, November 2024) applies, must be approved and endorsed by the responsible authority.

Conditions – Bushfire Management Plan

A permit to subdivide land adjacent to a Bushfire Hazard Area shown on Plan 9 Bushfire, must include the following condition:

- Unless otherwise agreed by the Responsible Authority and the Country Fire Authority, before certification of the plan of subdivision the Bushfire Management Plan must be endorsed by the Responsible Authority.

Conditions – Heritage Sites

Any permit for subdivision of land containing the Heritage Overlay must contain the following conditions:

- Prior to the certification of a stage of the subdivision, a conservation Management Plan must be approved for the heritage place to ascertain cultural value/significance, appropriate site boundaries, required restoration works, possible future uses and interpretative signage.

- Before the commencement of works for any stage of subdivision or development, the heritage place must be appropriately secured against damage as a result of works, deterioration, and the effects of weather, trespassing or vandalism to the satisfaction of the Responsible Authority.
- Prior to the issue of a statement of compliance for the first stage of subdivision the owner must enter into an agreement with the Responsible Authority made pursuant to Section 173 of the Planning and Environment Act 1987 which provides for works to the heritage places for the purposes of restoration and repair are in accordance with the timeframes and requirements of the approved Conservation Management Plan.

Condition – Integrated water management and Stormwater management plans

A permit to subdivide land, construct a building or construct or carry out works must include the following condition:

- Unless otherwise agreed by the responsible authority and Melbourne Water, before certification of the plan of subdivision the Integrated Water Management Plan and Stormwater Management Plan must be endorsed by the responsible authority.

Condition – Public Transport

Unless otherwise agreed by Head, Transport for Victoria, prior to the issue of a statement of compliance for any subdivision stage, bus stop hard stands with direct and safe pedestrian access to a pedestrian path must be constructed:

- In accordance with the Public Transport Guidelines for Land Use and Development; and compliant with the Disability Discrimination Act – Disability Standards for accessible Public Transport 2002.
- At locations approved by the Department of Transport and Planning, at no cost to the Department of Transport and Planning, and to the satisfaction of Head, Transport for Victoria.

Condition – Road Network

Any permit for subdivision or buildings and works must contain the following conditions:

- Prior to the certification of a plan of subdivision, the plan of subdivision must show the land affected by the widening of the road reserve which is required to provide road widening and/or right of way flaring for the ultimate design of any adjacent intersection.
- Land required for road widening including right of way flaring for the ultimate design of any intersection within an existing or proposed arterial road must be transferred to or vested in Council at no cost to the acquiring agency unless funded by the Melton East Infrastructure Contributions Plan.

Condition – Freeway Noise Wall

Any permit for subdivision, use or buildings and works abutting the Western Freeway must contain the following condition:

- Any subdivision (or, in the case of a staged subdivision, the first stage of subdivision), use or buildings and works on land directly abutting the Western Freeway boundary must comply with the VicRoads Traffic Noise Reduction Policy, 2005 to the satisfaction of, and at no cost to, the Head, Transport for Victoria.

Conditions – Public Infrastructure Plan

Any permit for subdivision must contain the following conditions:

- Prior to the certification of a plan of subdivision or at such other time which is agreed between the council and the owner, if required by the responsible authority or the owner, the owner must enter into an agreement or agreements under section 173 of the Planning and Environment Act 1987 which provide for:
 - The implementation of the Public Infrastructure Plan approved under this permit.

- The timing of any payments to be made to a person in respect of any infrastructure project having regard to the availability of funds in the Infrastructure Contributions Plan.

Condition – Environmental Audit

Any permit to subdivide land, or to use land for a sensitive use (residential use, childcare centre, kindergarten, pre-school centre, primary school, even if ancillary to another use) or children's playground or secondary school, or to construct or carry out buildings and works associated with these uses, and where an environmental audit statement under Part 8.3 of the Environment Protection Act 2017 has been issued stating that the land is suitable for the use or proposed use subject to recommendations:

- The recommendations that relate to the use and development of the land must be complied with to the satisfaction of the responsible authority before the use or development commences; and
- Written confirmation of compliance with any recommendations in the environmental audit statement must be provided by a suitably qualified environmental professional (with the costs borne by the applicant) to the satisfaction of the responsible authority. Compliance sign-off must be in accordance with any requirements in the environmental audit statement recommendations regarding verifications of works.

Where recommendations of the Environmental Audit Statement require significant ongoing maintenance and/or monitoring, the applicant must enter into an agreement with the responsible authority under Section 173 of the *Planning and Environment Act 1987*. The Section 173 Agreement must be executed on the title of the relevant land prior the grant of a permit to develop the land, unless otherwise agreed to by the responsible authority. The applicant must meet all costs associated with drafting and execution of the Agreement, including those incurred by the responsible authority.

Condition – Security of conservation land

A permit to subdivide land containing a 'conservation area' as shown in the *Melton East Precinct Structure Plan* must include the following condition:

The owner of the land must, as part of the plan of subdivision (or the first plan of subdivision submitted for registration, in the case of any staged subdivision), create the 'conservation area' as a separate lot or reserve. The boundaries of the lot or reserve on the plan of subdivision are subject to the prior satisfaction of the Secretary to the *Department of Energy, Environment and Climate Action* as constituted under Part 2 of the Conservation, Forests and Lands Act 1987 (Secretary). The owner must further secure the conservation area, by causing that lot or reserve to be vested, transferred, or protected in perpetuity in one of the following ways:

- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement under section 173 of the *Planning and Environment Act 1987* by which the owner agrees to transfer ownership of the conservation area to, or to vest the conservation area in, the Minister responsible for section 5 of the *Crown Land (Reserves) Act 1978*, the Council or Melbourne Water. The transfer or vesting must either be for no or nominal consideration. The Secretary and the person or body to whom the land is to be transferred or vested must also be a party to the agreement. The terms of the agreement must include that the owner pays the reasonable costs of the other parties to the agreement that were incurred for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration; or
- Prior to a statement of compliance being issued for the plan of subdivision (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), enter into an agreement with the Secretary under section 69 of the *Conservation, Forests and Lands Act 1987*, which provides for the conservation and management of the conservation area by or on behalf of the owner in perpetuity. The terms of the agreement must include that the owner pays the reasonable costs of the Secretary incurred

for the preparation, execution, and registration of the agreement. The owner must cause the agreement to be registered prior to lodgement of the plan of subdivision for registration.

The requirement to include the above condition does not apply if the permit applicant provides the responsible authority with a statement in writing from the Secretary, as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*, that the condition is not required because the Secretary is satisfied that either:

- the land containing the conservation area is expected to be further subdivided and a further planning permit will be required for that subdivision (to which the above condition requirement will apply); or
- the conservation area has been or will be otherwise secured in perpetuity.

Condition – Fencing of conservation areas

A permit granted to subdivide land where works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, on land including or abutting a conservation area as shown in the *Melton East Precinct Structure Plan*, must include the following condition:

Prior to the commencement of development, a conservation area fencing plan must be submitted to and approved by the Secretary to the *Department of Environment, Energy and Climate Action* (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) (Secretary) to ensure the conservation area is adequately protected. The fencing plan must contain the following:

- The boundaries of any conservation area, and the location of any scattered tree and the boundaries of any patch of native vegetation within the conservation area.
- The location and alignment of temporary protection fencing showing the following minimum distance from the element to be protected:

Element	Distance
Conservation area	0.5 metres
Scattered tree	12 x diameter at a height of 1.3 metres
Patch of native vegetation	2 metres

- The timing of installation and removal of temporary protection fencing.
- The timing of installation of permanent fencing.
- Location and details of ongoing maintenance vehicle access points;
- The type of temporary and permanent fencing including materials, heights and spacing of uprights;
- Frequency of inspections and rectification works for temporary protection fencing.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary to the Department of Energy, Environment and Climate Action and the responsible authority.

Stockpiles, fill, machinery, vehicle parking, excavation and construction activity of any kind must not be brought into, or be undertaken within, the area to be fenced, except with the prior written consent from the Secretary.

Condition – Correct alignment of protective fencing

Buildings and works must not commence until written evidence that protection fencing has been erected in accordance with the approved Conservation Area Fencing Plan is provided by a suitably qualified land surveyor to the Secretary to the *Department of Energy, Environment and Climate Action* (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) (Secretary), and the Secretary confirms it is satisfied by the evidence.

Condition – Land management plan for conservation area

A permit to subdivide land containing a conservation area as shown in the *Melton East Precinct Structure Plan* must include the following condition:

Prior to the commencement of development, a land management plan for the conservation area land must be prepared by a suitably qualified consultant, submitted to, and approved by the Secretary to the Department of Energy, Environment and Climate Action (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) (Secretary). The land management plan must outline how the biodiversity values for the land identified in the Biodiversity Conservation Strategy for Melbourne's Growth Corridors (Department of Environment and Primary Industries, 2013) will be maintained, managed and improved, including:

- How environmental weeds will be managed up until the securing of the conservation area.
- How any re-vegetation will be undertaken in coordination with weed management activities to prevent re-colonisation of weed species.
- How rubbish and hazards will be removed, and any contaminated material managed up until the securing of the conservation area.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary and the responsible authority.

Condition – Construction environmental management plan

A planning permit to subdivide land, construct a building, or construct or carry out works on or within 50 metres of land shown as a conservation area in the incorporated *Melton East Precinct Structure Plan* must include the following condition:

Before works start, a Construction Environmental Management Plan consistent with *DELWP requirements for Construction Environmental Management Plans under the Melbourne Strategic Assessment* (Department of Environment, Land, Water and Planning, November 2020) must be submitted to and approved by the Secretary to the Department of Energy, Environment and Climate Action (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) and the responsible authority, demonstrating how the conservation area will be protected during works.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the Secretary and the responsible authority.

Condition – Salvage and translocation

Prior to the commencement of development, a salvage inquiry form must be submitted to the Secretary to the Department of Energy, Environment and Climate Action (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) (Secretary), and where required the Secretary must be permitted to access the land to conduct salvage and translocation operations, in accordance with the requirements of the *Salvage and Translocation Protocol for Melbourne's Growth Corridors* (Department of Environment, Land, Water and Planning.).

Requirement – Sodic and dispersive soil site management plan

A permit to subdivide land must include a condition that requires a site management plan be prepared that implements the recommendations identified in the sodic and dispersive soil management plan, to the satisfaction of the Responsible Authority.

5.0

Exemption from notice and review

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

6.0 Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.07, in addition to those specified in Clause 37.07 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

Town Centre floorspace

Before deciding on an application to create floorspace in excess of any cap in a local town centre or local convenience centre, the responsible authority must consider, as appropriate:

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

Noise impacts

Before deciding on a permit application under this schedule on land included within a Noise Influence Area on Plan 15 – Noise Influence Areas of the incorporated Melton East Precinct Structure Plan the responsible authority must consider, as appropriate:

- If Accommodation, Hospital or Education centre (other than Tertiary institution and Employment training centre) is proposed, whether the proposal minimises the impact on human health and amenity from noise exposure near the transport system and other noise emission sources having regard to:
 - the impact of potential noise sources have been mitigated through siting, orientation design, layout, and location; and whether this reduces the need for acoustic treatment of buildings or compromises the useability of the building by its occupant;
 - Any building façade treatments that are required to mitigate noise impacts; and
 - Any relevant recommendations of an Acoustic Assessment Report for the application.

Affordable housing

Where an application proposes the voluntary provision of social or affordable housing ~~Before deciding on an application to develop or subdivide land for dwellings~~, the responsible authority must consider, as appropriate:

- Whether the proposed subdivision application contributes towards the voluntary provision of affordable housing;
- The ministerial Notice under 3AA(2) of the Act, as amended from time to time.

Area of flood risk

Before deciding on an application on land shown as ‘Area of flood risk’ on Plan 1 of the schedule, the responsible authority must consider, as appropriate:

- The Flood Management Strategy.
- The compatibility of the use or development with potential flood risk to life, health and safety.
- The susceptibility of the use or development to flooding or flood damage.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of development on reducing flood storage and increasing flood levels and flow velocities.
- The effect of the development on environmental values, including the values of Kororoit Creek, such as natural habitat, stream stability, erosion, water quality and sites of scientific significance.
- Any comments from Melbourne Water.

Existing developed land (Freeway service centre)

Before deciding on an application to use land associated with the “existing developed land” shown on Plan 1 of this schedule, the responsible authority must consider, as appropriate:

- The existing access to the Western Freeway will terminate in accordance with Department of Transport and Planning (Transport) terms of access agreement for the site.

7.0

Signs

None specified.