

Suburban Rail Loop East Precincts Standing Advisory
Committee

Volume 2: Common Issues

Advisory Committee Report

Planning and Environment Act 1987

20 February 2026

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.

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Advisory Committee Report

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Volume 2: Common Issues

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Overview

Key information about this Volume

Report	Volume 2: Common Issues
Date	20 February 2026
Precincts	All
Draft Amendments	All
Municipalities	All
Referred Matters	Those relating to: - the Voluntary Public Benefit Uplift Framework - planning for public open space - planning for community infrastructure - the draft implementation plans
Committee members	General Issues Hearing Sarah Carlisle (Chair), Gabby McMillan (Deputy Chair), Sarah Raso, Tim Hellsten, John Roney, Annabel Paul, Peter Elliott, Peter Edwards
Supported by	Georgia Brodrick and Sarah Vojinovic
Directions Hearing	See General Issues Report (Volume 3)
Main Hearing	See General Issues Report (Volume 3)
Parties	See Summary and Approach Report (Volume 1)
Site inspections	Not required
Citation	Suburban Rail Loop East Precincts Volume 2 [2026] PPV

1 Introduction

1.1 Overview

This report is one of nine volumes that have been prepared by the Committee which has been appointed to give advice in accordance with its Terms of Reference dated 1 July 2025. This volume discusses common issues that have implications for multiple Referred Matters, including:

- overarching issues:
 - SRLA's coordination and delivery powers under the SRL Act
 - the role of non-statutory documents in delivering the visions and objectives in the draft structure plans
 - monitoring and review
 - the lack of funding mechanisms
- the Committee's response to the Referred Matters relating to:
 - the VPBUF including the FAR controls
 - planning for public open space
 - planning for community infrastructure
 - the draft implementation plans.

As noted in Volume 1 (Summary and Approach), the findings and recommendations on Common Issues Referred Matters and General Issues Referred Matters (Volumes 2 and 3) have informed the assessments of precinct specific matters and have generally been adopted by the Precinct Committees. Any exceptions are explained in the precinct reports (Volumes 4 to 9).

1.2 Expert evidence

Expert evidence presented at the General Issues Hearing is the most relevant to the common issues addressed in this Volume, and is listed in Table 1. The precinct reports list evidence presented at the precinct hearings.

Table 1 General Issues Expert Evidence

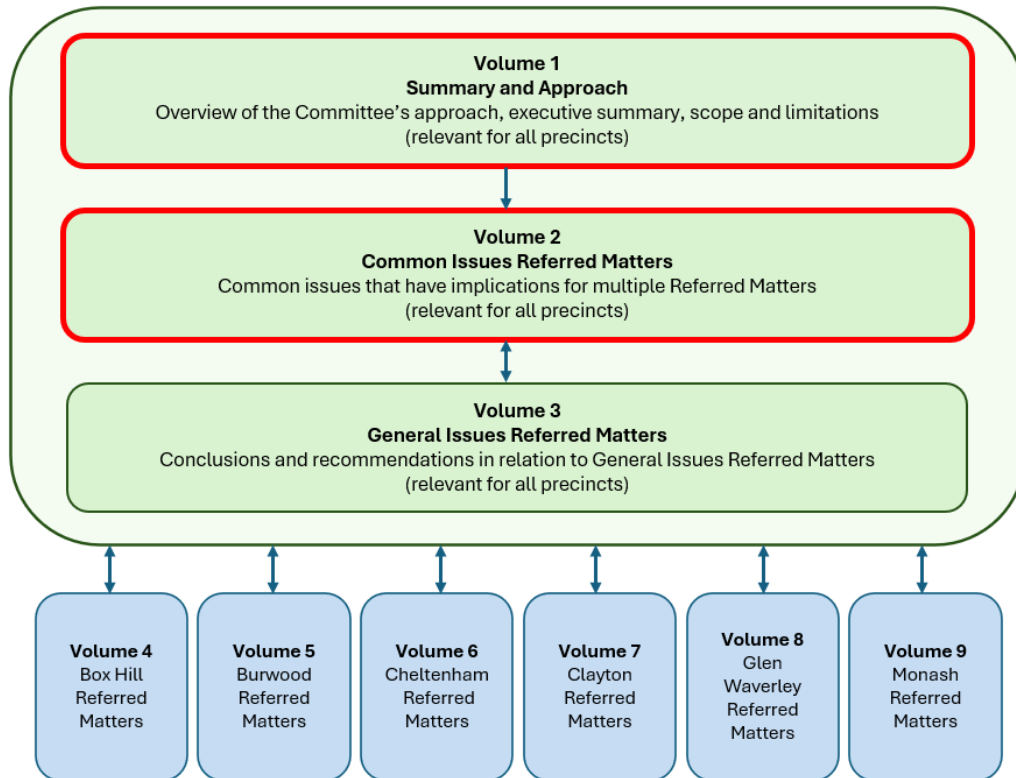
Expert	Firm	Party
Planning and uplift		
David Crowder	Ratio	Proponent
David Barnes	Hansen	Councils and University Group
Luke Mackintosh	BDO	Proponent
Urban design		
Mark Sheppard	Urbis	Proponent
Andrew Partos	Hansen	Councils and University Group
Gerhana Waty	Hansen	Kingston City Council

Economics		
Rhys Quick	Urbis	Proponent
Chris McNeill	Ethos Urban	Council and University Group
Traffic and transport		
Tim De Young	Eukai	Proponent
Jason Walsh	Traffix Group	Councils and University Group
Valentine Gnanakone	OneMileGrid	Kingston Council
Community infrastructure		
Chris De Silva	Mesh	Proponent
Jo Noesgaard	SGS Economics	Kingston Council
Kate Kerkin	K2 Planning	Bayside City Council, Monash City Council and Whitehorse City Council
Open space, sport and recreation		
Kate Maddock	Otium	Bayside City Council, Monash City Council and Whitehorse City Council
Joanna Thompson	Thompson Berrill Landscape Design	Councils and University Group
Dan Ferguson	The Community Collective	Kingston Council
Integrated water management		
Scott Dunn	Engeny	Bayside City Council and Kingston City Council

As directed by the Committee, joint expert meetings were held before the General Issues Hearing in the fields of economics, transport and community infrastructure. Joint Expert Statements were tabled at the General Issues Hearing (Documents GI 86, GI 87 and GI 93 respectively) identifying the areas of agreement and disagreement. These proved helpful to the Committee.

1.3 Reading this report

While all volumes of the Committee's report need to be read together, it is particularly important to read this volume together with the Summary and Approach Report (Volume 1).



2 Summary

The Committee's key findings, conclusions and recommendations in relation to the Common Issues Referred Matters are summarised in Table 2, with supporting analysis in the issue specific chapters that follow.

The Committee's analysis, findings and recommendations of the Common Issues Referred Matters is based on:

- Day 3 version of the draft Amendments.
- Day 2 (or 'post Day 2') versions of the draft structure plans and draft implementation plans.

Table 2 Findings, conclusions and recommendations – common issues

Uplift Scheme	
Related Referred Matters	Whether the mandatory Floor Area Ratio (FAR) controls proposed in the draft Planning Scheme Amendment are appropriate. Whether the uplift calculation in the Voluntary Public Benefit Uplift Framework supports its practical application, including public realm improvements and commercial (office) floor space as a category of public benefit. Whether the draft Structure Plans and draft Planning Scheme Amendments facilitate the delivery of social and affordable housing. Whether the proposed Voluntary Public Benefit Uplift Framework is appropriate in respect of the spatial application of the Framework in [the precinct] Whether the schedules to the proposed Precinct Zones (PRZs) and/or Built Form Overlays (BFOs) are appropriate, in respect of the identification of pedestrian connections and links.
Findings	Floor area ratios: The Proponent has not demonstrated the strategic justification for the FARs, including the high FARs in the SDAs. It has not demonstrated whether the FARs provide sufficient room for uplift on a sufficient number of sites to make widespread uptake of the VPBUF likely. Nor has it demonstrated whether the FARs provide sufficient incentive for developers to seek uplift without discouraging development. Discount rate: The Proponent has not demonstrated that the discount rate is appropriately set to incentivise developers to take up the VPBUF. Further work is required to:

- demonstrate whether the 50 per cent discount rate will provide a sufficient incentive for developers to take up the Voluntary Public Benefit Uplift Framework
- determine whether or not it is appropriate to apply a single discount rate across all precincts, place types and all types of public benefit
- if not, investigate what level of discount rate would be appropriate in different situations and for the different types of eligible public benefit (if Category 1 and Category 3 benefits are retained).

Eligible public benefit categories:

Affordable housing should be the only category of eligible public benefit. If the VPBUF is implemented, Category 1 (public realm improvements) and Category 3 (strategic land uses) should be removed.

VPBUF calculations:

The calculation methodology set out in the VPBUF is complex, but the calculations are possible, and to that extent, the methodology supports the practical application of the Uplift Scheme.

The Committee supports the Day 3 changes that reflect Mr McIntosh's recommendations for the use of fixed values set by the Valuer General Victoria.

If the VPBUF is implemented, the Proponent should develop the following to assist councils with the implementation of the Uplift Scheme:

- a calculation tool
- example permit conditions and section 173 agreements
- training for council officers implementing the VPBUF
- a method or guidance for estimating public realm embellishment costs.

Conclusion

Based on the above findings, the Committee concludes that the ability of the VPBUF to be practically applied and deliver the envisaged public benefits has not been demonstrated. The FARs have not been justified and are not appropriate. While it is possible to calculate the amount of uplift using the VPBUF methodology, the calculations are complex. Other aspects of the VPBUF do not support its practical implementation.

Recommendations

Further work

1. **CI R01: Undertake further work to demonstrate the Voluntary Public Benefit Uplift Framework is strategically justified, will be effective and can be practically implemented:**
 - a) **baseline floor area ratios:**

- **demonstrate the floor area ratios, including those proposed to apply to the Station Development Areas, are strategically justified and consistent with the precinct visions**
- **demonstrate that the floor area ratios incentivise developers to provide public benefit (by demonstrating that the floor area ratios provide sufficient room for uplift on a sufficient number of sites to incentivise uptake without being set so low as to discourage development)**
- b) the discount rate:**
 - **demonstrate whether the proposed 50 per cent discount rate is set at an appropriate level to incentivise uptake**
 - **determine whether it is appropriate to apply a single discount rate across all precincts and place types**
- c) spatial application:**
 - **reconsider the spatial application of the Voluntary Public Benefit Uplift Framework to ensure it is applied in all locations where eligible public benefits are required.**

Draft Amendments

- 2. CI R02: If the draft Amendments are implemented before the further work outlined in Recommendation CI R01 is completed, amend the local policies and Precinct Zone schedules before implementation to remove all references to the floor area ratios and the Voluntary Public Benefit Uplift Framework.**

The following recommendations apply if the further work in Recommendation CI R01 demonstrates the Voluntary Public Benefit Uplift Framework is strategically justified, will be effective and can be practically implemented.

- 3. CI R03: Amend the Voluntary Public Benefit Uplift Framework to:**
 - a) make changes required to reflect the outcomes of the further work in Recommendation CI R01**
 - b) remove any reference to Category 1 benefits (public realm improvements) and Category 3 (strategic land uses) benefits**
 - c) if Recommendation CI R03(b) is not adopted, provide clear guidance on what constitutes an eligible public benefit, particularly for Category 1 benefits. The guidance should:**
 - **include criteria that clearly distinguish between site-specific contributions that would ordinarily be provided as developer works and broader precinct improvements**
 - **make it clear that any benefit that would ordinarily be provided as developer works is ineligible for uplift**
 - d) state that it is within the discretion of the responsible authority to determine whether any proposed public benefit is appropriate.**
-

4. **CI R04: Amend the local policies and Precinct Zone schedules to apply the changes recommended in Recommendation CI R03.**
5. **CI R05: Develop tools and training materials to support the practical application of the Voluntary Public Benefit Uplift Framework, including:**
 - a) **a calculation tool for use by councils**
 - b) **guidance and training for council officers implementing the Voluntary Public Benefit Uplift Framework**
 - c) **a method or guidance for estimating public realm embellishment costs.**

Public open space

Referred Matter

Whether the planning for open space in the [Precinct] Structure Plan Area is appropriate having regard to the needs of future residents, visitors and employees

Findings

Deferring open space planning to after the land is rezoned:

Deferring the detailed planning for open space until after land has been rezoned is not orderly planning, and creates significant risk that the precinct visions will not be achieved.

Further work is needed before the draft Amendments are approved, to determine the size and location of key proposed public open space required in the precincts.

Further work:

The methodology for the assessment of open space needs to date has not been appropriate. The further assessment of open space needs should have regard to the matters listed in Recommendation CI R06.

Once the further work (see below) has been completed:

- the structure plans and the maps in the PRZ and BFO schedules should be amended to show proposed open space of 0.5 hectares or more (as well as existing open space)
- built form controls for surrounding land should be reviewed to ensure sites required for both existing and proposed open space are protected from overshadowing
- pedestrian connections should be reviewed to ensure they provide good walkable access to open space.

Delivery mechanisms:

There is no basis on which to recommend bespoke open space contribution rates in the BFO schedules, although the further open space needs assessment recommended by the Committee may provide justification.

It is not appropriate to require open space contributions to be paid on other forms of development (other than subdivision) in the absence of justification.

The VPBUF is unlikely to produce significant quantities of open space where it is needed and in locations suitably distributed to achieve appropriate walkable access.

The implementation plans should include a short term action requiring identification of delivery mechanisms for open space, following the further assessment of open space needs.

Conclusion

Based on the above findings, the Committee concludes the planning for open space in the structure plan areas is not appropriate and does not have proper regard to the needs of future residents, visitors and employees.

Recommendations

Further work

6. **CI R06: Before the draft Amendments are approved, undertake further work to assess the open space needs of the future populations in each structure plan area having regard to:**
 - a) **an appropriate benchmark for open space provision for the precincts having regard to their context as accommodating high density populations in established urban areas**
 - b) **the needs of workers (and visitors to the precincts where high visitor numbers are expected)**
 - c) **the revised open space site selection principles referred to in Recommendation CI 07**
 - d) **the location of feasible pedestrian connections to open spaces**
 - e) **the availability of 'non-traditional' open space and access to open spaces outside the precinct**
 - f) **any specific findings in the precinct reports.**

Draft structure plans

7. **CI R07: Before the draft Amendments are approved, amend the draft structure plans to identify the location and size of proposed public open space of 0.5 hectares or more in each precinct based on:**
 - a) **the further assessment of open space needs (Recommendation CI R06)**
 - b) **the revised open space site selection principles (Recommendation CI R08).**
8. **CI R08: Amend the open space site selection principles in the draft structure plans as follows:**
 - a) **modify the 'Condition' principle to read:**

the physical condition of the site is suitable for public open space, including any remediation required to meet a condition that is suitable for use as a children's playground
 - b) **modify the 'Access to public open space' principle to read:**

improves 200 metres walkable access to pocket parks (up to 0.25 of a hectare), 300 metres walkable access to neighbourhood parks (of 0.26 to 0.99 of a hectare) and 400 metres walkable access to community parks (open space open space of at least 1 hectare) from anywhere within the structure plan area

c) include a new principle that reads:

Solar access – the site enjoys good solar access in winter.

Draft Amendments

9. CI R09: Before the draft Amendments are approved, amend the maps in the relevant Precinct Zone schedules and Built Form Overlay schedules to clearly show the location and size of proposed public open spaces identified in the revised structure plans (Recommendation CI R07).
10. CI R10: Review and amend the built form controls in the Built Form Overlay schedules and the Precinct Zone schedules to ensure the built form controls protect both existing and proposed open space from overshadowing consistent with Recommendation GI R27 in Volume 3.

Community infrastructure

Referred Matter

Whether the planning for community infrastructure in the [Precinct] Structure Plan Area is appropriate, having regard to the needs of future residents, visitors and employees.

Findings

Deferring open space planning to after the land is rezoned:

As is the case for new open space, deferring the detailed planning for community infrastructure until after land has been rezoned is not orderly planning, and creates significant risk that the precinct visions will not be achieved.

Further work is needed before the draft Amendments are approved, to determine the size and location of new community infrastructure needed to service the new precinct populations.

Further work:

The methodology for the assessment of community infrastructure needs of future residents, visitors and workers has not been appropriate. The further assessment of community infrastructure needs should have regard to the matters listed in Recommendation CI R11.

Once the further work has been completed, the structure plans and the maps in the PRZ and BFO schedules should be amended to show any site of 0.5 hectares or more required for new community infrastructure.

Shared use agreements:

Shared use agreements for use of facilities on school sites are a useful tool, but should not be used as a substitute for providing dedicated facilities that are available to local sports clubs and the community more broadly.

Conclusion

Based on the above findings, the Committee concludes the planning for community infrastructure is not appropriate, and does not have proper regard to the needs of future residents, visitors and employees.

Recommendations

Further work

- 11. CI R11: Before the draft Amendments are approved, undertake further work to assess the community infrastructure needs of the future populations in each structure plan area having regard to:**
 - a) detailed demographic profiles for the precinct populations**
 - b) appropriate benchmarks for the different types of community infrastructure needed in the precincts having regard to their context as accommodating high density populations in established urban areas**
 - c) the needs of workers (and visitors for precincts where high visitor numbers are expected)**
 - d) appropriate catchments informed by the population likely to use the particular facility based on:**
 - the scale and type of facility being considered
 - the improved accessibility to facilities located within the structure plan areas
 - e) projected demand and participation rates for different types of active recreation facilities**
 - f) projected demand for early years services, kindergarten facilities, education facilities and health facilities**
 - g) district and regional facilities including:**
 - the capacity and condition of existing facilities and the need for upgrades that may be required to cater for the additional demands of the precinct populations
 - the justification for locating new district and regional facilities in the structure plan areas given their enhanced accessibility
 - h) the revised community infrastructure site selection principles referred to in Recommendation CI R13**
 - i) any specific findings in the precinct reports.**

Draft structure plans

- 12. CI R12: Before the draft Amendments are approved, amend the draft structure plans to identify the location and size of new community infrastructure in each precinct that requires a site of 0.5 hectares or more based on:**
 - a) the further assessment of community infrastructure needs (Recommendation CI R11)**
 - b) the revised community infrastructure site selection principles (Recommendation CI R13).**
-

- 13. CI R13: Amend the site selection principles for community infrastructure in the draft structure plans to:**
- a) prioritise centrally located, walkable sites and flexible design (including vertical) infrastructure**
 - b) include government owned land (not just council owned land) as a secondary consideration.**

Draft Amendments

- 14. CI R14: Before the draft Amendments are approved, amend the maps in the relevant Precinct Zone schedules and Built Form Overlay schedules to clearly show the location and size of sites required for new community infrastructure shown in the revised structure plans (Recommendation CI R12).**

Draft implementation plans

Referred Matter

Whether the approach to implementing the actions and projects contained in the draft Implementation Plan for the [Precinct] and the timing and pathways for their implementation are appropriate for the purposes of the draft [Precinct] Structure Plan.

Findings

The implementation plans should be updated to:

- clarify the responsibilities of 'lead' and 'partner' agencies
- include an 'immediate' timeframe (within 12 months)
- include any additional projects identified through the further assessments of open space needs, community infrastructure needs and pedestrian links recommended by the Committee in this report
- review the timing, implementation pathways and lead and partner agencies for all other actions and key projects in light of the further assessments.

Any further work recommended by the Committee that is not completed before the draft Amendments are finalised and approved should be documented in:

- the implementation plans, identifying the SRLA as the lead agency and with a timing of 'immediate'
- Clause 74.02 (Further strategic work), identifying the SRLA as the planning authority responsible for the further work.

The Proponent must ensure appropriate support and commitment from key stakeholders involved in the delivery of actions and key projects identified in the implementation plans.

Conclusion

Based on the above findings, the Committee concludes the approach to implementing the actions and projects contained in the draft implementation plans and the timing and pathways for their implementation are not appropriate.

Recommendations

Draft implementation plans

- 15. CI R15: Amend the draft Implementation Plans to include an action to identify funding mechanisms for community infrastructure with:**
 - a) Suburban Rail Loop Authority identified as the lead agency**
 - b) timing as 'immediate'.**
- 16. CI R16: Before the draft Amendments are implemented, ensure appropriate support and commitment from key stakeholders involved in the delivery of the actions and key projects outlined in the amended draft implementation plans, including in relation to timing, implementation pathways and responsibilities.**
- 17. CI R17: Before the draft Amendments are implemented, amend the draft Implementation Plans to:**
 - a) include an additional timeframe of 'immediate' (within 12 months)**
 - b) clarify the responsibilities of 'lead' and 'partner' agencies**
 - c) require review of the structure plans at least every 5 years**
 - d) make any further changes recommended in the precinct reports.**
- 18. CI R18: If the further work recommended by the Committee in relation to open space planning (Recommendation CI R06), community infrastructure planning (Recommendation CI R11) and pedestrian links (Recommendation GI R32) is not completed before the draft Amendments are implemented:**
 - a) include the further work as Actions in the draft implementation plans**
 - b) specify Suburban Rail Loop Authority as the lead agency**
 - c) specify the timing as 'immediate'.**
- 19. CI R19: After completing the further work recommended by the Committee in relation to open space planning (Recommendation CI R06), community infrastructure planning (Recommendation CI R11) and pedestrian links (Recommendation GI R32), review and update the draft Implementation Plans to:**
 - a) include any additional projects identified through the further work**
 - b) review and (if necessary) update the timing, implementation pathways and responsibilities for all other actions and key projects.**

Draft Amendments

- 20. CI R20: Document in Clause 74.02 (Further strategic work) all further work recommended by the Committee in this report that is not completed before the Amendments are implemented, making it clear that Suburban Rail Loop Authority is the planning authority responsible for the further work.**
-

3 Overarching issues

There are several overarching issues which have implications for multiple Referred Matters. They are dealt with briefly in this chapter.

Another overarching issue which has more significant implications for several referred Matters is the absence of funding mechanisms. This overarching issue is dealt with in Chapter 7.

3.1 Non-statutory documents

Many of the Referred Matters ask whether the draft structure plans are appropriate or will facilitate certain outcomes (for example, affordable housing).

The draft structure plans, draft implementation plans and draft precinct parking plans will be background documents to the relevant planning schemes.

The *Practitioner's guide to the planning system*, August 2025 (version 8) makes it clear that background documents hold no statutory weight and cannot be relied upon for decision-making, stating (at pages 77 and 107):

Background documents provide information to explain the context in which a particular policy has been framed. A background document may explain why particular requirements are in the planning scheme, substantiate a specific issue or provide background to a provision. As background documents are not part of the planning scheme, the substantive planning elements of the document (such as built form guidelines or the like) will have been included in the planning scheme in either a local policy or a schedule.

...

A background document is not part of the planning scheme and must not be directly relied on for decision making. If a background document contains content that is necessary for decision making (such as strategies or decision guidelines) then these must be extracted and placed in the relevant policy or control.

Therefore, while the draft structure plans have informed the policy and controls in the draft Amendments, the draft structure plans will not in themselves contribute to achieving the visions or objectives in the draft structure plans. The same applies to the draft implementation plans.

3.2 SRL delivery and coordination powers

Submissions and evidence in all hearings raised concerns about whether the structure planning done to date is sufficient to support the draft Amendments. Concerns related to the following issues (all of which are dealt with in other chapters of this Report):

- the planning for open space
- the planning for community infrastructure
- the lack of identified funding mechanisms, particularly for community infrastructure
- the identification of responsibilities for actions and delivery of key projects in the draft implementation plans.

The SRL Act gives the Proponent broad powers and responsibilities in relation to the SRL East program, which includes precinct planning for the SRL East precincts. The Proponent explained its broader role at the General Issues Hearing:

The land the subject of this precinct planning exercise is the subject of objectives under the SRL Act. SRLA is an authority established by government to administer a plan to deliver not just the transport infrastructure, but the non-transport infrastructure within the Structure Plan areas over the period of the Structure Plans. SRLA is concerned with delivering these precincts, whether it be to help the way people move, or to watch for capacity analysis, watch how the areas are progressing, invest in infrastructure – consistent with its objectives under the SRL Act.

In particular, the Proponent explained that it has powers under the SRL Act to oversee the delivery of key actions and projects in the draft implementation plans:

As noted above, SRLA is responsible for the planning and delivery of the SRL pursuant to its functions under the SRL Act, including to co-ordinate State Government action in relation to the development of land to which a SRL planning area declaration applies. SRLA will coordinate the delivery of the Key Actions and Key Projects and work with the nominated leads and partners to ensure the Visions for the draft Structure Plans are achieved in the SRL East precincts.

...

The delivery of the Key Actions and Key Projects will be overseen by SRLA in accordance with the Victorian Government's high standards for governance, accountability and performance of public entities. It will require coordination across government, councils and other stakeholders, with different implementation pathways and timeframes for different Key Actions and Key Projects.

The Proponent submitted that the Committee and parties should take comfort from the fact that its powers and obligations under the SRL Act were broad enough to encompass matters related to the structure planning process that were not yet fully resolved, such as implementing funding and delivery mechanisms to ensure essential community infrastructure required to serve the needs of the future precinct populations.

While the Committee accepts that the Proponent has powers (and responsibilities) under the SRL Act that extend to all parts of the SRL East Program (including the structure planning), those powers and responsibilities are separate to and different from the Proponent's powers and responsibilities as a planning authority under the PE Act. Relying on its powers and obligations under the SRL Act is no substitute for a proper consideration of whether it has met its obligations as a planning authority under the PE Act.

3.3 Monitoring and review

The Proponent acknowledged that monitoring and review would be key to the long-term success of the precincts. For example, the Proponent agreed that:

- the settings and incentives in the VPBUF would need to be reviewed if public benefits did not eventuate
- the parking rates in the Parking Overlay schedules would need to be reviewed to ensure they suppress demand for private vehicles and incentivise active transport.

For any review process to be effective, monitoring is required to understand and track the progress toward the visions and the objectives of the draft structure plans.

The draft structure plans contain the following section that briefly addresses monitoring and review:

7.3 Monitoring and review

Monitoring and review of the Structure Plan will be required to ensure the objectives, strategies and actions reflect changing conditions and remain fit for purpose over time. The completion of SRL East and opening of the new station at Box Hill will be a significant point in time to review the progress of implementing the Structure Plan.

These general statements do not provide any detail in relation to what will be monitored and reviewed, or how often. The draft implementation plans do not specifically reference monitoring and review, and nor do the draft Amendments. The Proponent has no specific obligations under the SRL Act to monitor and review the progress toward the visions and objectives in the draft structure plans, or the key actions and key projects in the draft implementation plans.

There is therefore no statutory requirement for monitor and review.

With so much of the precinct planning proposed to be left until after the draft Amendments are implemented, the lack of a confirmed monitoring and review process with a statutory basis is a shortcoming. It is unclear who will be responsible for identifying and addressing potential problems, and adjusting the planning controls to ensure progress toward the visions and objectives in the structure plans remains on track. Timing of monitoring and review is also unclear.

Given the coordinating role of the Proponent for the SRL East program under the SRL Act, this should be the Proponent's responsibility. It would not be appropriate to expect the councils to take on this responsibility (for example as part of their general obligation under the PE Act to regularly review their planning schemes).

There is no specific Referred Matter addressing monitoring and review, and accordingly the Committee makes no formal findings or recommendation in this regard. However, it considers the structure plans or implementation plans should provide more detail in relation to the monitoring and review of progress toward the structure plan visions and objectives, including specifying:

- that the Proponent is the agency responsible for ongoing monitoring and review
- monitoring and review should be done in consultation with key stakeholders, including Councils
- that monitoring must be ongoing, and a comprehensive review of progress toward the structure plan vision and objectives must take place at least every five years
- the range of actions to be taken if progress is found to be not on track.

4 Voluntary Public Benefit Uplift Framework

4.1 Summary

The Uplift Scheme is integral to the consideration of multiple Referred Matters, including those relating to open space, community infrastructure, pedestrian links and social and affordable housing. It is therefore not possible to fully consider and advise on those Referred Matters without considering how the Uplift Scheme has been designed, and how it is likely to operate.

The VPBUF is a legitimate tool to seek to deliver public benefits from private development in the precincts. Uplift Schemes are a recognised tool in the VPPs, provided for through both the PRZ and the BFO.

Uplift schemes have been in place in Fishermans Bend and the Central City for some time.¹ Several submissions pointed to the failure of existing uplift schemes to deliver meaningful amounts of public benefit, particularly affordable housing. Reasons include the voluntary nature of uplift schemes, and developers (if they do opt in) preferring certain forms of benefit to the exclusion of others (affordable housing).

Outcomes delivered under existing schemes provide little indication of what might be expected from the VPBUF. They are different schemes, with different settings, in a different development context. The Committee has therefore placed limited weight on the performance of existing schemes in assessing how the VPBUF is likely to operate.

The Committee supports the principle of an uplift scheme. However, the VPBUF needs a fundamental rethink. Critically, a 'proof of concept' has not been established.

The Committee has identified some very significant concerns about whether the VPBUF will deliver what is intended, particularly affordable housing and pedestrian links. The public benefit facilitated by this infrastructure is critical to achieving the visions and objectives of the structure plans. If the VPBUF is the primary (or only) delivery mechanism for this critical infrastructure, it has to be justified, appropriately designed and effective.

Many of the Committee's concerns with the VPBUF arise due to a lack of demonstrated justification for the VPBUF settings, including the FARs.

The FARs have not been strategically justified, or demonstrated to incentivise developers to seek uplift. The architectural testing done to date demonstrates that uplift cannot be achieved within the built form controls on small or medium sized sites, which make up a significant portion of the areas to which the VPBUF is proposed to be applied. If uplift cannot be achieved, there will be little incentive for developers to opt in to the VPBUF.

¹ These schemes pre-dated the PRZ and BFO, so are implemented using different mechanisms.

The Proponent has also not demonstrated that the discount rate proposed in the VPBUF will incentivise uptake. Without sufficient incentives, uptake will be low and the delivery of public benefits is unlikely to occur.

The Committee has identified a range of further work that needs to be undertaken to address the gaps and provide the necessary proof of concept. This further work must be completed before the VPBUF is implemented to ensure the draft Amendments are appropriate and consistent with the precinct visions.

The VPBUF is the first public benefit uplift scheme to be contemplated in a suburban setting, and the first to be implemented following the introduction of the PRZ and BFO. It is essential that the settings of the VPBUF are right from the outset. Implementing the VPBUF now and relying on adjustments later if the scheme is not operating as intended is not orderly planning.

As with other aspects of the draft Amendments, the Committee urges the Proponent to take the opportunity to address the recommendations in this report relating to the VPBUF before it is implemented. As the stations will not be delivered until 2035, there should be ample time to provide the required proof of concept and ensure the scheme's settings are justified and effective before it is implemented.

4.2 Referred Matters

The VPBUF is relevant to the following Referred Matters:

- Whether the mandatory Floor Area Ratio (FAR) controls proposed in the draft Planning Scheme Amendment are appropriate [Clayton and Cheltenham included specific sites]
- Whether the uplift calculation in the Voluntary Public Benefit Uplift Framework supports its practical application, including public realm improvements and commercial (office) floor space as a category of public benefit.
- Whether the draft Structure Plans and draft Planning Scheme Amendments facilitate the delivery of social and affordable housing.
- [For Box Hill, Cheltenham and Clayton] Whether the proposed Voluntary Public Benefit Uplift Framework is appropriate in respect of the spatial application of the Framework in [the precinct]
- Whether the schedules to the proposed Precinct Zones (PRZs) and/or Built Form Overlays (BFOs) are appropriate, in respect of the following matters:
 - The identification of pedestrian connections and links.

There is overlap between these Referred Matters and the:

- Referred Matter relating to social and affordable housing (Volume 3 Chapter 6)
- Referred Matter relating to pedestrian connections and links (Volume 3 Chapter 9.9)
- overarching issues relating to:
 - the absence of a funding mechanism (Chapter 7)
 - the need for monitoring and review (Chapter 3.3).

4.3 Key issues

The key issues are whether the:

- FARs are appropriate
- discount rate is appropriate

- categories of eligible public benefit are appropriate
- calculations are practical.

4.4 Background

(i) How the Uplift Scheme will operate

Chapter 3.6 in the Summary and Approach Report (Volume 1) explains how the VPBUF will operate and where it is proposed to be applied. It sets out the categories of eligible public benefit, and provides a high level description of how FAU is calculated.

The intention is that public benefits are only eligible if the benefits are additional to those already required by the planning scheme. This is reflected in the note at Clause 37.10-5 of the PRZ parent clause:

Public benefits under this provision are calculated over and above any requirements set out in Clause 45.01 (Public Acquisition Overlay), Clause 45.06 (Development Contributions Plan Overlay), Clause 45.09 (Parking Overlay), Clause 45.10 (Infrastructure Contributions Plan Overlay), Clause 45.11 (Infrastructure Contributions Overlay) or Clause 53.01 (Public open space contribution and subdivision) in this planning scheme.

(ii) Hayball architectural testing

The Uplift Scheme was subject to:

- architectural testing by Hayball Architects
- calculation testing by AJM Joint Venture (authors of the VPBUF Technical Report).

In the initial phase of architectural testing, Hayball Architects prepared architectural schemes for 22 sites.² SDAs and strategic sites were excluded from the initial phase of architectural testing.

For each site, the modelling tested whether the baseline FAR and a FAU could be achieved within the discretionary built form envelope for the site. The testing concluded:

- on small sites (less than 1,000 square metres) it is difficult to achieve the baseline FAR, due to floor plate sizes limited by setbacks and carparking requirements.
- on medium sized sites (1,000 to 2,000 square metres), the baseline FAR is more easily achieved but there are constraints including due to:
 - complex setback controls in some areas, particularly in Key Movement Corridors and Urban Neighbourhoods
 - the size of the upper floor plates needed to accommodate the uplift.
- larger sites (greater than 2,000 square metres) could typically achieve the baseline FAR and could often accommodate an uplift.

The VPBUF Technical Report stated *"it is evident that more efficient, higher yielding schemes can be achieved where sites are aggregated to form a larger development parcel"*. The Technical Report concluded that the VPBUF therefore incentivises lot consolidation in the structure plan areas, which supports the built form anticipated by the structure plans. The Technical Report recommended that the Uplift Scheme be

² The sites were selected on a range of factors explained in GI 004a.

applied to smaller sites notwithstanding that uplift (or even the baseline FAR) may not be able to be achieved, as it would encourage lot consolidation.

Further architectural testing was undertaken by Hayball for 15 architectural schemes in Central Cores, Central Flanks, Main Streets, Key Movement Corridors and Urban Neighbourhoods across different precincts. Hayball reached similar finding to the initial testing, with site size and geometry and the applicable built form and carparking controls influencing the ability to achieve FAR and FAU. Of the further 15 sites tested, uplift could be achieved on nine, and not on six.

Hayball also tested the six SDAs and three Strategic Sites (Southland, Highbett Gasworks and Box Hill Brickworks). This testing generally demonstrated that both the baseline FAR and uplift, sometimes significant, could be achieved.

4.5 Floor area ratios

(i) Evidence and submissions

Justification for the floor area ratios

The Councils and University Group submitted the Committee cannot find that the FARs are appropriate because it has no evidence as to how the FARs have been set: *"in the words of Mr Barnes, it appears to be a "dark science"*.

The Councils and University Group noted there are discrepancies between the FARs nominated in the UDRs and those nominated in the PRZ schedules. For example, a FAR of 15:1 had been applied in the Box Hill SDA, compared to the UDRs recommendation for a FAR of 13:1 for the Central Core (which includes the SDA).

The Proponent responded that the FARs specified in the PRZ schedules to support the VPBUF are not built form controls. Rather, they are intended to incentivise developers to provide public benefit in order to access uplift. The FARs in the PRZ schedules therefore have a different function to the FARs in the UDRs.

Ms Hodyl (who gave evidence at the Box Hill Hearing) is a recognised expert in FARs and uplift schemes. She supported the use of benchmarking to provide a starting point for FARs that align with the desired scale and character of development. However, she considered these needed to be tested on a suitable number of representative sites to ensure they respond to site specific opportunities and constraints.

Mr Sheppard considered the FARs will generally work as intended and can be achieved on most sites, although he noted the Hayball testing shows that not all sites can reach the maximum discretionary height. He recognised that there may be *"lost opportunities"* if the baseline FAR could not be achieved or if uplift is not pursued on individual sites. However, he did not consider it necessary to adjust the FARs to address this, given lot consolidation is likely (and encouraged by the draft Amendments).

Mr Quick's evidence was that from a capacity perspective the FARs were appropriate because the levels of development needed to achieve the visions could be achieved within the baseline FARs.

Mr Glossop described the Uplift Scheme as 'logical', however did not consider that the supporting material provided sufficient strategic justification for its introduction. For example, he noted that there was no analysis of why FARs have been used as opposed to other mechanisms such as mandatory heights.

Whether uplift can be achieved

The Proponent submitted the FARs are an appropriate 'loose fit' with the planning controls and the Hayball testing demonstrated that meaningful uplift opportunities will exist across the precincts, although this will differ on a site-by-site basis.

Relying on the Hayball testing, Mr Sheppard considered the fit between the FARs and the maximum building envelopes is generally appropriate, because it provides enough headroom to incentivise delivery of public benefits and offers urban design flexibility, avoiding buildings being forced into rigid envelopes.

Mr Partos undertook his own modelling for several sites in the Box Hill precinct to test:

- their ability to achieve the baseline FAR, and
- more generally, whether the controls are physically workable to produce urban form consistent with policy.

He concluded the FARs and proposed building envelopes are misaligned. He found:

- consistent with the initial Hayball testing, the building envelopes could often not accommodate the baseline FARs due to setback requirements, which particularly impacted small lots
- lot consolidation would not necessarily solve this problem in all locations.

By way of example, Mr Partos' testing demonstrated that with consolidation of seven lots along the east side of Station Street, the proposed maximum building height could technically be achieved. However, it would result in a building form that he considered would be contrary to the heritage response, street grain, articulation and sky views between towers sought by the draft structure plan.

Whether the floor area ratios incentivise uptake

The Proponent submitted the Hayball testing demonstrates the FARs are well calibrated to provide an incentive for developers to take up the VPBUF, and that the FARs have been set as a "*deliberate and express encouragement*" for lot consolidation. It acknowledged that the uptake of the VPBUF may be slow in the initial phases, but would increase over time depending on market conditions, and as the transport services and amenity in the structure plan areas increase with the delivery of the stations.

The Proponent referred to the following extract from the VPBUF Technical Report:

Notwithstanding current market conditions, there would be benefit in implementing the Uplift Framework as part of the initial planning program to ensure that the private sector is aware of the public benefits that are promoted within the Structure Plan Areas, and to ensure that the Uplift Framework is established and operable when market conditions do change.

The Proponent recognised the importance of regular review of the VPBUF and adjusting it in response to prevailing market conditions, the extent of uptake and legislative and policy changes (including in relation to affordable housing).

None of the Proponent's experts (Mr Crowder, Mr Quick or Mr McIntosh) expressed a view on the likely uptake of the VPBUF or the size of public benefit that could be expected to be delivered under it.

(ii) Discussion

Justification for the floor area ratios

The Committee was provided with very little information about how the baseline FARs in the PRZ schedules were set. The Committee's questions about this were not clearly answered, and the method used to determine the baseline FARs remains unclear and lacks transparency.

The FARs within a precinct roughly follow the projected densities and preferred building heights for the different place types (and strategic sites). While this suggests a general correlation between the FARs and the built form envelopes, it does not adequately demonstrate that the FARs are strategically justified, or that they are set appropriately to support or incentivise uptake of the VPBUF.

The FARs for the SDAs are higher than those recommended in the UDRs. No strategic justification has been provided for this. While the Committee accepts the FARs in the PRZ schedules perform a different role to those in the UDRs, the Committee remains unclear on the justification for the FARs in the SDAs, and why they are set so much higher than for other parts of the precincts.

Further, if the FARs are set too high, there may be little incentive to seek uplift. This may result in developers not taking up the VPBUF in the SDAs, and the intended public benefits will be less likely to be delivered in areas where they are arguably most required (around the stations).

The SDAs are largely government owned land (owned or controlled by the Proponent). The SDAs should be doing the 'heavy lifting' in the provision of public benefit. The Committee is not persuaded that the FARs in the SDAs are set appropriately to ensure this happens.

Whether uplift can be achieved

The only justification provided to the Committee for the metrics of the baseline FARs was that they provide sufficient room within the permissible building envelope to allow for uplift. The VPBUF Technical Report states:

The Baseline FAR typically sits below the built form envelope, to maintain flexibility around how the floor area is shaped, and to enhance the potential for a site responsive [design].

For most of the nominated master plan sites, the baseline FAR has been more closely aligned to the adopted heights in the Structure Plan. These sites will be subject to detailed master planning which will enable greater flexibility for bespoke and innovative design.

The Proponent relied principally on the Hayball testing to demonstrate that the fit between the FARs and the built form envelopes was 'about right'. It submitted the Hayball testing demonstrated that, except for small sites, the baseline FARs (and in some cases uplift) can generally be achieved within preferred building envelopes.

The Hayball testing is very limited, and some of the building envelopes used for the Hayball test sites were demonstrated to be incorrect. The Committee has not placed significant weight on the Hayball testing.

The further testing undertaken by Hayball (described in Chapter 4.4) may have demonstrated that it is possible to achieve the baseline FAR and (in some cases) uplift on larger sites, including the SDAs. However, the earlier testing (to the extent it can be relied upon) demonstrated that smaller sites generally cannot achieve the baseline FAR (let alone uplift). On average, across the place types, 82 per cent of lots are small sites. This immediately calls into question how widespread the take up of the Uplift Scheme will be – at least without substantial amounts of lot consolidation.

While the draft Amendments seek to encourage lot consolidation, the Proponent did not demonstrate that the required amount of lot consolidation is likely to be achieved. Further, Mr Partos' testing demonstrated that even if lot consolidation does happen, the built form outcomes that deliver the baseline FAR and uplift may not be consistent with what the structure plans are seeking.

For these reasons, the Committee has little confidence that the baseline FARs are appropriately set to provide sufficient room for uplift on a sufficient number of sites to make widespread uptake of the VPBUF likely.

Whether the floor area ratios incentivise uptake

If the baseline FARs are set too high, developers could obtain enough yield without pursuing the additional floor area offered by the VPBUF (and consequently the eligible public benefits will not be delivered). If they are set too low, developers may be discouraged from redeveloping at all (which may lead to underdevelopment, contrary to the visions, as well as failure to deliver the public benefits).

There is no evidence that demonstrates that the FARs are set low enough to incentivise developers to seek uplift, without being so low that they discourage development.

Further, developers are not likely to use the VPBUF if they cannot achieve uplift on their sites within the permitted built form envelopes. While the permitted envelopes are discretionary, if uplift routinely exceeds the permitted envelopes, the built form, urban design, public realm and private amenity outcomes sought in the precincts may be compromised, as Mr Partos' testing demonstrated.

(iii) Findings

The Committee finds:

- The Proponent has not demonstrated:
 - the strategic justification for the FARs, including the high FARs in the SDAs
 - whether the FARs provide sufficient room for uplift on a sufficient number of sites to make widespread uptake of the VPBUF likely
 - whether the FARs provide sufficient incentive for developers to seek uplift without discouraging development.
- The Committee therefore does not support the FARs, and considers they should not be applied until further work is undertaken to address the above concerns.

4.6 Discount rate

(i) Evidence and submissions

The Proponent submitted the scenario testing undertaken by Mr McIntosh demonstrated the selected discount rate on the market value of GFA when calculating FAU provides a clear incentive to developers.

Mr Quick considered that while there are uncertainties around the volume of public benefit that might be delivered under the VPBUF, the framework has been designed to be attractive to developers, including the 50 per cent discount rate.

In the context of whether the discount rate was suitable to incentivise affordable housing, Mr Quick emphasised the importance of reviewing and revising the VPBUF settings including the discount rate in response to market conditions, stating:

Varying the incentive represented by the discount rate will help facilitate affordable housing delivery.

Mr Mackintosh considered the discount rate is the key lever available to drive uptake of the VPBUF, but he was not asked to consider (and did not provide any opinion on) whether 50 per cent was an appropriate rate, or its effect as an incentive for developers. Like Mr Quick, he considered that the discount rate could be reviewed and adjusted if the uptake of the VPBUF was slow.

The Councils and University Group submitted the 50 per cent discount rate has not been properly justified in the background reports, and no feasibility assessment has been undertaken to demonstrate that a 50 per cent rate will be sufficient to incentivise developers to seek uplift. Consequently, there is no evidence that allows the Committee to conclude that the 50 per cent discount rate would be a sufficient incentive to deliver public benefits, including affordable housing.

The Councils and University Group further submitted that a feature of the calculation methodology used in the VPBUF is that as the discount rate increases, the public benefit that is delivered proportionally decreases, as demonstrated in the cross examination of Mr Mackintosh in the General Issues Hearing.

(ii) Discussion

The setting of the discount rate at 50 per cent is not underpinned by a robust analysis and has not been adequately justified, or demonstrated to be effective in incentivising developers to take up the VPBUF.

The VPBUF Technical Report states that the discount rate was set after benchmarking against other uplift schemes, including the Central City and Fishermans Bend schemes. However, as that report acknowledges, it is difficult to compare uplift schemes that apply in different situations and use different mechanisms. Benchmarking could be an appropriate starting point, but the effectiveness of the discount rate needs to be verified, for example through sensitivity testing and market analysis. This has not been done.

The 50 per cent discount rate applies across all FAR areas and all types of public benefit. No evidence was presented to the Committee to justify the application of the same

discount rate across precincts and areas that are quite different in terms of their economic and 'development ready' status.

Enabling different discount rates between the precincts could promote the use of the Uplift Scheme, though with different amounts of uplift captured. That said, the discount rate should not be adjusted on a notion of what *may* work – instead it should be clearly justified and based on a transparent and defensible method to determine the appropriate discount rate suited to each setting.

The discount rate could also be used to adjust the attractiveness of the different categories of eligible public benefit. If developers are choosing one type (such public realm improvements) to the exclusion of others (such as affordable housing), the discount rate could be adjusted to make the provision of the under-delivered benefits more attractive.

All of that said, the discount rate is one of the key inputs of the calculation that underpins the Uplift Scheme. And yet there is no evidence to demonstrate it has been set at a level to genuinely incentivise developers. In the absence of this work, the Committee has little confidence about whether the VPBUF calculation supports the practical application of the scheme and the delivery of all three types of public benefits.

The Committee has significant concerns about the proposition that the discount rate can simply be adjusted if it is not incentivising uptake of the VPBUF. While a higher discount rate might provide a stronger incentive, the proportionate amount of public benefit delivered would decrease. This would need to be carefully worked through before any adjustment was made to the discount rate.

Further work needs to be undertaken before the VPBUF is implemented, to demonstrate that the discount rate is appropriately set to incentivise uptake of the VPBUF and delivery of the types of public benefit sought to be delivered.

(iii) Findings

The Committee finds:

- The Proponent has not demonstrated that the discount rate is appropriately set to incentivise developers to take up the VPBUF.
- Further work is required to:
 - demonstrate whether the 50 per cent discount rate will provide a sufficient incentive
 - determine whether or not it is appropriate to apply a single discount rate across all precincts and place types
 - determine whether or not it is appropriate to apply a single discount rate to all types of eligible public benefit
 - if not, investigate what level of discount rate would be appropriate in different situations and for the different types of public benefit.

4.7 Eligible public benefits

(i) Evidence and submissions

Category 1 benefits (public realm improvements)

The Councils raised concerns about the uncertainty arising from the restriction on eligibility for public benefits that would be required under other parts of the planning schemes, particularly for public realm improvements. As Kingston Council explained:

Public realm improvements of the kind identified in the VPBUF generally can be, and routinely are, required to be delivered as a condition of ordinary planning permits.

Having such matters also dealt with in a separate but overlapping manner, in a voluntary uplift scheme, can result in ambiguity and inequity regarding expectations and requirements both for land eligible for uplift (e.g., does a given public realm improvement count or not count for uplift) and for land outside of the framework (e.g., whether and why a given public realm improvement is required in circumstances where no uplift is available).

Category 2 benefits (affordable housing)

Relying on Mr Mackintosh's calculations, the Proponent submitted that affordable housing would entitle developers to 'material' uplift. For example, Mr McIntosh's calculations showed that for:

- 5-35 Kingsway, Glen Waverley, the provision of 679 square metres of affordable housing would result in 6,632 square metres of uplift
- 24-26 Royalty Avenue, Highett the provision of 55 square metres of affordable housing would result in 627 square metres of uplift.

Several submitters, including the Councils and CHIA, expressed concern that much needed affordable housing is unlikely to be delivered under the VPBUF, due to its voluntary nature and because the other categories are likely to be more attractive to developers.

CHIA submitted the uplift scheme for the Central City (which has been in place for 10 years) has not delivered a single affordable housing unit, because developers choose alternative public benefits which are perceived as adding value to the development. CHIA recommended that the VPBUF, if retained, be redesigned to remove the other competing categories of public benefit.

The Proponent disputed the proposition that the Central City uplift scheme provides any indication of what the VPBUF might (or might not) deliver in terms of affordable housing in the precincts, because:

- the context and settings of the Central City uplift scheme are very different
- particular factors have counted against the greater uptake of that mechanism in the Central City, including the FARs in the Central City, which are set much higher than in the precincts.

Mr Mackintosh's evidence did not address whether delivery of affordable housing would impact development feasibility. The Councils and University Group considered this to be a significant shortcoming in the Proponent's case. Under cross-examination, Mr Mackintosh gave evidence that without the right incentive, developers would not likely deliver affordable housing, particularly in the core areas where it is most needed. His

evidence was that the delivery of affordable housing is very challenging in a high density environment, because:

- land values are higher
- contemporary expectations for high rise apartment buildings include expensive common services and facilities that drive up fees and outgoings for residents.

The Proponent responded that feasibility testing "*is both unnecessary and irrelevant*" for the purposes of addressing whether the draft Amendments (including the VPBUF) would facilitate affordable housing:

Importantly, as Mr Mackintosh explained [in cross examination], the feasibility of delivering housing of this type as part of a development project, is itself influenced by a range of complex factors (that are, in turn, variable and dynamic). Demonstrating feasibility for a given site (or sites) at a given point in time would demonstrate little in the context of a statutory mechanism that is designed to operate over an extended period of time and in variable market conditions.

Mr Quick and Mr Mackintosh considered the VPBUF should be flexible and recalibrated if other types of public benefit are being provided at the expense of affordable housing.

(ii) Discussion

Category 1 benefits (public realm improvements)

The VPBUF leaves room for doubt as to which public benefits would be eligible for uplift and which could otherwise be required by the planning scheme, particularly in relation to public realm improvements.

An example is open space. Only open space contributions over and above those required under Clause 53.01 should be eligible for uplift. Open space on private land that would normally be delivered as developer works under a permit should not be eligible for uplift (even if the open space is available for public use), but there is some ambiguity.

A more complex example is the delivery of pedestrian links. If a pedestrian link is identified as a Key Critical Link with a PAO applied, the link would be required under the planning scheme, and would not be eligible under the VPBUF. However, the situation is unclear for other types of pedestrian links. If they are identified in the draft structure plans and the maps in the schedules, would they normally be expected to be delivered as developer works? If so, would they be 'required by the planning scheme', or would they be additional to the requirements of the planning scheme and therefore eligible under the VPBUF?

Category 2 benefits (affordable housing)

Mr Mackintosh's calculations demonstrate that depending on the setting, the provision of what appear to be relatively small amounts of affordable housing under the VPBUF will result in potentially significant amounts of uplift. The calculations for 5-35 Kingsway, Glen Waverley indicated uplift in the order of 10 times the amount of affordable housing floorspace delivered could be available. The calculations for 24-26 Royalty Avenue, Highett are less instructive, as a provision of 55 square metres of affordable housing seems unrealistic (it would not be sufficient for a single dwelling).

While useful, Mr Mackintosh's calculations:

- were based on a very limited number of examples

- do not provide any insight into whether (and to what extent) the uplift would contribute to making development with an affordable housing component feasible
- do not demonstrate whether the VPBUF would likely incentivise the provision of affordable housing.

While it may appear self-evident that uplift would ease feasibility challenges (compared to a no uplift scenario), development feasibility is a complex question that depends on many factors. It cannot be simply assumed that uplift in the order of the amounts demonstrated by Mr Mackintosh's calculations will make development with an affordable housing component feasible.

The feasibility of delivering affordable housing is discussed in more detail in the social and affordable housing chapter in the General Issues Report (Volume 3 Chapter 6).

The bigger issue with the VPBUF is whether affordable housing is likely to be out-preferenced by other forms of eligible public benefit.

The Committee considers affordable housing will be the least attractive public benefit for developers to provide under the VPBUF. Mr Mackintosh (who has considerable expertise and experience in the delivery of social and affordable housing) confirmed as much under cross examination, as did Mr Crowder (who gave evidence that social and affordable was often regarded as "*a potential concern*" to a developer). Public realm improvements provide immediate and direct benefits to development, whereas (rightly or wrongly) affordable housing is often perceived as a disbenefit to private development. Strategic land uses can also be regarded as adding value to the development by providing floorspace in preferred locations for the particular use.

The VPBUF Technical Report provides some interesting observations in this regard in its analysis of the operation of the Central City uplift scheme. While the Central City uplift scheme experience is not directly comparable for the reasons outlined in Chapter 4.1, the report confirms that in over a decade no affordable housing has been delivered under the Central City scheme. Office development has been the primary benefit provided, with the provision of publicly accessible, privately owned open space also popular.

For whatever reason, the Central City scheme has not been adjusted to better incentivise affordable housing as a preferred category of public benefit.

Affordable housing should be the only category of eligible public benefit

Public realm improvements are likely to out-compete affordable housing as a public benefit delivered under the VPBUF. While public realm improvements are important, there is a critical need for affordable housing in the precincts, demonstrated by the Housing Needs Assessments discussed in more detail in the General Issues Report (Volume 3). Further, there are complexities and ambiguities associated with Category 1 (public realm improvements) as noted above.

While there may be some benefit to incentivising strategic land uses in certain locations, this is encouraged by the draft Amendments and the Committee is not persuaded that net community benefit would be better served by retaining Category 3 benefits, likely at the expense of affordable housing.

For these reasons, if the VPBUF is to be implemented, affordable housing should be the only category of eligible public benefit.

Benefits required under other parts of the planning schemes

If the VPBUF is implemented, it should provide very clear guidance on what constitutes an eligible public benefit, and what does not. The guidance should make it clear that any benefit an applicant is otherwise required to provide under the planning scheme or a condition of a planning permit is ineligible.

If (contrary to the Committee's recommendations) Category 1 benefits are retained, the VPBUF should be amended to include criteria for Category 1 (public realm improvements) that clearly distinguish between:

- site-specific contributions that would ordinarily be provided as developer works (such as forecourts and privately owned but publicly accessible open space)
- broader precinct improvements (such as footpath or laneway widening).

Discretion for the responsible authority

If the VPBUF is implemented, it should be up to the councils to determine whether a proposed public benefit offered under the VPBUF is suitable. For example, it would not be appropriate for a council to be 'forced' to accept open space as a Category 1 benefit (public realm improvements) that it regards as unsuitable or that it was not in a position to manage and maintain. The Amendments should give the responsible authority discretion to decide whether a proposed public benefit is suitable. This should also be made clear in the VPBUF.

(iii) Findings

The Committee finds:

- If the VPBUF is implemented, affordable housing should be the only category of eligible public benefit. Category 1 (public realm improvements) and Category 3 (strategic land uses) should be removed.

4.8 The calculations

(i) Evidence and submissions

Relying on the evidence of Mr Mackintosh, the Proponent submitted the uplift calculation in the VPBUF supports the practical implementation of the Uplift Scheme.

Mr Mackintosh focussed on demonstrating that the calculation methodology in the VPBUF could be applied to identify the amount of public benefit a developer would need to provide to access the maximum amount of available uplift.

Mr Mackintosh demonstrated it is generally possible to calculate the amount of public benefit to be provided, and the uplift received in exchange for the public benefit, using the methodology set out in the VPBUF. He presented calculations based on architectural schemes produced by Hayball Architects for:

- all three categories of public benefit for 5-35 Kingsway, Glen Waverley
- affordable housing for 24 & 26 Royalty Avenue Highett

- strategic land use (office) for 14-16 Prospect Street, Box Hill.

Mr Mackintosh made two recommendations regarding the inputs into the calculations to reduce the administrative cost and burden of undertaking the calculations, and to provide consistency:

- base the land value inputs on current (publicly available) council rating valuations rather than an independent market valuation report
- for the affordable housing and strategic land use categories of public benefit, use fixed value rates for the highest and best use of the land (to be fixed by the Valuer General Victoria) instead of requiring value rates be sourced independently. He recommended the fixed value rates be specified in the VPBUF and updated from time to time.

The Proponent tabled two letters from the Valuer General Victoria advising:

- the Valuer General Victoria cautions that rate valuations are inherently dated and may not reflect market value
- there is some uncertainty around the production of fixed rates for the highest and best use of land, although the Valuer General Victoria is open to working with the Proponent to develop them.

The Proponent supported Mr Mackintosh's recommendations and reflected these changes in the Day 3 version of the relevant PRZ schedules.

Mr Glossop considered that council officers would need to receive training on how to use the VPBUF. He suggested that the Proponent prepare example permit conditions and section 173 agreements for implementing the Uplift Scheme to assist councils and ensure consistency and streamlined approvals.

(ii) Discussion

Mr Mackintosh's evidence demonstrates that, provided the relevant inputs to the calculation are available, it is possible to calculate the amount of additional floor area a developer will receive for providing eligible public benefits using the methodology in the VPBUF.

That said, without a degree of mathematical fluency the VPBUF calculation is difficult. The calculations are complex and require the use of specialised tools (such as Mr Mackintosh's excel workbook which he developed to demonstrate the calculation process). Tools, guidance and training will be required to build competency in councils and in the industry.

The Committee notes the high-level response from the Valuer General Victoria to Mr Mackintosh's recommendations, and acknowledges there is a degree of uncertainty associated with using rates valuations and fixed values for the highest and best use of the land. While this would be administratively simpler, this needs to be balanced against the merits of a more accurate valuation process based on market values.

On balance, the Committee supports Mr Mackintosh's approach. It decreases the administrative burden associated with the VPBUF calculations, and will ensure landowners and councils are using the same base information (thereby minimising disputes). It also provides more transparency and certainty in relation to the

calculations, even if they are less accurate than they would be if they were based on independent market valuations.

The Committee supports Mr Glossop's suggestion for the Proponent to develop example permit conditions and section 173 agreements, as this should provide consistency in the application of the VPBUF across the precincts.

Finally, the Committee notes that the VPBUF does not provide much guidance on the estimation of embellishment costs where public benefits are proposed to be provided in the form of public realm upgrades. Further guidance is required, which could (for example) include reference to benchmark costs established by the Victorian Planning Authority or the councils.

(iii) Findings

The Committee finds:

- The calculation methodology set out in the VPBUF is complex, but the calculations are possible and to that extent, the methodology supports the practical application of the Uplift Scheme.
- The Committee supports the Day 3 changes that reflect Mr Mackintosh's recommendations for the use of fixed values set by the Valuer General Victoria.
- If the VPBUF is implemented, the Proponent should develop the following to assist councils with the implementation of the Uplift Scheme:
 - a calculation tool
 - example permit conditions and section 173 agreements
 - training for council officers implementing the VPBUF
 - a method or guidance for estimating public realm embellishment costs.

4.9 Spatial application

The spatial application of the VPBUF is problematic, in that it is being relied on as a key delivery mechanism for essential infrastructure, and yet it does not apply across all parts of the precincts (including in areas where that infrastructure is needed). Spatial application is explored in more detail in the context of:

- open space in Chapter 5
- affordable housing in the General Issues Report (Volume 3 Chapter 6)
- pedestrian connections and links in the General Issues Report (Volume 3 Chapter 9.9).

4.10 Monitoring, reviewing and updating the Uplift Scheme

It will be essential to regularly monitor and review the settings of the Uplift Scheme (including the discount rate) to ensure that it provides a genuine incentive. This should be done as part of the five-yearly review discussed in Chapter 3.3, but reviews may be required more frequently. Yearly review of the types of benefits being provided (if multiple categories are retained) would be appropriate.

The reviews should include some form of market analysis on whether uplift is sufficient to incentivise affordable housing, or make affordable housing contributions feasible.

It is essential that the Councils be involved in any reviews or updates to the VPBUF, as they are the organisations operating the VPBUF on a regular basis and will be able to provide valuable input into the review (such as whether it remains appropriate to use rating valuations and fixed values for highest and best use).

There was some debate at the General Issues Hearing as to whether it is appropriate for the VPBUF to sit outside the planning schemes. Given the reliance on it to deliver infrastructure that is essential to achieving the precinct visions, the Committee has reservations about the VPBUF not forming part of the planning schemes. However, it can be updated more easily (without the need for a planning scheme amendment) if it sits outside the planning schemes.

4.11 Conclusions and recommendations

Based on the findings in this chapter, the Committee concludes:

- The ability of the VPBUF to be practically applied and deliver the envisaged public benefits has not been demonstrated.
- The FARs have not been justified and are not appropriate.
- While it is possible to calculate the amount of uplift using the VPBUF methodology, the calculations are complex.
- Other aspects of the VPBUF do not support its practical implementation.

Further work

21. CI R01: Undertake further work to demonstrate the Voluntary Public Benefit Uplift Framework is strategically justified, will be effective and can be practically implemented:

a) baseline floor area ratios:

- **demonstrate the floor area ratios, including those proposed to apply to the Station Development Areas, are strategically justified and consistent with the precinct visions**
- **demonstrate that the floor area ratios incentivise developers to provide public benefit (by demonstrating that the floor area ratios provide sufficient room for uplift on a sufficient number of sites to incentivise uptake without being set so low as to discourage development)**

b) the discount rate:

- **demonstrate whether the proposed 50 per cent discount rate is set at an appropriate level to incentivise uptake**
- **determine whether it is appropriate to apply a single discount rate across all precincts and place types**

c) spatial application:

- **reconsider the spatial application of the Voluntary Public Benefit Uplift Framework to ensure it is applied in all locations where eligible public benefits are required.**

Draft Amendments

22. CI R02: If the draft Amendments are implemented before the further work outlined in Recommendation CI R01 is completed, amend the local policies and

Precinct Zone schedules before implementation to remove all references to the floor area ratios and the Voluntary Public Benefit Uplift Framework.

The following recommendations apply if the further work in Recommendation CI R01 demonstrates the Voluntary Public Benefit Uplift Framework is strategically justified, will be effective and can be practically implemented.

23. CI R03: Amend the Voluntary Public Benefit Uplift Framework to:

- a) make changes required to reflect the outcomes of the further work in Recommendation CI R01**
- b) remove any reference to Category 1 benefits (public realm improvements) and Category 3 (strategic land uses) benefits**
- c) if Recommendation CI R03(b) is not adopted, provide clear guidance on what constitutes an eligible public benefit, particularly for Category 1 benefits. The guidance should:**
 - include criteria that clearly distinguish between site-specific contributions that would ordinarily be provided as developer works and broader precinct improvements**
 - make it clear that any benefit that would ordinarily be provided as developer works is ineligible for uplift**
- d) state that it is within the discretion of the responsible authority to determine whether any proposed public benefit is appropriate.**

24. CI R04: Amend the local policies and Precinct Zone schedules to apply the changes recommended in Recommendation CI R03.

25. CI R05: Develop tools and training materials to support the practical application of the Voluntary Public Benefit Uplift Framework, including:

- a) a calculation tool for use by councils**
- b) guidance and training for council officers implementing the Voluntary Public Benefit Uplift Framework**
- c) a method or guidance for estimating public realm embellishment costs.**

5 Public open space

5.1 Referred Matter

A Common Issues Referred Matter across all precincts is:

Whether the planning for open space in the [Precinct] Structure Plan Area is appropriate having regard to the needs of future residents, visitors and employees ...

There is overlap between this Referred Matter and:

- the Referred Matters relating to the VPBUF (Chapter 4)
- the Referred Matter relating to the planning for community infrastructure (Chapter 6)
- the overarching issues dealt with in Chapters 3 and 7.

5.2 Key issues

The key issues are whether:

- it is appropriate to defer the identification of future public open space until after the land is rezoned
- the methodology for the assessment of open space needs to date has been appropriate
- the delivery mechanisms for open are appropriate.

5.3 Background

(i) Draft structure plans

Section 5.3 (Enriching Community) of all draft structure plans includes an objective to *"Create a connected and accessible open space network for those who live and work in [precinct name]"*.

Strategies and actions

The draft structure plans include strategies and actions to support the above objective.

Typical strategies include:

Provide high-quality open spaces within a 400-metre walk of future residents, prioritising accessibility in higher density areas, as shown in [Enriching community plan – Open space and community infrastructure]. Locations for these potential new open spaces should align with the site selection principles ...

Improve access to open spaces by providing new links in areas of limited walkability that will increase the catchment of open spaces, better connecting residents and workers with the open space network.

Enhance existing open spaces ... to improve the quality, functionality and capacity of these open spaces, improving the open space network.

Ensure the design and programming of open spaces meets the variety of needs of people in [Precinct name].

Typical actions include:

Deliver new open spaces that meet the guiding principles for site selection and in locations that improve walkable access to open space.

Deliver enhancements to existing open space where required.

Amend the planning scheme to encourage the delivery of new key links through private landholdings to improve walkable access to open space, where there are reasonable opportunities to fulfil the completion of the link on adjacent land over time.

Enriching community plan

Each draft structure plan includes an Enriching community plan - Open space and community infrastructure that shows:

- existing open space
- 400 metres accessibility gaps to open space
- new open space – planned
- enhanced open space
- enhanced open space – potential
- temporary open space
- investigation area for proposed new open space
- key links to improve open space accessibility.

The Enriching community plan for the Clayton precinct is extracted in Figure 1 as an example.

Figure 1 Enriching community plan (Clayton precinct)

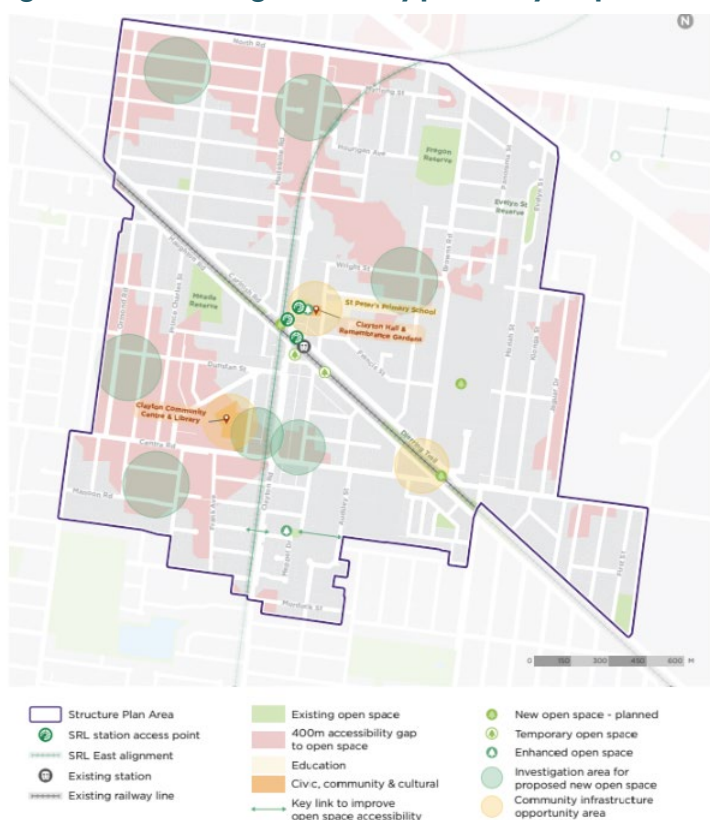


Figure 12: Enriching community plan - Open space and community infrastructure

Source: Clayton Structure Plan

The plan identifies 'investigation areas' for proposed new open space of approximately 300 metres in diameter. 'New open space – planned' is not defined in the draft structure plans, however the OSTR indicates that these are open spaces previously committed to by the Proponent (around SRL stations), local Councils and private developers (where known).

Site selection principles

Each draft structure plan includes a common set of site selection principles to guide the identification of new open space sites in the structure plan areas. The principles generally seek to encourage open space on sites that are suitable in terms of access, ownership and condition, and are fit for purpose, to create a network of open spaces, open space corridors and cycle routes that integrate with existing open space.

(ii) Draft Amendment

Policy

None of the new local policies provide specific guidance on open space. The Day 3 documents include an addition to the local policy in several precincts at 11.03-6L-01 (Infrastructure strategy) which seeks to:³

Locate new open space and new community facilities to support residential and worker population growth within the SRL East Structure Plan areas.

The draft Amendments do not propose any substantive changes to the local policies in Clause 19.02 (Open space policies).

Precinct Zone

The Use and Development Framework Plans in the PRZ schedules for the SDAs show 'New/upgraded public realm'.

The precinct-wide Use and Development Framework Plans show existing public open space but generally do not show proposed new public open spaces. Some exceptions are:

- Cheltenham precinct - Kingston PRZ4 (Highett Gasworks Site) notes an area for investigation for new open space.
- Burwood precinct – following agreement reached with a relevant stakeholder, the PRZ schedule specifies that a minimum of 4,000 square metres of public open space needs to be provided for in the Greenwood Business Park.

Public open space is a specified public benefit in the VPBUF (Category 1 – Public realm improvements). Any public open space provided under the VPBUF is in addition to any requirement in Clause 53.01.

Built Form Overlay

The Development Framework Plans in the BFO schedules show existing public open space but do not show proposed new public open spaces. Some plans show 'New/upgraded public realm' generally in the vicinity of the new SRL stations.

Although the BFO parent clause allows them to do so, none of the proposed BFO schedules specify a 'bespoke' public open space contribution. The requirements of Clause 53.01 therefore apply.

³ draft Amendment in Whitehorse

Clause 53.01

In most precincts there are no substantive changes to the requirements of Clause 53.01 proposed in the draft Amendments. Some exceptions are:

- Cheltenham precinct – includes a change to the schedule to Clause 53.01 in the Kingston Planning Scheme
- Burwood precinct – requires an 11.8 per cent land contribution for the Greenwood Business Park.

(iii) Draft implementation plans

The draft implementation plans include the actions referred to in the draft structure plans. The delivery of new open spaces and the enhancements to existing open spaces are included as 'short to long term' with a 'deliver' pathway. Lead responsibility is allocated to the relevant Council.

(iv) Open Space Technical Report

The OSTR informed the content of the draft structure plans. The OSTR focused on the provision of local open space and:

- analysed the current open space networks within each structure plan area and a wider 1.6-kilometre radius around each SRL station
- assessed the need to improve the open space networks to support the future residential population growth to 2041
- evaluated potential changes
- made recommendations to increase and enhance open space and pedestrian links to open spaces within the structure plan areas.

The assessment identified that new and enhanced open spaces, along with new links, are needed to provide an appropriate open space network in each structure plan area in 2041. An 'appropriate network' is explained as one that meets the demand of a larger population living in higher-density housing. Changes are needed to:

- improve 400-metre walkable access to public open space to meet a target of 95 per cent coverage (the current average across the six structure plan areas is 68.5 per cent)
- improve 200-metre walkable access to public open space in the highest projected density areas, where possible
- improve the overall quality of open spaces to maximise and optimise their use
- provide greater diversity of spaces for a range of recreational experiences
- increase the overall public open space provision
- optimise use and access to existing public open spaces within the wider 1.6-kilometre station radius.

With these changes, projected public open space provision within 1.6 kilometres of the stations will generally meet or exceed 9 square metres per person.

There are shortfalls within the structure plan areas for Clayton, Monash and Glen Waverley. To addressing these shortfalls, additional opportunities will need to be pursued such as:

- opening private and restricted open space for public use

- encouraging private developers to deliver communal open spaces accessible to the public
- unlocking underutilised land for recreational use.

The OSTR recommended approximate sizes for new proposed open spaces and gave a general location for each new open space investigation area.

5.4 Deferring detailed open space planning

(i) Evidence and submissions

Proponent

The Proponent submitted it had not sought to prescribe exactly where, or exactly what, public open space must be provided. It said flexibility was needed to ensure opportunities can be taken as they arise, particularly in relation to future land ownership, future funding, municipal strategies and community engagement to guide the preferred scale, form and function of open spaces as precincts develop.

Mr Crowder acknowledged that ideally, strategic planning should clearly identify where new open space is required (including its size and nature) and detail how that land would be acquired and developed for public open space. However, on balance, he considered in this instance it was appropriate to complete this detailed work after the land is rezoned because:

- this is not a greenfields or 'blank canvas' scenario
- the additional work would take time and likely involve further consultation
- at this stage it may not be possible to definitively identify where and how much open space is required given uncertainties associated with whether:
 - the co-use of existing public and institutional spaces (such as school facilities) is possible
 - temporary 'offset' open space sites may end up being used permanently as open space
 - public open space is likely to be provided under the VPBUF
- there is merit in the provision of open space being addressed on a municipality-wide basis.

He also considered:

- it is likely that additional public open space will not be needed in the short term (as redevelopment in the precincts is not expected to significantly 'ramp up' until the stations are delivered)
- there are community benefits from not delaying the approval of the draft Amendments.

Mr Crowder acknowledged that deferring the consideration of the size and location of open space in the structure Plan areas could create uncertainty for landowners, applicants and Councils. He said it may also increase the cost of land acquisition. In response, he recommended that the draft implementation plans include an additional action under objective 6:

That the secondary review process to identify relevant mechanisms for the provision of new public open space be commenced as a priority / short term action and led by the relevant Council(s) in partnership with the SRLA.

Councils and University Group

The Councils and University Group submitted the approach to open space planning is inappropriate and will fail to meet the needs of the future residents, workers and visitors in the precincts. It said access to quality open space is important for many reasons, including:

- increased urban density necessarily increases the demands on public open spaces because apartment dwellers have less private open space and rely disproportionately (compared with residents of houses on conventional suburban lots) on public open spaces to meet their recreational needs
- population growth exacerbates the issue, as more people compete for the limited space available
- taller built form creates shadow impacts and reduces the ability for vegetation to sustain growth and resist the wear and tear that results from the use of parks by people
- increased shade means reducing the use of native species, which is antithetical to the contemporary approach to landscaping of public open spaces
- there are many physical and mental health benefits to the whole population from having access to high quality public open spaces that are useable and not overcrowded
- healthy parks assist to provide and protect biodiversity and are an essential component of combating the worst effects of climate change, including the urban heat island effect.

The Councils and University Group submitted:

Much more certainty is needed in each of the precincts about what and where public open spaces will need to be provided, and how those public open spaces are to be protected so they can perform their intended functions for the residents and workers of these more densely populated areas. This issue is not negotiable if these communities are to succeed.

Ms Thompson said that from her experience, it was very important to secure new open spaces early, noting that for all but the very large sites, it is difficult to achieve land contributions through the permit process. She also considered the management of built form around future, unidentified parks is problematic. She considered the secondary review process suggested by Mr Crowder was *"still too late"*, although if it was deferred until after the Amendments are adopted, it should be a short term action.

Mr Barnes considered that only identifying *"investigation areas"* for public open space in the draft structure plans rather than specific sites was a *"significant deficiency"*. He said the lack of clarity regarding open space provision would mean that the open space necessary to cater for the substantial level of development was unlikely to be delivered as intended.

Kingston Council

Kingston Council submitted the work done to date to assess open space needs is cursory and does not establish a proper foundation for the timely, certain and practicable progressive rollout of the necessary open space. It said *"investigation areas"* might be

appropriate in a greenfield scenario but are problematic in existing urban areas. It submitted the land required for open space (particularly open space of more than around 0.5 hectare in size) should be identified and secured now, because securing it once land is rezoned and starts to be redeveloped will be costly and very difficult to achieve.

Kingston Council noted a range of practical difficulties would arise when considering permit applications in 'investigation areas', including:

- uncertainty for landowners and responsible authorities
- any judgment that the development of a specific parcel of land might compromise the provision of future open space of indeterminate characteristics in an unknown location would be difficult to make and contest
- based on the methodological issues identified by Ms Thompson discussed further in Chapter 5.5, the 'investigation areas' are not likely to be adequate to meet the future open space requirements
- there is no protection for overshadowing of future open spaces in unknown locations.

Kingston Council recommended that if the draft Amendments do proceed before the land required for open space is identified, investigation areas should be shown on the maps in the schedules:

... Development within investigation areas should be tempered by the potential future infrastructure/open space, with development that may compromise the delivery of the future infrastructure/open space or result in overshadowing of future open space, able to be refused.

Mr Glossop considered the draft implementation plans (which he noted carry no statutory weight) are very vague with respect to open space. Further, Councils will have to locate and acquire new areas of public open space from funds collected under Clause 53.01, however there was no analysis regarding how this can be practically achieved. He said:

Acquiring land in established suburbs for new open space, particularly of any reasonable size, is known to be extremely difficult for councils. What concerns me is that unless such opportunities are realized the quality of life and amenity of future residents and workers will be compromised. A clearer plan for the provision of public open space is required.

Mr Glossop considered there should be a far clearer plan for open space provision that ideally identifies specific sites. This would allow built form controls to appropriately respond to an open space interface, including by mitigating shadowing. He noted the BFO schedules do not currently address how to manage overshadowing impacts on future open space, meaning it may be harder to select high quality open space locations in the future.

Proponent's response

The Proponent supported, in principle, Mr Crowder's recommendation to introduce an action to the draft implementation plans to complete a secondary review process. It said this action would:

... provide greater certainty in respect of delivery of new public open space in identified investigation areas and how they will be delivered, through collaborative identification of appropriate mechanisms for provision of new public open space.

(ii) Discussion

Public open space will play a vital role in providing high quality amenity in the precincts and is critical to achieve the visions for the precincts. The delivery of high quality amenity in the precincts is an important investment in the social, environmental and economic success of the structure plan areas.

It is important that high quality public open space is provided in suitable locations within each precinct to meet the needs of the future populations. Higher density living and working requires greater access to more open spaces with greater functionality. The requirement for public open space becomes even more important as the density of development increases.

While enhanced access to public open space can be achieved through various means (not solely by providing new spaces), the lack of clarity in the draft structure plans and draft Amendments regarding the size and location of new public open space creates significant uncertainty for all stakeholders. This is not orderly planning.

The draft structure plans and draft Amendments should identify the size and specific location of proposed public open spaces. Investigation areas are problematic for the reasons highlighted by the Councils and the experts. The sites need to be identified now, before the land is rezoned. If land required for future open space is not identified at the outset, preferred sites may be taken up by redevelopment.

Even if redevelopment is slow in the initial phases after rezoning (as the Proponent predicts) and preferred sites remain available, land values can be expected to rise significantly as soon as the land is rezoned and the land will be more expensive to acquire.

Developers, home purchasers, Councils, service authorities and the broader community need certainty about the location of public open space to make informed investment decisions. Further, the location of proposed open space has critical implications for other aspects of the precinct planning, including:

- built form controls around proposed public open space need to protect the open space from inappropriate shadowing, which is not possible if the location of the open space is unknown
- public open space needs to be accessible by active transport, and the routes for pedestrian connections to proposed open space cannot be appropriately identified and planned if the location of the open space is unknown.

Ideally all proposed open space would be identified and set aside in the draft Amendments, but it is critical that larger parks (0.5 hectares or more) are identified and set aside.

The size and location of proposed open space cannot be identified until the open space needs in the precincts are further assessed. The further assessment therefore needs to be done now, before the Amendments are implemented, not later as part of a secondary review process. While the Committee agrees with Mr Crowder that a secondary review process is required to identify delivery mechanisms for new public open space, that can only be done once the further assessment of open space needs has been undertaken and the required sites have been identified.

The further assessment of open space needs should be led by the Proponent with the Councils as partner agencies. This is consistent with SRLA's role as the planning authority for the declared planning areas under the PE Act, and its coordination and planning responsibilities under the SRL Act (as discussed in Chapter 3.2).

(iii) Findings

The Committee finds:

- Deferring the detailed planning for open space until after land has been rezoned is not orderly planning, and creates significant risk that the precinct visions will not be achieved.
- Further work is needed to determine the size and location of key proposed public open spaces (of 0.5 hectares or more) required in the precincts.
- Once the further work has been completed and the size and location of new open space has been identified:
 - the structure plans and the maps in the PRZ and BFO schedules should be amended to proposed open space of 0.5 hectares or more (as well as existing open space)
 - built form controls for land surrounding both existing and proposed open space should be reviewed to ensure land for open space are protected from overshadowing
 - pedestrian connections should be reviewed to ensure they provide good walkable access to open space.

5.5 Methodology

(i) Evidence and submissions

Ms Thompson gave evidence that:

- the OSTR underestimated the need for open space in the precincts
- the open space measure of 9 square metres per person is not appropriate to confirm the adequacy of the open space provision in the precincts
- the draft structure plans and draft Amendments need to be more specific about the locations, hierarchy and purpose of proposed new public open space
- walking catchments to local open space in medium to high density contexts should be based on the size of the open space and without having to cross major roads:
 - 200 metres for up to 0.25 hectare
 - 300 metres for 0.26 to 0.99 hectare
 - 400 metres for 1 hectare or greater
- where district and regional open space is located within the precincts, it should be assessed as part of the network and consideration should be given to the local neighbourhood function it may have in the future
- the needs of the significant worker population proposed for each structure plan area have not been adequately assessed.

Ms Thompson said the open space site selection principles in the draft structure plans could be improved to clarify a range of matters including:

- Land ownership – land for public open space should be transferred to a public authority and not held in private ownership.
- Condition – the principle should describe the elements that make a site ‘fit for purpose’ including no contamination, opportunity for a diversity of recreational uses, be open to the sky and without encumbrances.
- Access to public open space – should be renamed to ‘Gaps in the provision of open space’.
- Access to the site – open space should be at natural ground level (not an elevated part of a building or podium) and should require public local access streets/laneways adjoining at least two sides or a minimum of 50 per cent of the site's perimeter to provide passive surveillance and clear public access.
- Adjoining land use – the location of open space should also have regard to the impacts from adjoining land uses regarding built form and height, passive surveillance, noise and safety.
- Size – include the preferred size range and minimum lengths and widths for each type of open space in the hierarchy, noting that a site may be able to meet the preferred size for the type of park in combination with adjoining land.

She recommended additional selection criteria relating to purpose and zoning, solar access, service easements and encumbrances, as well as climate change mitigation. Ms Thompson considered all site selection principles should be included in the planning schemes.

Councils and University Group

The Councils and University Group agreed with Ms Thompson regarding the deficiencies in the methodology used to determine future open space needs and submitted:

Much more certainty is needed in each of the precincts about what and where public open spaces will need to be provided, and how those public open spaces are to be protected so they can perform their intended functions for the residents and workers of these more densely populated areas. This issue is not negotiable if these communities are to succeed.⁴

The Councils and University Group did not adopt Ms Thompson's site selection recommendations in full, instead submitting that the principles should be modified to make it clear that:

- the physical condition of the site (including in relation to contamination) is suitable for use as open space
- site selection should have regard to achieving Ms Thompson's recommended walkable catchments
- sites should have good solar access.

(ii) Discussion

The further assessment of open space needs recommended in Chapter 5.4 should have regard to:

- an appropriate metric for open space provision in densely populated urban areas
- the needs of residents and workers (not just residents)

⁴ Document GI 141

- variable walking catchments to local open space based on the size of the open space, as recommended by Ms Thompson.

While the Committee understands why the Proponent used the metric of 9 square metres of public open space per person, this is not necessarily an appropriate metric in the precincts. Although the OSTR notes that this is a “secondary metric”, the Committee agrees with Ms Thompson that it is of limited utility in the context of highly dense urban areas with significant populations that far exceed population levels in new greenfield developments.

No clear alternative metric was presented to the Committee. The Proponent will need to develop a suitable metric as part of the further open space needs assessment. This should be informed by the population projects and detailed demographic profiles for the precinct populations, as the type of open space needed (particularly active open space) depends on the users. Active recreation needs are addressed in more detail in Chapter 6.

All precincts are expected to have a significant increase in the number of workers. The open space needs of workers in the precincts is an important consideration in the planning for open space. The OSTR did not consider the needs of workers. Further work is needed to address this issue, which is discussed in more detail in the precinct reports (volumes 4-9).

While the Committee supports Ms Thompson’s walkable catchments and considers they are generally appropriate in medium to high density contexts, they should be applied as a guide rather than a strict requirement. The further open space needs assessment should have regard to:

- the fact that it may be difficult, in highly urbanised contexts, to avoid having to cross major roads to open space
- the availability of ‘non-traditional’ open space (such as the Box Hill Cemetery) that may not be a park as such, but may provide opportunities for passive recreation and quiet contemplation
- access to open spaces outside the precinct.

The Committee agrees with the Councils and University Group that the site selection principles should be modified as it recommended. It is not necessary to include the site selection principles in the planning schemes, however it is important that the site selection principles are used to identify land that is then identified on the plans in the PRZ and BFO schedules.

(iii) Findings

The Committee finds:

- The methodology for the assessment of open space needs to date has not been appropriate.
- The further assessment of open space needs recommended in Chapter 5.4 should have regard to:
 - the revised site selection principles recommended by the Councils and University Group (informed by the walkable access standards recommended by Ms Thompson)

- an appropriate metric for open space provision per person for high density populations in urban areas
- the needs of workers
- the needs of visitors (for precincts where high visitor numbers are expected)
- the location of feasible pedestrian connections to open spaces
- access to open spaces outside the precinct
- the availability of 'non-traditional' open space
- any specific considerations identified in the precinct reports (volumes 4-9).

5.6 Delivery mechanisms

(i) Evidence and submissions

Neither the draft structure plans nor the draft implementation plans deal with delivery mechanisms for public open space. The Proponent submitted new and enhanced public open space can be expected to be delivered:

- by public authorities
- by developers, consistent with:
 - Clause 53.01 and/or specific requirements relevant to master planned sites
 - the VPBUF (in areas where the VPBUF applies).

The Proponent submitted:

The range of potential delivery mechanisms allow municipal plans and strategies to continue to play an important role, as they are revised and refined throughout the development of the Precincts and beyond. Where and how POS is appropriately provided, and what mechanism is most appropriate, will be informed by the Site Selection Principles, and otherwise by reference to the relevant Strategies and Action[s] of the Structure Plan and Action[s] of the Implementation Plan.

In all cases, these delivery mechanisms enable consideration at the appropriate stage of where and how POS is delivered, having regard to the range of matters to be considered in ensuring preferred outcomes for POS are achieved.

The Councils and University Group submitted the draft Amendments should not be approved until the public open space is properly identified and costed, and delivery arrangements (including funding mechanisms) are in place. Relying on the evidence of Ms Thompson and Mr Barnes, the Councils and University Group recommended:

- specifying 'bespoke' public open space contribution rates in the BFO schedules for master planned sites
- requiring a public open space contribution for both subdivision and development, including for apartment or office buildings where subdivision is not proposed.

(ii) Discussion

Public open space contributions received under Clause 53.01 will help fund the acquisition of land required for open space, but other funding and/or delivery mechanisms are likely to be required. The Committee agrees with Mr Crowder that this should be identified as a priority (he suggested a short term action in the implementation plans), but (as noted in Chapter 5.4) this can't be done until the further assessment of open space needs has been completed.

In the absence of the further open space needs assessment, the Committee has no basis for determining that it would be appropriate to depart from the standard contribution rates in the schedules to Clause 53.01. Some exceptions apply in Burwood and Cheltenham, as discussed in the precinct reports (Volume 5 and Volume 6 respectively).

The Committee does not support the recommendation of the Councils and University Group for requiring public open space contributions for other forms of development that do not involve subdivision. This would be a significant departure from usual practice, and the assessment has not been done to demonstrate why any such change is justified.

The Committee does not think the VPBUF can deliver a significant quantity of public open space given the problems with the design of the VPBUF discussed in Chapter 4. Particularly relevant in the context of open space are:

- there has been no demonstration of whether (or how) the settings of the VPBUF incentivise developers to deliver public open space in preference to other less 'land hungry' Category 1 benefits (Public realm improvements)
- the VPBUF does not apply in areas where more open space will likely be needed (such as in Residential Neighbourhoods)
- the VPBUF will not necessarily deliver open space that is suitably distributed to achieve appropriate walkable access.

In any event, the Committee recommends Category 1 benefits should be removed to ensure affordable housing is delivered. Other delivery mechanisms are available for open space.

(iii) Findings

The Committee finds:

- The implementation plans should include a short term action requiring identification of delivery mechanisms for open space, following the further assessment open space needs assessment.
- There is no basis on which to recommend bespoke open space contribution rates in the BFO schedules, although the further open space needs assessment recommended by the Committee may provide justification.
- It is not appropriate to require open space contributions to be paid on other forms of development (other than subdivision) in the absence of justification.
- The VPBUF is unlikely to produce significant quantities of open space where it is needed and in locations suitably distributed to achieve appropriate walkable access.

5.7 Conclusions and recommendations

Based on the above findings, the Committee concludes:

- The planning for open space in the structure plan areas is not appropriate and does not have proper regard to the needs of future residents, visitors and employees.

The Committee recommends:

Further work

- 26. CI R06: Before the draft Amendments are approved, undertake further work to assess the open space needs of the future populations in each structure plan area having regard to:**
- a) an appropriate benchmark for open space provision for the precincts having regard to their context as accommodating high density populations in established urban areas**
 - b) the needs of workers (and the needs of visitors for precincts where high visitor numbers are expected)**
 - c) the revised open space site selection principles referred to in Recommendation CI 07**
 - d) the location of feasible pedestrian connections to open spaces**
 - e) the availability of 'non-traditional' open space and access to open spaces outside the precinct**
 - f) any specific findings in the precinct reports.**

Draft structure plans

- 27. CI R07: Before the draft Amendments are approved, amend the draft structure plans to identify the location and size of proposed public open space of 0.5 hectares or more in each precinct based on:**
- a) the further assessment of open space needs (Recommendation CI R06)**
 - b) the revised open space site selection principles (Recommendation CI R08).**
- 28. CI R08: Amend the open space site selection principles in the draft structure plans as follows:**
- a) modify the 'Condition' principle to read:**
the physical condition of the site is suitable for public open space, including any remediation required to meet a condition that is suitable for use as a children's playground
 - b) modify the 'Access to public open space' principle to read:**
improves 200 metres walkable access to pocket parks (up to 0.25 of a hectare), 300 metres walkable access to neighbourhood parks (of 0.26 to 0.99 of a hectare) and 400 metres walkable access to community parks (open space open space of at least 1 hectare) from anywhere within the structure plan area
 - c) include a new principle regarding that reads:**
Solar access – the site enjoys good solar access in winter.

Draft Amendments

- 29. CI R09: Before the draft Amendments are approved, amend the maps in the relevant Precinct Zone schedules and Built Form Overlay schedules to clearly show the location and size of proposed public open spaces identified in the revised structure plans (Recommendation CI R07).**

30. CI R10: Review and amend the built form controls in the Built Form Overlay schedules and the Precinct Zone schedules to ensure the built form controls protect both existing and proposed open space from overshadowing consistent with Recommendation GI R27 in Volume 3.

6 Community infrastructure

6.1 Referred Matter

A Common Issues Referred Matter across all precincts is:

Whether the planning for community infrastructure in the [Precinct] Structure Plan Area is appropriate, having regard to the needs of future residents, visitors and employees.

There is overlap between this Referred Matter and the:

- Referred Matter relating to planning for open space (Chapter 5)
- the overarching issues dealt with in Chapters 3 and 7.

6.2 Key issues

The key issues are whether:

- it is appropriate to defer detailed community infrastructure planning until after the land is rezoned
- the methodology for the assessment of community infrastructure needs to date has been appropriate
- shared use agreements are an appropriate mechanism to meet the need for community infrastructure.

6.3 Background

(i) Draft structure plans

The visions recognise that community facilities and infrastructure are required to support population growth. All draft structure plans refer to the need for *"new and upgraded community infrastructure to keep pace with growing resident and worker populations"*, even in Monash where the vision is focussed on employment and innovation.

All precincts include an objective that generally seeks to provide an enhanced and accessible network of community infrastructure that meets the needs of the future community.

Enriching community plan

As is the case with open space, the draft structure plans do not identify land requirements for community infrastructure. Instead, the Enriching community plan in each draft structure plan identifies 'Community infrastructure opportunity areas' (see Figure 1 in Chapter 5.3 of this report).

Nor do the plans identify any new or upgraded community infrastructure outside of the precinct boundary, except where infrastructure is proposed to be shared between precincts (as is the case for Monash and Clayton and for Burwood and Box Hill).

Site selection principles

The exhibited draft structure plans outline site selection principles and criteria to *"guide and assist in identifying sites suitable for new community infrastructure"*. The principles

generally seek to encourage community infrastructure on viable, accessible sites in activated areas to create a network of local community infrastructure. They include the following criterion:

- Council-owned land should be the priority for community infrastructure sites, followed by State-owned land. Co-locating new community infrastructure with existing infrastructure is encouraged. Purchasing land should be considered where other options have been excluded.

(ii) Draft implementation plans

The exhibited draft implementation plans identify several relevant actions, with Councils nominated as the lead for the following action:

Work collaboratively to:

- Confirm the form and location of community infrastructure considering the guiding principles for site selection, district and regional opportunities, and potential delivery models
- Deliver new and enhanced community infrastructure
- Facilitate shared user agreements to allow for wider public access to sporting infrastructure on local school campuses.

This action was amended in the Day 2 version of the draft implementation plans (and reflected in the Day 2 draft structure plans), with the Proponent to lead (in the short term):

Work collaboratively to:

- Confirm the form and location of community infrastructure considering:
 - the site selection principles for new community infrastructure
 - district and regional opportunities
 - the preferred future scale, form and function of infrastructure (including demand generated by workers as required)
 - preferred service and infrastructure delivery models
 - community needs and preferences
 - opportunities pertaining to land ownership.

The Department of Education is nominated as the lead for the following actions:

Consider the need for new government primary school provision and monitor the need for new government secondary school provision to serve the needs of the current and future community and surrounding areas.

Monitor and respond to the need for new and/or expanded public, not-for-profit and for-profit kindergarten provision to serve the needs of the current and future [precinct] community and surrounding areas.

(iii) Draft Amendments

Policy

The exhibited local policies provided no specific guidance on community infrastructure. In the Day 3 versions an additional higher-level strategy was included:

Locate new open space and new community facilities to support residential and worker population growth within the SRL East Structure Plan areas.

Planning controls

In most precincts there is no mention of community infrastructure in the exhibited PRZ or BFO schedules and none of the maps or plans in the schedules identify community infrastructure, including the 'opportunity areas' identified in the structure

plans. Cheltenham represents an exception. The Day 3 documents include requirements for a multi-purpose community hub within the Kingston PRZ3 (Southland Shopping Centre). This is addressed in detail in the Cheltenham Precinct Report (Volume 6).

(iv) Community Infrastructure Needs Assessments

The CINAs included an analysis of existing community infrastructure, and projected future needs of each precinct population as it grows to 2041. The CINAs assessed existing community infrastructure within a 1.6 kilometre radius from the SRL stations and considered how future development will affect provision and needs within the structure plan Areas.

The CINAs made recommendations for improving existing community infrastructure, and for providing new local level community facilities. This included community hubs and neighbourhood houses, libraries, arts and creative spaces, maternal and child health services, and sport and recreation facilities. The CINAs note that local governments typically provide these facilities and services.

Several CINAs recommended pursuing shared use agreements allowing local clubs to use sporting facilities on school sites within the structure plan areas and the surrounding areas as a way of providing for more efficient use of sports facilities. The relevant draft implementation plans include an action to this effect.

The CINAs were based on a desktop analysis only. No direct community engagement was undertaken. Instead, the CINAs were based on high level demographic profiles and cultural perspectives. The CINAs did not consider:

- worker or visitor demand (only the needs of the resident populations were assessed)
- the extra demand generated by the precinct populations on existing district and regional level facilities
- infrastructure delivered by the state
- likely changes in demographic profiles over time.

(v) Technical Note TN-G04

The Proponent prepared Technical Note G04 – Schools, Kinders and Hospitals (TN-G04) in consultation with the Department of Education and the Department of Health to guide planning for government schools, kindergartens and public health infrastructure (such as hospitals) in the precincts (described below).

Schools

TN-G04 stated that the Department of Education identified the need to:

- plan for additional secondary school capacity in the Glen Waverley and Box Hill Precincts in the short to medium term
- consider (or monitor) the need for both primary and secondary school capacity in all precincts.

TN-G04 states that additional actions will be added to the draft structure plans that will generally require monitoring of the need for new government primary and/or secondary schools to serve the needs of current and future communities and surrounding areas.

Kindergartens

TN-G04 states:

- Councils have indicated that current provision of kindergartens is not anticipated to meet demand.
- The draft structure plans should seek to give clear direction on the need and future planning for kindergartens within structure plan areas.
- It is vital that this direction is accurate, consistent and does not create 'unrealistic expectations' for the community.

Hospitals

TN-G04 records advice from the Department of Health regarding priority health facilities including Box Hill Hospital and the Monash Medical Centre. The Department emphasised two key areas for further collaboration with the Proponent during the structure planning process:

- Ensuring land allocation to support future statewide and localised public health system needs within the precincts.
- Preserving patient transport and ambulance access by both road and air to key health facilities.

6.4 Deferring detailed community infrastructure planning

(i) Evidence and submissions

Proponent

The Proponent submitted that the level of planning for community infrastructure was appropriate at this stage in the process. It acknowledged that further work needs to be done to confirm the form, function and location of community infrastructure. It also acknowledged that it should lead this work, in partnership with the Councils, in the short term.

Mr De Silva acknowledged that deferring the detailed planning for community infrastructure until after the structure planning process was 'unusual'. However, he was satisfied with the approach provided that the draft implementation plans were updated to make the community infrastructure planning a short term priority.

Mr Crowder was comfortable with the approach of nominating investigation areas for community infrastructure in the draft structure plans. He supported the updates to the implementation plans recommended by Mr De Silva.

Councils and University Group

The Councils and University Group strongly opposed deferring planning for community infrastructure. It submitted:

- the scale of change proposed in the precincts would fundamentally and dramatically increase the number of residents and workers in these precincts
- without proper planning controls in place to secure key building blocks or a clear pathway for infrastructure provision, there is the risk of negative impacts on communities for decades to come.

The Councils and University Group drew on past examples to illustrate its concerns, referring to the rezoning of land in Fishermans Bend that lifted land values before land was secured for infrastructure. It submitted that as a result, there was a need to scale back or defer the delivery of essential infrastructure, or for the State to subsidise to cost of the infrastructure. It submitted:

... If anything, the scale of the transformation asserted by the SRLA is a reason to require more certainty about the provision of infrastructure before the Structure Plans are finalised, not less. That is because of the difficulties and costs associated with securing land for community infrastructure in highly urbanised suburbs. The longer the delay, the more difficult it becomes, as opportunities are lost, and as land values increase. The greater the lag between rezoning, development, and implementation of a delivery mechanism, the wider the gap between cost of delivery and funding available.

The Councils and University Group acknowledged that the structure planning process would take longer if coupled with detailed infrastructure planning, but the outcome would create more certainty about the infrastructure that will be delivered, reducing costs and facilitating better outcomes.

Mr Barnes considered the lack of clarity and detail regarding the provision of community infrastructure to be a significant deficiency of the draft structure plans and draft Amendments.

Kingston Council

Kingston Council submitted that the work done to date was insufficient to support the proposed transformation. It said that more work is required to determine the size, form and location of community infrastructure needed to serve the future population living and working in the precincts.

Kingston Council submitted planning for sports and recreation infrastructure is particularly important, given it is 'land hungry' infrastructure. It submitted that once the rezoning has occurred land costs will immediately inflate and opportunities to secure suitable sites, and to capture financial contributions from redevelopment, will be lost.

Kingston Council highlighted several reasons for a more orderly approach to the planning of community infrastructure, submitting:

- the urgency identified by the Proponent is overstated – rezoning the land in a few years would not be 'too late' given the SRL stations (which are the catalyst for population growth) will not open for a decade
- the transformational nature of change means the long-term consequences of failure to plan up front will be more extensive
- developers will be left wondering about the public infrastructure required to support their developments.

(iii) Discussion

Ensuring appropriate community infrastructure is provided in the right locations is critical to ensure the success of the precincts and the realisation of the visions.

It not appropriate to defer community infrastructure planning until after the draft Amendments are implemented. The failure to undertake more detailed planning for community infrastructure at this stage of the planning process, combined with the lack

of a funding mechanism (discussed in the next chapter), could culminate in an inability to deliver the essential community infrastructure needed to serve the future community, undermining the precinct visions.

As discussed in Chapter 5.4, there are significant consequences to not identifying the land required for open space until after rezoning. Similar concerns arise in relation to community infrastructure. If the land required for critical community infrastructure is not identified now, before rezoning:

- appropriate sites may be lost through redevelopment
- even if appropriate sites can be secured, escalating land values will add significantly to the overall infrastructure costs.

There are further consequences for provision community infrastructure including:

- the potential for unresolvable land use conflicts (such as an inability to provide sufficient buffers between schools and incompatible land uses)
- there will be missed opportunities for:
 - co-locating facilities for synergies and efficiencies
 - planning appropriate road and active transport access to community facilities to create a true network of community infrastructure as envisaged in the draft structure plans.

The Committee does not consider amending the implementation plans to make this a short term priority to be an appropriate response. This will not avoid the problems outlined above. As is the case with open space, the only way to properly avoid these problems is to identify and set aside the required land in the draft Amendments.

The Committee is particularly concerned about the consequences of not setting aside (or at least identifying) land required for 'land hungry' infrastructure (such as district libraries, schools, hospitals and sporting facilities) through the draft Amendments. For example, the Department of Education identified the need to plan for additional secondary school capacity in the Glen Waverley and Box Hill precincts in the short to medium term. The *Victorian Government School Site Selection Criteria – Toolbox* (April 2025) requires 3.5 hectares of land for primary schools and 8.5 hectares of land for secondary schools. These are large areas of land, and if the necessary land is not identified until after rezoning, finding appropriate sites will be increasingly difficult (and certainly more expensive).

Consistent with the Committee's findings in relation to open space, any community infrastructure requiring land of 0.5 hectares or more should be identified and shown in the structure plans and the maps and plans in the PRZ and BFO schedules before the draft Amendments are finalised and approved.

(iii) Findings

The Committee finds that:

- Deferring the detailed planning for community infrastructure until after land has been rezoned is not orderly planning.
- Further work is needed to confirm the specific type, location and size of community infrastructure needed to service the new precincts' populations.

- Once the further work has been completed, any site of 0.5 hectares or more required for new community infrastructure should be identified in the structure plans and on the maps in the PRZ and BFO schedules.

6.5 Methodology

(i) Evidence and submissions

The Councils and University Group submitted the work undertaken to date to plan for community infrastructure is inadequate, and that the CINAs do not provide the certainty needed or a proper strategic basis for the draft structure plans and draft Amendments. It considered the provision of community infrastructure is as important as transport infrastructure to the success of the precincts, and to achieving the visions.

Experts agreed that the CINAs are a high level assessment only, and further work is required to confirm the size and composition of infrastructure, as well as feasibility, funding and cost of delivery.

The experts called by Kingston Council and the Councils and University Group made several criticisms of the way the CINAs approached the assessment of existing facilities and calculation of demand for future provision to meet the needs of the precinct populations.

Benchmarks

The CINAs draw on benchmarks for community infrastructure provision in greenfield areas. Mr De Silva, Dr Kerkin and Ms Noesgaard agreed there was no industry-wide agreed benchmarks for the provision of community infrastructure in higher density metropolitan infill areas. However Dr Kerkin, Ms Maddock and Mr Bainbridge did not consider it was appropriate to simply adopt benchmarks developed for greenfield settings. They noted:

- the metrics have not been adjusted for higher density settings or established areas
- the benchmarks for greenfield settings do not account for certain types of facilities.

Ms Maddock and Mr Bainbridge considered that the quantitative assessment in the CINAs for sports and recreation facilities relied too heavily on benchmarks, failing to consider demographic trends, participation rates and facility usage patterns. Mr Ferguson considered a benchmark of 30 square metres of recreation open space per person should be used as a “stretch goal” and a “no-net-loss” approach to existing provision levels should be viewed as a minimum requirement. He said there should be a better alignment between the CINAs and the OSTR to ensure the land required to accommodate recreation demands is properly accounted and planned for.

Dr Kerkin had particular concerns about the benchmarks used in the CINAs for community hubs and early years services. She noted:

- the CINAs applied a benchmark of one community hub for every 25,000 people, whereas she considered a benchmark of one level 1 or 2 multi-purpose community centre for every 8,000 – 10,000 people⁵ to be more appropriate.
- in the Monash precinct, the CINAs identified the need for two to three rooms for maternal and child health, whereas she considered 195 square metres of floor space was required for maternal and child health, along with a further 3,000 square metres for three and four year old kinder, playgroups, toy libraries, occasional child care and early years spaces

Ms Noesgaard considered the benchmarks for district library, local arts facilities, maternal and child health and youth spaces used in the CINAs were inappropriate, because they did not appropriately respond to the demand. Dr Kerkin also raised concerns in relation to the benchmarks used to determine the demand for library services, and recommended revised benchmarks be applied to reflect the changing role of libraries.

Catchments

Ms Noesgaard considered the CINAs inappropriately focussed on needs within a 1.6 kilometre catchment of the SRL stations, because it did not account for the way residents access community infrastructure, particularly in areas that are easily accessible due to high quality public transport (like the precincts will be once the SRL stations open).

District and regional facilities

Ms Maddock, Ms Noesgaard and Mr Ferguson all had concerns about the failure to consider regional and district infrastructure in the CINAs. They said it was important to understand the level of existing capacity in the district and regional infrastructure, looking at how the network will function. Ms Noesgaard and Mr Ferguson said the need for district and regional infrastructure should be assessed on a network basis, given the improved public transport accessibility between the precincts.

The Proponent submitted that district and regional infrastructure would be best planned for at the municipal or regional scale, as they serve populations greater than the structure plan areas.

Site selection principles

Dr Kerkin recommended the site selection principles be revised, as they did not reflect current best practice approaches to planning for community infrastructure in high density areas. She recommended the principles include the consideration of options for vertical community infrastructure within high density buildings, both residential and commercial. Mr De Silva agreed.

Councils submitted that the site selection principles needed to be revised, particularly with respect to council owned land. They submitted that council owned land was not 'free land' and should not be prioritised over other locational considerations (or land owned by the State).

⁵ Drawn from Australian Social and Recreation Research (ASR) 2008 Planning for Community Infrastructure in Growth Areas

Demand from workers and visitors

The CINAs did not include worker or visitor demands in assessing community infrastructure needs in the precincts. All relevant experts agreed that the worker population needed to be accounted for.

The Councils and University Group acknowledged that making allowance for worker demand is not straightforward given the absence of an industry agreed basis for estimating worker demand. Its experts adopted the following approaches:

- Dr Kerkin applied differentiated rates per service type, and adjusted the rates on the basis of an assumption that 10 per cent of the resident population would also work in the area. She said the 10 per cent figure was supported by examples from comparable high-density precincts, but acknowledged under cross examination in the Box Hill Hearing that she had not independently verified her assumption.
- Ms Maddock assumed that 10 per cent of the worker population would use sport and recreational facilities (which she considered conservative). She based the 10 per cent on the benchmark contained in the draft NSW Green Space Design Guide, which she identified as the only Australian guideline for assumed day worker participation in sports and recreation facilities.

The Councils and University Group submitted that the combined analysis of Dr Kerkin and Ms Maddock is methodologically sound, conservative, clearly superior to the CINAs (which ignored worker demand entirely), and that any residual uncertainty is not a reason to reject their recommendations.

The Proponent did not support the methodology recommended by Dr Kerkin as a basis to calculate worker demand, but accepted that worker demand should be considered. It submitted it would be appropriate to assess worker demand at a later stage in the precinct planning process (though in the short-term), after the draft Amendments have been implemented. It included a reference to the consideration of worker demand in its Day 2 version of draft implementation plans in several precincts.

None of the experts provided an assessment of visitor needs in their expert statements. In the Box Hill and Clayton Hearings the Committee asked the experts their view on visitor demands.

- Mr De Silva did not express a particular view in relation to visitors, except to say that this assessment should be undertaken as a short-term priority in all precincts.
- Ms Maddock responded that:
 - visitor demand for sporting facilities primarily related to whether the facility is a destination facility and would draw visitor demand from outside the structure plan area, such as a regionally significant pool complex
 - that information is not available at this time
 - calculating visitor demand usually occurs at the time of planning for specific sporting facilities as part of the feasibility planning for that facility
 - it would only be possible to know whether visitor demand should be accounted for through the further work to confirm community infrastructure needs.

- Dr Kerkin responded that:
 - assessing visitor demand typically occurs for tourism-based facilities, and is challenging in a context like the precincts
 - assessing visitor demand should (or could) follow a similar methodology to assessing worker demand
 - it was unlikely that visitor numbers in some precincts (Box Hill being an example) would be significant enough to warrant estimating visitor demand.

Active recreation infrastructure needs

Ms Maddock, Mr Bainbridge and Mr Ferguson provided specific evidence on the planning for active recreation infrastructure (indoor and outdoor sports facilities and aquatic centres). Ms Maddock and Mr Bainbridge considered the CINAs do not apply a contemporary sport and recreation planning approach. They were critical of several aspects of the analysis in the CINAs, including:

- the demand on regional and district level facilities generated by the future precinct populations had not been properly considered
- overly simplistic qualitative and quantitative criteria had been applied that are not aligned with current industry standards and practice
- the benchmarks used may be suited to greenfield contexts, but not higher density and mixed use contexts
- the use of 1.6 kilometre catchments is not reflective of how residents access sport and recreation infrastructure.

They recommended active recreation needs be reassessed, informed by qualitative and quantitative assessment of existing facilities and current and projected participation rates. The reassessment should:

- adopt a network approach to planning for active recreation infrastructure, including consideration of regional and district facilities
- forecast future needs using demand modelling and population projections
- review best practice and innovative facility examples in medium to high-density and mixed use settings to inform recommendations
- expand the scope of facilities considered to include a broader range of sports and emerging activities.

Mr Ferguson broadly supported the views of Ms Maddock and Mr Bainbridge.

Education facilities and early years services

The Melbourne Archdiocese Catholic Schools had concerns with the methodology used in the CINAs, particularly in relation to the lack of age specific forecasting. It submitted that it was essential for education providers to understand the demographic distribution of the future population across key age cohorts to plan appropriately for enrolment demand, service delivery, and land acquisition within and around the precincts.

Dr Kerkin considered the need for early years services had not been properly accounted for in the CINAs. She considered a detailed assessment of early years and kindergarten provision should be undertaken and facilities planned for in the short term. She recommended the assessment be based on detailed demographic forecasts as well as total population figures, applying her revised benchmarks (discussed above). She also

recommended planning should consider the need for integrated community hubs that co-locate services such as libraries and early years facilities.

(ii) Discussion

As discussed in Chapter 6.4, it is critical for the draft structure plans and draft Amendments to identify the size and location of sites required for 'land hungry' community infrastructure requiring sites of 0.5 hectares or more.

Before this can be done, further work is required to properly assess future community infrastructure needs in the precincts.

The further assessment should be based on a detailed demographic profile for each precinct community, to properly inform the assessment for all types of facilities considering the age profile and household makeup of the anticipated communities.

The assessment needs to factor in not just the size but also the condition of existing infrastructure assets that are relied on to meet the demand generated by the future precinct communities. It should also consider opportunities for efficiencies for new infrastructure such as co-location with existing or other new infrastructure.

Benchmarks

The Committee accepts that there are no widely accepted benchmarks for community infrastructure suited to high density urban contexts. Nevertheless, the further assessment of community infrastructure needs must be based on benchmarks that:

- are appropriate for high density urban contexts (rather than simply adopting provision ratios or targets designed for greenfield contexts)
- are appropriate for the type of infrastructure being considered
- reflect the demographic characteristics in each precinct
- reflect contemporary service delivery models for community infrastructure (as benchmarks can be adjusted where there are shared facilities).

While the Committee acknowledges the alternative benchmarks suggested by various experts, none of these were tested thoroughly enough through the hearings for the Committee to be confident that they are appropriate, particularly in the absence of detailed demographic breakdowns of the precinct populations. This is something the Proponent will need to resolve in the further assessment of community infrastructure (and open space) needs.

Catchments

The further assessment will need to identify and have regard to the type of infrastructure as well as the relevant user population within a particular catchment. Catchments will vary depending on the type of community infrastructure. People may travel further to (for example) a larger aquatic facility compared with the distance they may be willing to travel for an early learning centre. Further, the catchments for facilities within the precincts are likely to be larger given they will be highly accessible by public transport.

District and regional facilities

The further assessment will need to consider district and regional infrastructure. The existing condition and capacity of district and regional infrastructure is an important

consideration in working out if any upgrades are needed to existing facilities to deal with additional demand generated by the new precinct populations.

Further, there may be justification for locating new district and regional facilities within the structure plan areas, given the improved level of public transport accessibility that will be created by the SRL stations (as well as the upgrades to the bus network discussed in the General Issues Report (Volume 3 Chapter 8.6)). If so, land will need to be identified and set aside in the draft Amendments.

Site selection principles

The site selection principles in the draft structure plans should be updated to align with current State policy including prioritising centrally located, walkable sites and flexible design (including vertical) infrastructure.

The site selection principles should not focus on whether the land is council owned. Locational aspects are more important. Land ownership can be included as a secondary consideration however this should be expanded to refer to government owned land. Greater emphasis on state owned land and suitable private redevelopment sites would reduce the risk of cost shifting and delivery constraints, and would better balance infrastructure responsibilities.

Demand from workers and visitors

While there may be disputes regarding the methodology for estimating worker demand, it is essential that worker demand is considered in the further assessment of community infrastructure needs, including:

- the proportion of residents that will also be workers
- 'day workers' (workers who travel into the structure plan area for work)
- worker demand for each service type.

The further assessment should also account for visitor demand, if the demand is likely to be significant. A 'one-size-fits-all' methodology for assessing visitor demand may not be appropriate, as each precinct will likely attract a different visitor profile, influenced by the specific uses and attractions within the precinct.

Active recreation infrastructure needs

Active recreation needs need to be reassessed, informed by current and projected participation rates and a qualitative and quantitative assessment of existing facilities. The reassessment should:

- adopt a network approach to planning for active recreation infrastructure, including consideration of regional and district facilities as discussed above
- forecast future needs using demand modelling and population projections
- review best practice and innovative facility examples in medium to high-density and mixed use settings to inform recommendations
- expand the scope of facilities considered to include a broader range of sports and emerging activities.

Education facilities and early years services

Schools are a form of 'land hungry' infrastructure that needs to be planned for early. TN-GO4 has already identified the need for additional secondary school capacity in the Glen

Waverley and Box Hill precincts in the short to medium term. The fact this has not been addressed is a significant shortcoming in the precinct planning process.

More needs to be done now in planning for early years services. Kindergartens are land-intensive, with current demand not being met and future demand expected to rise. A detailed assessment of early years and kindergarten provision should be undertaken and facilities planned for based on demographic forecasts. This assessment should prioritise integrated community hubs that co-locate services such as libraries and early years facilities.

(iii) Findings

The Committee finds:

- The further assessment of community infrastructure needs should:
 - be based on detailed demographic profiles for the precinct populations
 - use qualitative and quantitative methods (including benchmarks) that are appropriate for high density urban contexts and the type of community infrastructure being considered
 - apply appropriate catchments informed by detailed data about the population likely to use the particular facility based on the scale and type of facility being considered, and the accessibility of the structure plan areas
 - consider district and regional facilities, including:
 - the capacity and condition of existing facilities and the need for upgrades that may be required to cater for the additional demands of the precinct populations
 - the justification for locating new district and regional facilities in the structure plan areas given their enhanced accessibility
 - consider worker demand in all precincts, and visitor demand in precincts where there is likely to be an increased demand
 - have regard to any specific considerations identified in the precinct reports.
- The site selection principles in the draft structure plans should be updated to prioritise centrally located, walkable sites and flexible design (including vertical) infrastructure. Land ownership can be included as a secondary consideration, however this should be expanded to refer to government owned land.

6.6 Shared use agreements

This Chapter briefly discusses the principle of relying on shared use arrangements in planning for community infrastructure. There is a specific Referred Matter about shared use agreements for the Glen Waverley precinct, which is addressed in the Glen Waverley Precinct Report (Volume 8).

Ms Maddock and Mr Bainbridge gave evidence that the CINAs placed too much reliance on shared use agreements. Ms Maddock's view (presented in her evidence in the Box Hill Hearing) was that shared use agreements could be used as supplement to providing the facilities, but not a substitute. She highlighted issues with inconsistent access to shared facilities due to use being at the discretion of others. She noted that at many older

schools, indoor facilities are not built to competition standards, making them potentially suitable for training but not matches.

Shared use agreements for use of facilities on school sites are a useful tool. They create efficiencies in the provision of sports facilities. However, they should not be relied on as a substitute for providing dedicated facilities that are available to local sports clubs and the community more broadly.

6.7 Conclusions and recommendations

Based on the above findings, the Committee concludes:

- The planning for community infrastructure is not appropriate, and does not have proper regard to the needs of future residents, visitors and workers.

The Committee recommends:

Further work

- 31. CI R11: Before the draft Amendments are approved, undertake further work to assess the community infrastructure needs of the future populations in each structure plan area having regard to:**
- a) detailed demographic profiles for the precinct populations**
 - b) appropriate benchmarks for the different types of community infrastructure needed in the precincts having regard to their context as accommodating high density populations in established urban areas**
 - c) the needs of workers (and visitors for precincts where high visitor numbers are expected)**
 - d) appropriate catchments informed by the population likely to use the particular facility based on:**
 - the scale and type of facility being considered
 - the improved accessibility to facilities located within the structure plan areas
 - e) projected demand and participation rates for different types of active recreation facilities**
 - f) projected demand for early years services, kindergarten facilities, education facilities and health facilities**
 - g) district and regional facilities including:**
 - the capacity and condition of existing facilities and the need for upgrades that may be required to cater for the additional demands of the precinct populations
 - the justification for locating new district and regional facilities in the structure plan areas given their enhanced accessibility
 - h) the revised community infrastructure site selection principles referred to in Recommendation CI R12**
 - i) any specific findings in the precinct reports.**

Draft structure plans

32. CI R12: Before the draft Amendments are approved, amend the draft structure plans to identify the location and size of new community infrastructure in each precinct that requires a site of 0.5 hectares or more based on:

- a) the further assessment of community infrastructure needs (Recommendation CI R11)**
- b) the revised community infrastructure site selection principles (Recommendation CI R13).**

33. CI R13: Amend the site selection principles for community infrastructure in the draft structure plans to:

- a) prioritise centrally located, walkable sites and flexible design (including vertical) infrastructure**
- b) include government owned land (not just council owned land) as a secondary consideration.**

Draft Amendments

34. CI R14: Before the draft Amendments are approved, amend the maps in the relevant Precinct Zone schedules and Built Form Overlay schedules to clearly show the location and size of sites required for new community infrastructure shown in the revised structure plans (Recommendation CI R12).

7 Lack of funding mechanisms

7.1 Referred Matters

The lack of funding mechanisms is an overarching issue that has implications for the Referred Matters relating to:

- the planning for open space (Chapter 5)
- the planning for community infrastructure (Chapter 6)
- the draft implementation plans (Chapter 8)
- pedestrian connections and links (Volume 3 Chapter 9.9).

7.2 Evidence and submissions

Proponent

The Proponent submitted the draft structure plans and draft implementation plans are deliberately silent on the question of funding for community infrastructure and open space. It submitted the transformative change envisaged by the draft structure plans cannot be (and does not need to be) undertaken in a single step.

It explained that the Victorian Government is undertaking a review of the existing infrastructure contributions system to deliver a simpler, fairer statewide system, and that funding mechanisms would be implemented in the structure plan areas once these reforms are in place.

The Proponent submitted the VPBUF is a mechanism for delivering infrastructure which is independent of other funding, and Clause 53.01 is a further funding and delivery mechanism for open space. The Proponent said it would continue to work on other options to help fund the delivery of the key projects outlined in the draft implementation plans while the state-wide reforms are being progressed.

Councils and University Group

The Councils and University Group were very concerned about the implications of the absence of funding arrangements for essential infrastructure. It submitted that given the scale of transformative change proposed, it was not orderly or acceptable to proceed without a funding mechanism for essential infrastructure. It submitted:

The Committee should be in no doubt that the approach the SRLA proposes in that regard is abnormal, inappropriate, and brings with it very serious risks of planning failures in the future. It is not an approach that the Committee should support.

The Councils and University Group noted the strict financial management and budgetary constraints imposed on councils under Part 4 of the *Local Government Act 2020*. On that basis, it said that the Proponent could not assume that councils will have the revenue to fund the actions in the draft implementation plans for which they are nominated as lead agency.

The Councils and University Group submitted the Proponent must take “full ownership” of its approach, and the implementation plans should be amended to make “absolutely clear” that the Proponent is responsible for all funding requirements for the infrastructure that will be needed:

The Councils do not accept any obligation to be responsible for funding infrastructure that is the consequence of what the SRLA is proposing in the PSAs, in the absence of any information about how the infrastructure will be funded and delivered.

The Councils and University Group submitted that once the necessary infrastructure and the land required for open space and community infrastructure has been confirmed:

- the draft implementation plans should:
 - list the projects with anticipated costs (even if they are only approximate)
 - identify the Proponent (or another relevant State agency) as responsible for the funding of all infrastructure projects
 - list Councils as responsible for delivery only where they have agreed to be responsible
- the PRZ schedules should include a mandatory permit condition requiring a contribution towards community and public infrastructure, secured by a section 173 agreement, until such time as a development contributions plan or other funding mechanism is implemented.

Kingston Council

Kingston Council submitted the lack of any funding plan results in a complete lack of certainty as to any ability to deliver the necessary public infrastructure. It submitted that the issues around uncertainty extend to the development community (as well as future populations). Developers may, at any time, be required to pay a development contribution that they had not accounted for.

Kingston Council submitted the Proponent has not identified any basis on which the Committee could proceed with respect to the timing of funding. It said the Committee should not assume that an appropriate funding mechanism will be provided, or that there will not be a significant gap between the rezoning and introduction of a funding mechanism. It submitted:

... the SRLA's statements in this hearing, in response to direct questions from the Committee, reveal that it is not undertaking any such planning, and will not even commence to do so until the completion of State-level reform processes which are of unknown duration and beyond the SRLA's direct control...

and:

... the SRLA's vague allusion to statutory powers it may have to come in later and fix any problems which arise, was followed shortly after by a firm disclaimer of any promise or assurance that such powers would be used.

Kingston Council submitted the draft implementation plans must be amended to make clear that Kingston Council is not responsible to lead unfunded projects (for example by separating 'funding' and 'delivery').

Many other submitters raised similar concerns about the funding and delivery of community infrastructure and open space.

Proponent's response

The Proponent submitted that it is not appropriate to proceed on the assumption that a funding mechanism will not be provided, or that there will be a significant gap between the rezoning of land and the funding mechanisms being introduced:

The Committee may proceed on the basis that, in the future if there are difficulties with the delivery of required infrastructure SRLA has powers under its Act, including but not limited to powers to acquire land, sufficient to resolve obstacles to delivery.

7.3 Discussion

The Committee has considered the broader consequences of this overarching issue with reference to:

- the visions for the precincts
- the duties of the Proponent as a planning authority under the PE Act and its duties under the SRL Act
- the duties of other agencies under the PE Act and related legislative frameworks such as the *Transport Integration Act 2010*.

It is highly unusual to defer the planning of funding and delivery pathways for community infrastructure during a structure planning process. Past examples, such as Fishermans Bend, have demonstrated some of the problems that can arise when land is rezoned to allow for transformative redevelopment with no mechanism in place to fund the necessary infrastructure to support that transformation.

Further, the draft implementation plans create expectations that a variety of physical and social infrastructure will be delivered without a clear understanding of how these projects will be funded, creating more uncertainty about whether (and when) actions and key projects involving infrastructure will be delivered.

Consistent with its conclusions in relation to the approach to planning for open space and community infrastructure, the Committee considers the transformational scale of change proposed by the draft Amendments warrants a more careful approach to the planning and delivery process. The lack of funding mechanisms (particularly for community infrastructure) will create significant uncertainty for Councils, State government agencies and developers who will all have a hand in delivering the visions for liveable and sustainable communities now and into the future.

The Proponent's obligations as the planning authority for the declared planning areas include:

- implementing the objectives of planning in Victoria, including fair and orderly planning
- providing sound, strategic and co-ordinated planning of the use and development of land in its area
- having regard to:
 - the Minister's directions
 - any strategic plan, policy or guideline which forms part of the planning scheme
 - the social and economic effects of any planning scheme amendment it proposes.

The lack of a funding mechanism makes it difficult to coordinate planning for community infrastructure, open space⁶ and pedestrian links to support the transformational change envisaged in the precincts, as required by the PE Act.

As discussed in Chapters 5 and 6, land costs are likely to increase immediately after the land is rezoned, and are likely to continue to increase over time as the delivery of the SRL stations approaches. This will increase the costs associated with land acquisition, which is particularly problematic for 'land hungry' infrastructure.

While the Proponent acknowledged that delivery and funding mechanisms should be resolved *"in the short term after the draft Amendments are approved"*, there is no certainty as to the likely timeframes. The extent of any lag between rezoning the land and allowing development to proceed, and implementation of any (future) funding of delivery mechanism, could have significant consequences.

The delay in identifying and implementing funding mechanisms also has the effect of creating inequity, in that 'first movers' may not be required to make any contribution towards critical infrastructure while later developers will. This, coupled with the lack of certainty around land take (and associated rising costs), is likely to disproportionately disadvantage 'late movers' and the agencies responsible for delivering open space and community infrastructure.

In the Committee's view, pressing ahead with rezoning the land in the absence of detailed planning (including a funding mechanism) for open space and community infrastructure is not consistent with the Proponent's duties as a planning authority and will place the precinct visions and structure plan objectives for new liveable and sustainable communities at significant risk.

If, contrary to the Committee's recommendations, the land is rezoned before the detailed planning for open space and community infrastructure is completed, the implementation plans should be amended to require funding mechanisms to be implemented within 12 months. This is addressed in the Committee's recommendations for changes to the implementation plans in Chapter 8.

The Councils and University Group recommended that, if the draft Amendments progress ahead of a funding mechanism being implemented, an interim funding mechanism should be applied in the form of a mandatory permit condition requiring landowners to enter into a section 173 agreement that secures payment of contributions to infrastructure.

Specific funding mechanisms are beyond the scope of the Committee's task, so it has not made any formal findings or recommendations on this matter. However, the Committee agrees that given the significant risks that arise from rezoning land without suitable funding or delivery mechanisms in place, as a matter of principle it would be appropriate to implement some form of interim arrangement.

⁶ The Committee acknowledges that Clause 53.01 is a finding mechanism for open space, and will apply in the precincts.

7.4 Recommendation

The Committee recommends:

Draft implementation plans

- 35. CI R15: Amend the draft Implementation Plans to include an Action to identify funding mechanisms for community infrastructure with:**
- a) SRLA identified as the lead agency**
 - b) timing as 'immediate'.**

8 Draft implementation plans

8.1 Referred Matter

A Common Issues Referred Matter across all precincts is:

Whether the approach to implementing the actions and projects contained in the draft Implementation Plan for the [Precinct] and the timing and pathways for their implementation are appropriate for the purposes of the draft Structure Plan.

There is overlap between this Referred Matter and the:

- Referred Matter relating to planning for open space (Chapter 5)
- Referred Matter relating to planning for community infrastructure (Chapter 6)
- Referred Matter relating to pedestrian connections and links (Volume 3 Chapter 9.9)
- the overarching issues dealt with in Chapters 3 and 7.

8.2 Key issues

The key issues are whether:

- the draft implementation plans provide sufficient certainty that the actions and projects contained within them will be implemented
- the projects identified in the draft implementation plans are appropriate
- the lead agencies identified in the draft implementation plans are appropriate
- there has been appropriate commitment from key stakeholder agencies to implement the actions and projects
- the implementation plans should be background documents.

8.3 Background

The draft implementation plans are proposed to be included as background documents in the planning schemes (along with the draft structure plans).

The draft structure plans include actions relating to each objective while the draft implementation plans:

- list these actions along with a range of key projects for each Neighbourhood
- specify the timing, an implementation pathway and a lead agency for each action and key project.

The timing for each action is defined as:

- short term (2026-2031)
- medium term (2031-2036)
- long term (2036-2041)

There are three implementation pathways:

- 'Amend' the planning scheme to facilitate the land use and development in the draft structure plan
- 'Deliver' infrastructure by a range of stakeholders including:
 - the Victorian Government (such as public transport, schools and health services)

- the Victorian Government and /or Council (such as open space, community facilities and walking and cycling networks)
- works directly related to development, funded by developers
- 'Partner' between the Victorian and Australian governments, Council, Traditional Owners, community organisations, businesses, landowners and others.

Responsibility for each action is identified as either 'Lead' or 'Partner'. The meaning of the 'Lead' is not defined, however the draft implementation plans state:

The lead agency for each action and key project will monitor and evaluate their timing, considering strategic resource plans and development within and beyond the Structure Plan Area.

8.4 Evidence and submissions

Proponent

The Proponent submitted the actions identified in the draft structure plans and provided for in the draft implementation plans will ensure that infrastructure and services will be planned through appropriately integrated decision-making, having regard to:

- opportunities arising as structure plan areas develop and as funding and delivery mechanisms become known
- guidance in the draft structure plans
- municipal policies, strategies and plans as they evolve
- ongoing consultation with stakeholders and partnership between relevant agencies.

The Proponent noted:

- the proposed approach reflects and augments existing frameworks (including legislative frameworks) in recognition that these are the appropriate vehicles for the planning and delivery of community infrastructure
- the key projects are justifiably identified as such, though in terms which acknowledge proper performance of the roles and functions of other agencies relevant to their ultimate delivery
- carrying out the actions will ultimately be informed by the funding mechanisms made available through the separate process of reform currently underway (discussed in Chapter 7)
- it should not be assumed that responsibility for an action is equivalent to responsibility to fund an action.

The Proponent indicated actions and key projects may be reviewed and adjusted over time to meet changing needs in the structure plan areas, or as new information or delivery methods become available.

The Proponent submitted the draft implementation plans identify SRLA as a partner agency (rather than a lead agency) consistent with its role and functions in respect of the SRL Program under the SRL Act, in particular to:

- undertake planning of integrated land use, non-transport infrastructure and transport infrastructure in the SRL declared areas
- coordinate State Government action in relation to planning the use, development and protection of land in the declares areas.

It submitted SRLA:

- does not have planning responsibilities in relation to land outside the declared areas
- should not take on the responsibilities or functions of other government agencies.

Mr Woodland gave planning evidence for the Proponent in the Monash Hearing. He recommended that a working group be formed comprising SRLA, Monash Council and other relevant agencies to progress toward an implementation plan that could be endorsed by relevant decision makers.

Councils and University Group

The Councils and University Group submitted the Proponent's approach in the draft implementation plans was too uncertain. It noted the implementation plans:

- list and broadly map the various initiatives through 'investigation areas' or 'opportunity areas'
- employ very loose timeframes
- adopt equally loose language in describing delivery
- identify a lead responsibility for delivery without any explanation as to how the lead agency is to fund the works for which it is responsible.

The Councils and University Group submitted the use of implementation plans as a substitute for work that ought to have been completed before the exhibition of the draft Amendments was unacceptable. It was also concerned that:

- the draft implementation plans do not attempt to distinguish responsibility for various phases of work that may be required for delivery of any project (feasibility, planning, delivery)
- the 'lead', 'partner' and 'deliver' roles remain unclear
- any nomination of a Council as the 'lead' in respect of an action relating to the delivery of infrastructure is inappropriate unless the Council:
 - receives funding to undertake that action
 - otherwise explicitly agrees to be the 'lead' in respect of that action
- the implementation plans should identify SRLA as the 'lead' for any action that the relevant Council has not agreed to lead.

The Councils and University Group submitted that before the draft Amendments are approved, the draft implementation plans must be reviewed in conjunction with the relevant Councils to reconcile and confirm the roles for each party in respect of each action and key project.

Regarding the key projects, the Councils and University Group submitted:

- there are no projects which should be removed, but there are projects that need to be added
- none of the projects or actions are accounted for in the Councils' budget planning
- this has serious implications for their financial management obligations pursuant to the *Local Government Act 2020*.

The Councils and University Group agreed with the Proponent that there is a need to ensure ongoing monitoring and review of the draft implementation plans over time (discussed in Chapter 3.3).

Mr Barnes made recommendations in the Box Hill, Glen Waverley and Clayton Hearings that a section should be included in the introduction to the draft implementation plans that explains the legislated roles and responsibilities of the SRLA to:

- take charge of the implementation of the draft structure plans
- resolve and implement funding mechanisms for community and other infrastructure as a priority
- work with the Councils to implement the actions identified in the draft implementation plans.

8.5 Discussion

The Proponent is relying on the draft implementation plans as the primary mechanism to implement the actions and key projects needed to deliver on the visions and objectives outlined in the draft structure plans. While there is nothing inherently wrong with this approach, the Committee does not consider it is appropriate to implement actions and key projects that are critical to achieving the visions and objectives. This includes the detailed planning for open space, community infrastructure and pedestrian links.

(i) Certainty

The draft implementation plans provide no certainty that the actions and key projects will be delivered. They have no statutory weight, and there is no clear statutory requirement to implement the actions or key projects outlined in the implementation plans.

The draft implementation plans do not define the meaning or responsibilities of 'lead' and 'partner' agencies, which creates confusion and uncertainty. The terms are vague and do not distinguish responsibility for the different phases of work required for the delivery of a project (such as feasibility, planning and delivery). The 'deliver' roles are also unclear.

The definition of 'short term' (meaning up to 2031) in the implementation plans is too broad. Some actions and key projects need to be completed well before 2031. A more 'immediate' time frame should be included in the draft implementation plans that indicates implementation within 12 months.

As discussed in Chapters 5 and 6, the implementation plans are not the appropriate mechanism to implement the further work needed to assess public open space and community infrastructure needs. Instead, this work should be done before the draft Amendments are finalised and approved. If this recommendation is not adopted, the further work should be:

- recorded as actions in the implementation plans with SRLA as the lead, and a timeframe of immediate (within 12 months).
- documented in Clause 74.02 (Further strategic work) of each planning scheme, making it clear that SRLA (not the Council) is responsible for this further work.

In terms of other actions and key projects identified in the draft implementation plans, there is insufficient information before the Committee to make recommendations about whether the timing proposed in the exhibited or later versions of the implementation plans is appropriate.

The Proponent pointed to its statutory responsibilities under the SRL Act by way of addressing the uncertainty associated with the delivery and timing of the actions and key projects in the implementation plans. For the reasons set out in Chapter 3.2, the Committee does not accept this approach, and it is not sufficient to meet SRLA's responsibilities as a planning authority for the declared areas under the PE Act.

(ii) Projects in the implementation plans

In the precinct hearings the Proponent and the Councils put forward several projects that should be included in the draft implementation plans. The further community infrastructure and open space needs assessments recommended by the Committee are necessary to inform what projects should be included in the draft implementation plans, and the timing of the projects. So is the further assessment of pedestrian links recommended in Chapter 9.9 in Volume 3. Without this further strategic work, it is not possible for the Committee to meaningfully comment on whether additional projects should be included in the implementation plans, or the appropriate timing for the projects.

Once the further work recommended by the Committee in this report is completed the implementation plans should be reviewed and updated in consultation with the Councils and relevant agencies, including to:

- confirm whether the actions and key projects included in the implementation plans are appropriate
- consider what additional projects should be added
- consider whether the specific timing of each action and key project is appropriate (including whether additional actions or key projects should be identified as 'immediate')
- consider the appropriate lead agency for each action and project (see below).

(iii) Lead agency

The Committee agrees with the Councils and University Group that SRLA should be identified as the lead for more actions and key projects rather than the Councils. This is consistent with SRLA's responsibilities as a planning authority for the declared planning areas, and its coordination and delivery responsibilities under the SRL Act (discussed in Chapter 3.2). The Committee cannot identify specific actions and key projects for which SRLA should be nominated as the 'lead', because it is unclear what responsibility this confers. However, any actions which require detailed or coordinated planning or further work should identify SRLA as the lead agency.

(iv) Stakeholder commitment

Greater engagement with key stakeholders (particularly Councils) is required to ensure the draft implementation plans have appropriate support and commitment to deliver the actions and key projects.

The draft implementation plans do not appear to have been prepared based on a genuine partnership. It is inappropriate to 'tell' a Council or an agency what it is required to deliver, or to designate a Council or agency as the lead for projects, without proper engagement and commitment from the Council or agency.

The lack of consultation and genuine 'buy in' from other agencies (including, critically, the Councils) creates an unacceptable level of uncertainty, and a significant risk for the realisation of the visions and objectives of the structure plans.

(v) The implementation plans as background documents

Clause 72.08 of all planning schemes explains the role of background documents:

A background document may:

- Have informed the preparation of, or an amendment to, this planning scheme.
- Provide information to explain the context within which a provision has been framed.
- Assist the understanding of this planning scheme.

A background document does not form part of this planning scheme.

There is no obvious reason to include the draft implementation plans as background documents. Many the actions and key projects listed in the draft implementation plans do not meet any of the criteria in Clause 72.08 because they relate to matters that are outside the planning schemes. Further, the actions are included in the draft structure plans, which are also proposed to be background documents. The draft structure plans appropriately provide the background and context for the draft Amendments (rather than the draft implementation plans).

8.6 Conclusions and recommendations

(i) Findings

The Committee finds:

- The implementation plans should be updated to:
 - clarify the responsibilities of 'lead' and 'partner' agencies.
 - include an 'immediate' timeframe (within 12 months)
 - include any additional projects identified through the further assessments of open space needs (Chapter 5), community infrastructure needs (Chapter 6) and pedestrian links (General Issues Report, Volume 3 Chapter 9.9)
 - review the timing, implementation pathways and lead and partner agencies for all other actions and key projects in light of the further assessments.
- Any further work recommended by the Committee that is not completed before the draft Amendments are finalised and approved should be documented in:
 - the implementation plans, identifying the SRLA as the lead agency and with a timing of 'immediate'

- Clause 74.02 (Further strategic work), identifying the SRLA as the planning authority responsible for the further work.
- The Proponent must ensure appropriate support and commitment from key stakeholders involved in the delivery of actions and key projects identified in the implementation plans.

(ii) Conclusions

Based on the above findings, the Committee concludes:

- The approach to implementing the actions and projects contained in the draft implementation plan and the timing and pathways for their implementation are not appropriate for the purposes of the draft structure plans.

(iii) Recommendations

The Committee recommends:

Draft implementation plans

- 36. CI R16: Before the draft Amendments are implemented, ensure appropriate support and commitment from key stakeholders involved in the delivery of the actions and key projects outlined in the amended draft implementation plans, including in relation to timing, implementation pathways and responsibilities.**
- 37. CI R17: Before the draft Amendments are implemented, amend the draft Implementation Plans to:**
 - a) include an additional timeframe of 'immediate' (within 12 months)**
 - b) clarify the responsibilities of 'lead' and 'partner' agencies**
 - c) require review of the structure plans at least every 5 years**
 - d) make any further changes recommended in the precinct reports.**
- 38. CI R18: If the further work recommended by the Committee in relation to open space planning (Recommendation CI R06), community infrastructure planning (Recommendation CI R11) and pedestrian links (Recommendation GI R32) is not completed before the draft Amendments are implemented:**
 - a) include the further work as Actions in the draft implementation plans**
 - b) specify SRLA as the lead agency**
 - c) specify the timing as 'immediate'.**
- 39. CI R19: After completing the further work recommended by the Committee in relation to open space planning (Recommendation CI R06), community infrastructure planning (Recommendation CI R11) and pedestrian links (Recommendation GI R32), review and update the draft Implementation Plans to:**
 - a) include any additional projects identified through the further work**
 - b) review and (if necessary) update the timing, implementation pathways and responsibilities for all other actions and key projects.**

Draft Amendments

40.CI R20: Document in Clause 74.02 (Further strategic work) all further work recommended by the Committee in this report that is not completed before the Amendments are implemented, making it clear that SRLA is the planning authority responsible for the further work.

Appendix A General Issues document list

No.	Date	Description	Provided by
Referred documents			
GI 1	1 Jun 2025	Terms of Reference	Minister for Planning
GI 2	7 Jul 2025	Referral letter with attached: a) Specific matters for referral	Minister for Planning
Material sourced by the Committee			
GI 3	7 Jul 2025	Background and technical reports: a) Aboriginal Cultural Heritage Technical Report b) Aviation and Airspace Technical Report c) Contaminated Land Memorandum and Technical Report d) Engagement Report e) Flooding Technical Report f) Flooding Technical Report – Appendices g) Historical Heritage Report h) Integrated Water Management Strategy i) Land Use Scenario and Capacity Assessment j) Noise and Vibration Technical Report k) Odour and Dust Technical Report l) Open Space Technical Report: Sections 1-7 m) Open Space Technical Report: Sections 8-10 n) Open Space Technical Report: Section 11 and Appendices A-G o) Open Space Technical Report: Appendix H p) Open Space Technical Report: Appendices I and J q) Utilities Servicing Technical Report and Appendix A r) Utilities Servicing Technical Report: Appendix B part 1 s) Utilities Servicing Technical Report: Appendix B part 2 t) Utilities Servicing Technical Report: Appendices C and D u) Wind Technical Report v) Urban Design Framework – August 2021	<u>Engage Victoria</u>
GI 4	7 Jul 2025	Architectural testing:	<u>Engage Victoria</u>

No.	Date	Description	Provided by
		a) Floor Area Ratio and Public Benefit Uplift - Architectural Testing Report: Part 1 Memorandum b) Floor Area Ratio and Public Benefit Uplift - Architectural Testing Report: Part 2 c) Floor Area Ratio and Public Benefit Uplift - Architectural Testing Report: Part 3 Appendix A d) Floor Area Ratio and Public Benefit Uplift - Architectural Testing Report: Part 3 Appendix B e) Floor Area Ratio and Public Benefit Uplift - Architectural Testing Report: Part 3 Appendix C f) Floor Area Ratio and Public Benefit Uplift - Architectural Testing Report: Part 3 Appendix D g) Floor Area Ratio and Public Benefit Uplift - Architectural Testing Report: Part 3 Appendix E h) Floor Area Ratio and Public Benefit Uplift - Architectural Testing Report: Part 3 Appendix F i) Floor Area Ratio and Public Benefit Uplift - Architectural Testing Report: Part 3 Appendix G j) Floor Area Ratio and Public Benefit Uplift - Architectural Testing Report: Part 3 Appendix H k) Floor Area Ratio and Public Benefit Uplift - Architectural Testing Report: Part 3 Appendix I l) Floor Area Ratio and Public Benefit Uplift - Architectural Testing Report: Part 3 Appendix J	
GI 5	7 Jul 2025	Report: Planning Scheme Amendment approach	Engage Victoria
GI 6	7 Jul 2025	Public benefit uplift: a) Voluntary Public Benefit Uplift: Framework b) Voluntary Public Benefit Uplift: Technical Report	Engage Victoria
General Issues – Tabled documents			
GI 7	7 Jul 2025	Directions Hearing notification letter	Planning Panels Victoria (PPV)
GI 8	7 Jul 2025	Individual Submission to SRLA	Engage Victoria
GI 9	15 Jul 2025	Letter to Committee regarding procedural issues	Whitehorse, Monash, Bayside Councils and Monash University

No.	Date	Description	Provided by
			(Councils and University Group)
GI 10	21 Jul 2025	Directions Hearing agenda and request for Pre-briefing	PPV
GI 11	21 Jul 2025	Council Alliance for a Sustainable Built Environment (CASBE) Submission to SRLA – Box Hill and Burwood	Engage Victoria
GI 12	21 Jul 2025	CASBE Submission to SRLA – Cheltenham	Engage Victoria
GI 13	21 Jul 2025	CASBE Submission to SRLA – Clayton, Monash and Glen Waverley	Engage Victoria
GI 14	21 Jul 2025	Directions Hearing submissions on scope of community infrastructure matters	Councils and University Group
GI 15	22 Jul 2025	Melbourne Archdiocese Catholic Schools Submission to SRLA	Engage Victoria
GI 16	23 Jul 2025	Monash City Council Submission to SRLA	Engage Victoria
GI 17	23 Jul 2025	Bayside City Council Submission to SRLA	Engage Victoria
GI 18	23 Jul 2025	Monash University Submission to SRLA	Engage Victoria
GI 19	23 Jul 2025	Whitehorse City Council Submission to SRLA	Engage Victoria
GI 20	24 Jul 2025	Committee Directions for Pre-briefing, declarations, confirmation of dates and members	PPV
GI 21	28 Jul 2025	Committee Directions, distribution list and timetable for General Issues	PPV
GI 22	5 Aug 2025	Committee letter regarding SRLA updated documents	PPV
GI 23	5 Aug 2025	Committee letter regarding scope of inquiry on community infrastructure	PPV
GI 24	6 Aug 2025	Letter to Committee regarding updated documents	Suburban Rail Loop Authority (SRLA)
GI 25	6 Aug 2025	Letter to Committee regarding Day 1 Documents	SRLA
GI 26	6 Aug 2025	Day 1 Documents – Proposed amendments to draft Planning Scheme Amendments and Voluntary Public Benefit Uplift Framework (VPBUF) in response to submissions	SRLA

No.	Date	Description	Provided by
GI 27	6 Aug 2025	Day 1 Documents – Proposed amendments to draft Structure Plans and Implementation Plans in response to submissions	SRLA
GI 28	6 Aug 2025	Day 1 Documents – Corrections to draft Structure Plans and Implementation Plans	SRLA
GI 29	6 Aug 2025	Day 1 Documents – Box Hill - Corrections to draft PSAs and VPBUF	SRLA
GI 30	6 Aug 2025	Day 1 Documents – Monash - Corrections to draft PSAs and VPBUF	SRLA
GI 31	6 Aug 2025	Day 1 Documents – Burwood - Corrections to draft PSAs and VPBUF	SRLA
GI 32	6 Aug 2025	Day 1 Documents – Glen Waverley - Corrections to draft PSAs and VPBUF	SRLA
GI 33	6 Aug 2025	Day 1 Documents – Cheltenham - Corrections to draft PSAs and VPBUF	SRLA
GI 34	6 Aug 2025	Day 1 Documents – Clayton - Corrections to draft PSAs and VPBUF	SRLA
GI 35	7 Aug 2025	Committee letter to parties regarding anticipated dates for Precinct Hearings	PPV
GI 36	7 Aug 2025	Questions for Pre-briefing	Councils and University Group
GI 37	7 Aug 2025	Questions for Pre-briefing	Kingston City Council (Kingston)
GI 38	8 Aug 2025	Background Submission for General Issues <i>Note: precinct background submissions will be tabled on the Precinct document lists</i>	SRLA
GI 39	8 Aug 2025	Background submission Annexure K1 – Preliminary response to submissions on Referred Matters	SRLA
GI 40	8 Aug 2025	Background submission Annexure K2 – List of published materials	SRLA
GI 41	8 Aug 2025	Environment Protection Authority (EPA) Submission to SRLA	Engage Victoria
GI 42	11 Aug 2025	Individual Submission to SRLA	Engage Victoria
GI 43	11 Aug 2025	Individual Submission to SRLA	Engage Victoria
GI 44	13 Aug 2025	Expert Report of Chris DeSilva (community infrastructure) – Part 1	SRLA

No.	Date	Description	Provided by
GI 45	13 Aug 2025	Expert Report of Chris DeSilva (community infrastructure) – Part 2	SRLA
GI 46	13 Aug 2025	Expert Report of David Crowder (planning)	SRLA
GI 47	13 Aug 2025	Expert Report of Luke Mackintosh (public benefit and uplift framework) – Part 1	SRLA
GI 48	13 Aug 2025	Expert Report of Luke Mackintosh (public benefit and uplift framework) – Part 2	SRLA
GI 49	13 Aug 2025	Expert Report of Mark Sheppard (urban design)	SRLA
GI 50	13 Aug 2025	Expert Report of Rhys Quick (housing, economics and the Land Use Scenario and Capacity Assessment (USCA)	SRLA
GI 51	13 Aug 2025	Joint Expert Report of Tim De Young and Hilary Marshall (transport)	SRLA
GI 52	13 Aug 2025	Technical Note TN-G01 Architectural Testing	SRLA
GI 53	13 Aug 2025	Technical Note TN-G01 Attachment A: <i>Floor Area Ratio and Public Benefit Uplift Architectural Testing</i> prepared by Hayball Architects, dated 12 August 2025	SRLA
GI 54	13 Aug 2025	Technical Note TN-G01 Attachment B: <i>Residential and Employment Neighbourhoods Architectural Testing</i> prepared by Hayball Architects, dated 12 August 2025:	SRLA
GI 55	13 Aug 2025	Technical Note TN-G01 Attachment C: <i>Station Development Areas and Strategic Sites Architectural Testing</i> prepared by Hayball Architects, dated 12 August 2025	SRLA
GI 56	13 Aug 2025	Technical Note TN-G02 Noise and Vibration, with Attachment A: <i>Memorandum addressing public comment provided for contaminated land reporting supporting structure planning assessments for Suburban Rail Loop East</i> dated 7 August 2025	SRLA
GI 57	13 Aug 2025	Technical Note TN-G03 Odour and Dust Air Quality, with Attachment A: <i>Zephyr Environmental Air Quality considerations for the implementation of draft structure plans and planning scheme amendments</i> dated 12 August 2025	SRLA
GI 58	13 Aug 2025	Technical Note TN-G04 Schools, Kinders and Hospitals	SRLA
GI 59	13 Aug 2025	Technical Note TN-G05 Contaminated Land, with Attachment A: <i>Memorandum addressing public comment provided for contaminated land reporting supporting structure planning assessments for Suburban Rail Loop East</i> dated 7 August 2025: a) Part 1 of 8 b) Part 2 of 8	SRLA

No.	Date	Description	Provided by
		c) Part 3 of 8 d) Part 4 of 8 e) Part 5 of 8 f) Part 6 of 8 g) Part 7 of 8 h) Part 8 of 8	
GI 60	13 Aug 2025	Technical Note TN-G06 Integrated Water Management, with Attachment A: <i>SRL East Precincts draft Structure Plans and draft Planning Scheme Amendments - Surface Water and Integrated Water Management expert review dated 13 August 2025</i>	SRLA
GI 61	14 Aug 2025	a) Pre-briefing Presentation Part 1 b) Pre-briefing Presentation Part 2	SRLA
GI 62	14 Aug 2025	Kingston City Council Submission to SRLA	Engage Victoria
GI 63	15 Aug 2025	Response to recommendations raised in expert evidence and technical notes	SRLA
GI 64	18 Aug 2025	Phileo Australia Pty Ltd Submission to SRLA	Engage Victoria
GI 65	19 Aug 2025	Further written submission	Individual Submitter
GI 66	20 Aug 2025	Expert Report of Gerhana Waty (urban design) – Part 1	Kingston
GI 67	20 Aug 2025	Expert Report of Gerhana Waty (urban design) – Part 2	Kingston
GI 68	20 Aug 2025	Expert Report of Valentine Gnanakone (traffic and transport)	Kingston
GI 69	20 Aug 2025	Expert Report of Scott Dunn (integrated water management and flooding)	Kingston
GI 70	20 Aug 2025	Expert Report of Jo Noesgaard (Economics and Planning)	Kingston
GI 71	20 Aug 2025	Expert Report of Joanna Thompson (open space)	Kingston
GI 72	20 Aug 2025	Expert Report of Dan Ferguson (recreational open space)	Kingston
GI 73	20 Aug 2025	Expert Report of John Glossop (General Issues and Clayton Precinct) (planning)	Kingston
GI 74	20 Aug 2025	Expert Report of John Glossop (General Issues and Cheltenham Precinct) (planning)	Kingston
GI 75	20 Aug 2025	Expert Report of Scott Dunn (integrated water management and drainage)	Bayside City Council (Bayside)

No.	Date	Description	Provided by
GI 76	20 Aug 2025	Expert Report of Joanna Thompson (open space)	Bayside, Monash City Council (Monash) and Whitehorse City Council (Whitehorse)
GI 77	20 Aug 2025	Expert Report of Kate Maddock and Ben Bainbridge (sports and recreation)	Bayside, Monash and Whitehorse
GI 78	20 Aug 2025	Expert Report of Kate Kerkin (community infrastructure)	Bayside, Monash and Whitehorse
GI 79	20 Aug 2025	Expert Report of Andrew Patros (urban design)	Councils and University Group
GI 80	20 Aug 2025	Expert Report of David Barnes (planning)	Councils and University Group
GI 81	20 Aug 2025	Expert Report of Jason Walsh (traffic)	Councils and University Group
GI 82	20 Aug 2025	Expert Report of Chris McNeill (urban economics)	Councils and University Group
GI 83	20 Aug 2025	Further Directions and procedural issues post Cheltenham Precinct Directions Hearing	PPV
GI 84	22 Aug 2025	Letter response to SRLA material provided on 5 August 2025	Councils and University Group
GI 85	25 Aug 2025	Timetable (version 2)	PPV
GI 86	25 Aug 2025	Joint Expert Statement – Economics	SRLA, Councils and University Group
GI 87	25 Aug 2025	Joint Expert Statement – transport	SRLA, Councils and University Group
GI 88	25 Aug 2025	Further written submission	Individual submitter
GI 89	26 Aug 2025	Opening submission	Kingston

No.	Date	Description	Provided by
GI 90	26 Aug 2025	Transport evidence presentation of Tim De Young	SRLA
GI 91	26 Aug 2025	Supplementary expert report of David Crowder (planning)	SRLA
GI 92	26 August 2025	Supplementary expert report of Mark Sheppard (urban design)	SRLA
GI 93	26 Aug 2025	Joint expert report (community infrastructure)	SRLA and Councils and University Group
GI 94	26 Aug 2025	Presentation	Metro East Bicycles User Group
GI 95	27 Aug 2025	Hearing submissions (transport)	SRLA
GI 96	28 Aug 2025	SLR East mapping file (Google Earth file)	Councils and University Group
GI 97	28 Aug 2025	Clause 2.04 of the Monash Planning Scheme	Councils and University Group
GI 98	28 Aug 2025	Screenshots of the mapping layers on Google Earth	Councils and University Group
GI 99	29 Aug 2025	Economic evidence presentation of Rhys Quick	SRLA
GI 100	29 Aug 2025	Hearing submissions (economics)	SRLA
GI 101	29 Aug 2025	Position Paper PP-G01 Public Open Space	SRLA
GI 102	29 Aug 2025	Position Paper PP-G02 Pedestrian Links	SRLA
GI 103	29 Aug 2025	Technical Note TN-G07 Sustainability	SRLA
GI 104	1 Sep 2025	Hearing submissions (planning)	SRLA
GI 105	1 Sep 2025	Policy Paper - A Tale of Two Cities: the case for mandatory affordable housing in the SRL precincts	Councils and University Group
GI 106	1 Sep 2025	Planning evidence presentation of David Barnes	Councils and University Group
GI 107	2 Sep 2025	Hearing submissions (voluntary public benefit uplift framework)	SRLA
GI 108	2 Sep 2025	Track changed – Voluntary Public Benefit Uplift Framework	SRLA

No.	Date	Description	Provided by
GI 109	2 Sep 2025	Letter from the Valuer General Victoria dated 27 August 2025 regarding	SRLA
GI 110	2 Sep 2025	Letter from the Valuer General Victoria dated 29 August 2025 regarding	SRLA
GI 111	2 Sep 2025	Public benefit and uplift framework presentation of Luke Mackintosh	SRLA
GI 112	2 Sep 2025	Letter regarding requests for Mr Quick	Councils and University Group
GI 113	2 Sep 2025	Precinct Areas Table (shared on screen during Hearing)	SRLA
GI 114	2 Sep 2025	Amendment VC283 - Explanatory Report Approval Gazetted	SRLA
GI 115	2 Sep 2025	a) VC283 - Clauses and schedules in tracked changes - Combined 1 of 2 (cl 00 - 15.01) b) VC283 - Clauses and schedules in tracked changes - Combined 2 of 2 (cl 15.03 - 73.01)	SRLA
GI 116	5 Sep 2025	Government Gazetted dated 12 June 2025	Phileo Australia Pty Ltd
GI 117	5 Sep 2025	Affordable Housing analysis	Phileo Australia Pty Ltd
GI 118	5 Sep 2025	UDIA Affordability Challenge Report	Phileo Australia Pty Ltd
GI 119	8 Sep 2025	Excel Workbook (Uplift modelling) prepared by Luke Mackintosh	SRLA
GI 120	8 Sep 2025	Letter from Luke Mackintosh (explaining Goal seek function)	SRLA
GI 121	8 Sep 2025	Technical Note TN-G08 - Deemed to Comply Assessment Pathway	SRLA
GI 122	8 Sep 2025	Urban Design evidence presentation of Gerhana Waty	Kingston
GI 123	8 Sep 2025	Hearing submissions (urban design)	SRLA
GI 124	8 Sep 2025	Urban Design evidence presentation of Mark Sheppard	SRLA
GI 125	8 Sep 2025	Urban Design evidence presentation of Andrew Partos	Councils and University Group
GI 126	8 Sep 2025	Technical Note TN-G09 - Tree Canopy Cover and Soil Volume	SRLA

No.	Date	Description	Provided by
GI 127	10 Sep 2025	Technical Note TN-G10 - SRL East Incorporated Document and the draft PSAs	SRLA
GI 128	10 Sep 2025	Hearing submissions (community infrastructure)	SRLA
GI 129	10 Sep 2025	Community infrastructure evidence presentation of Chris De Silva	SRLA
GI 130	10 Sep 2025	Sport and recreation evidence presentation of Kate Maddocks	Councils and University Group
GI 131	10 Sep 2025	Response to Council Data Request (prepared by Mr Quick)	SRLA
GI 132	11 Sep 2025	Integrated water management evidence presentation of Scott Dunn	Councils and University Group
GI 133	12 Sep 2025	Technical Note TN-G11 - Strategic Sites	SRLA
GI 134	12 Sep 2025	Timetable (version 3)	PPV
GI 135	12 Sep 2025	Part B submission (corrected 14 Sep 2025)	SRLA
GI 136	12 Sep 2025	Annexure A to Part B submission	SRLA
GI 137	12 Sep 2025	Technical Note TN-G12 – Transitional Provisions	SRLA
GI 138	15 Sep 2025	Hearing submission	Individual submitter
GI 139	15 Sep 2025	Individual submission to SRLA	<u>Engage Victoria</u>
GI 140	15 Sep 2025	Hearing submission	Individual submitter
GI 141	15 Sep 2025	Hearing submissions, with attachments: a) University of Melbourne statement on Fishermans Bend Campus b) LGEX Presentation c) 12.06 Sustainable Environment (Amendment VC283) d) Whitehorse Easy Ride Route Evaluation Report	Councils and University Group
GI 142	16 Sep 2025	South East Water Submission to SRLA	<u>Engage Victoria</u>
GI 143	16 Sep 2025	Hearing submission	Melbourne Archdiocese Catholic

No.	Date	Description	Provided by
			Schools (MACS)
GI 144	16 Sep 2025	Hearing submission	EPA
GI 145	16 Sep 2025	Hearing submission	Community Housing Industry Association Victoria (CHIA)
GI 146	16 Sep 2025	Hearing submission	Planning Institute Australia
GI 147	16 Sep 2025	Hearing submission	Individual submitter
GI 148	16 Sep 2025	Submission to SRLA	<u>Engage Victoria</u>
GI 149	16 Sep 2025	VPA Urban Design Background Summary Report March 2025	Councils and University Group
GI 150	17 Sep 2025	Hearing presentation	Individual submitter
GI 151	17 Sep 2025	Hearing submission	Phileo Australia Pty Ltd
GI 152	17 Sep 2025	Urban Design Supplementary information prepared by Mark Sheppard	SRLA
GI 153	17 Sep 2025	Email to Committee seeking leave to withdraw from General Issues hearing	Scentre Group
GI 154	17 Sep 2025	Letter to Committee regarding further material requests from SRLA, with attachments: a) SRL Solar Access Testing – Summary table b) SRL Solar Access Additional Testing c) Letter to SRLA - Request for material 19 August 2025 d) Response to Maddocks RFI - 22 August 2025 e) Email to SRLA – Document request – 12 September 2025	Councils and University Group
GI 155	17 Sep 2025	Letter to Committee with response to request made by Scentre Group	Councils and University Group

No.	Date	Description	Provided by
GI 156	18 Sep 2025	Memorandum prepared by Ms Thompson relating to site selection principles for new open space	Councils and University Group
GI 157	18 Sep 2025	Hearing submission, with attachments: a) Kingston City Council Actions – SRL East Draft Implementation Plan Cheltenham b) Kingston City Council Actions – SRL East Draft Implementation Plan Clayton	Kingston City Council
GI 158	18 Sep 2025	Technical Note TN-G13 – Additional submissions and SRLA responses, with attachments:	SRLA
GI 159	19 Sep 2025	Closing submissions, with attachments: a) Housing requirement by Structure	Councils and University Group
GI 160	19 Sep 2025	Reply submissions	SRLA
GI 161	19 Sep 2025	Technical Note TNG14 (Ministerial Direction 22)	SRLA
GI 162	19 Sep 2025	Planning Institute Australia Submission to SRLA	<u>Engage Victoria</u>
GI 163	25 Sep 2025	Written reply and response to recommendations (with attachment A)	SRLA
GI 164	25 Sep 2025	Letter to Committee regarding SRLA reply submissions	Councils and University Group
GI 165	25 Sep 2025	Letter to Committee responding to queries regarding referred submissions and requests to be heard (Technical Note TN-G13)	SRLA
GI 166	26 Sep 2025	Letter to Parties regarding SRLA reply submissions	PPV
GI 167	29 Sep 2025	Letter to Committee in response to Council and University Group and the Committee regarding reply submissions	SRLA
GI 168	30 Sep 2025	Committee ruling on SRLA reply submissions	PPV
GI 169	10 Nov 2025	Email to Committee regarding recommendation 'Reference 1' in Annexure B to its written submission	Kingston
GI 170	27 Nov 2025	Direction to SRLA to provide Day 2 ordinance	PPV
GI 171	12 Dec 2025	Amended Direction to SRLA to provide final preferred ordinance	PPV
GI 172	19 Dec 2025	Letter to Parties regarding new car parking provisions	PPV
GI 173	5 Jan 2026	Letter to Parties regarding State waterways policy and Significant Landscape Overlays	PPV

No.	Date	Description	Provided by
GI 174	7 Jan 2026	Email to Parties regarding Amendment VC303 updated Clause 43.06 Built Form Overlay	PPV
GI 175	10 Jan 2026	Letter to Committee regarding filing of materials	SRLA
GI 176	10 Jan 2026	Index of Day 3 documents (UPDATED 14 Jan 2026)	SRLA
GI 177	11 Jan 2026	Email to Committee regarding SRLA index of material filed	Individual Submitter
GI 178	12 Jan 2026	Email to SRLA requesting updated Index	PPV
GI 179	12 Jan 2026	Email to Parties requesting SRLA to recirculate clean word versions of each ordinance	PPV
GI 180	13 Jan 2026	Email to the Committee regarding filing of updated index	SRLA
GI 181	14 Jan 2026	Response to Day 3 documents	Individual submitter
GI 182	16 Jan 2026	Response to Day 3 documents	Phileo Australia Pty Ltd
GI 183	16 Jan 2026	Letter to Committee regarding updates to Day 3 documents	SRLA
GI 184	16 Jan 2026	Letter to Committee in response to VC278	SRLA
GI 185	16 Jan 2026	Letter to Committee in response to VC278	Whitehorse City Council
GI 186	16 Jan 2026	Response to Day 3 documents	Fountain Court Management Services Pty Ltd
GI 187	16 Jan 2026	Response to Day 3 documents	Monash City Council
GI 188	16 Jan 2026	Response to Day 3 documents	Monash University
GI 189	16 Jan 2026	Response to Day 3 documents	Bayside City Council
GI 190	17 Jan 2026	Letter to Committee in response to VC277, with attachments: a) Amendment VC277 analysis	SRLA
GI 191	18 Jan 2026	Response to Day 3 documents and VC277 and VC278	Kingston City Council
GI 192	19 Jan 2026	Response to Day 3 documents	Whitehorse City Council

No.	Date	Description	Provided by
GI 193	19 Jan 2026	Response to VC277	Bayside City Council
GI 194	19 Jan 2026	Response to VC277	Whitehorse City Council
Cheltenham – Tabled documents			
CTM 50	11 Nov 2025	Hearing submission, with attachments: a) Hearing presentation	Individual submitter
CTM 63	14 Nov 2025	Hearing Presentation	Pennydale Residents Action Group (Inc)
CTM 65	15 Nov 2025	Hearing submission	Individual submitter
CTM 76	18 Nov 2025	Hearing submission	Pennydale Residents Action Group (Inc)

Appendix B Day 3 document list

Index No.	Description
<i>Provided by SRLA between 13 – 16 January 2026</i>	
Box Hill – Planning Scheme Amendment C255wshe	
Whitehorse Planning Scheme	
D3 001	02.01 Context
D3 002	02.03 Strategic Directions
D3 003	02.04 Strategic Framework Plans
D3 004	11.03 Planning for Places
D3 005	15.01 Built Environment
D3 006	16.01 Residential Development
D3 007	Precinct Zone head provision (not provided as this is not modified by the Amendment)
D3 008	Schedule 3 to Clause 37.10 Precinct Zone
D3 009	Schedule 4 to Clause 37.10 Precinct Zone
D3 010	Schedule 5 to Clause 37.10 Precinct Zone
D3 011	Schedule 4 to Clause 43.02 Design and Development Overlay (BOX HILL and BURWOOD)
D3 012	Schedule 2 to Clause 43.05 Neighbourhood Character Overlay (not provided as this schedule is proposed to be deleted in full)
D3 013	Built Form Overlay head provision (not provided as this is not modified by the Amendment)
D3 014	Schedule 5 to Clause 43.06 Built Form Overlay
D3 015	Schedule 6 to Clause 43.06 Built Form Overlay
D3 016	Schedule 7 to Clause 43.06 Built Form Overlay
D3 017	Schedule 8 to Clause 43.06 Built Form Overlay
D3 018	Schedule 1 to Clause 45.09 Parking Overlay (not provided as this schedule is proposed to be deleted in full)
D3 019	Schedule 4 to Clause 45.09 Parking Overlay
D3 020	Schedule 5 to Clause 45.09 Parking Overlay
D3 021	Schedule to Clause 72.03
D3 022	Schedule to Clause 72.08
D3 023	Schedule to Clause 74.01
Burwood – Planning Scheme Amendment GC248	

Whitehorse Planning Scheme	
D3 024	02.01 Context
D3 025	02.03 Strategic Directions
D3 026	02.04 Strategic Framework Plans
D3 027	11.03 Planning for Places
D3 028	15.01 Built Environment
D3 029	16.01 Residential Development
D3 030	Precinct Zone head provision (not provided as this is not modified by the Amendment)
D3 031	Schedule 1 to Clause 37.10 Precinct Zone
D3 032	Schedule 2 to Clause 37.10 Precinct Zone
D3 033	Schedule X to Clause 37.10 Precinct Zone
D3 034	Schedule 4 to Clause 43.02 Design and Development Overlay
D3 035	Schedule 7 to Clause 43.02 Design and Development Overlay (not provided as this schedule is proposed to be deleted in full)
D3 036	Built Form Overlay head provision (not provided as this is not modified by the Amendment)
D3 037	Schedule 1 to Clause 43.06 Built Form Overlay
D3 038	Schedule 2 to Clause 43.06 Built Form Overlay
D3 039	Schedule 3 to Clause 43.06 Built Form Overlay
D3 040	Schedule 4 to Clause 43.06 Built Form Overlay
D3 041	Schedule to Clause 45.01 Public Acquisition Overlay
D3 042	Schedule 2 to Clause 45.09 Parking Overlay
D3 043	Schedule 3 to Clause 45.09 Parking Overlay
D3 044	Schedule to Clause 45.12 Specific Controls Overlay
D3 045	Schedule to Clause 53.01
D3 046	Schedule to Clause 72.03
D3 047	Schedule to Clause 72.04
D3 048	Schedule to Clause 72.08
D3 049	Schedule to Clause 74.01
Monash Planning Scheme	
D3 050	02.01 Context
D3 051	02.03 Strategic Directions
D3 052	02.04 Strategic Framework Plans
D3 053	11.03 Planning for Places

D3 054	15.01 Built Environment
D3 055	16.01 Residential Development
D3 056	Industrial 3 Zone head provision (not provided as this is not modified by the Amendment)
D3 057	Precinct Zone head provision (not provided as this is not modified by the Amendment)
D3 058	Schedule 7 to Clause 37.10 Precinct Zone
D3 059	Built Form Overlay head provision (not provided as this is not modified by the Amendment)
D3 060	Schedule 13 to Clause 43.06 Built Form Overlay
D3 061	Schedule 14 to Clause 43.06 Built Form Overlay
D3 062	Schedule 15 to Clause 43.06 Built Form Overlay
D3 063	Parking Overlay head provision (not provided as this is not modified by the Amendment)
D3 064	Schedule 7 to Clause 45.09 Parking Overlay
D3 065	Schedule to Clause 72.03
D3 066	Schedule to Clause 72.08
D3 067	Schedule to Clause 74.01
Glen Waverley – Planning Scheme Amendment C177mona	
Monash Planning Scheme	
D3 068	02.01 Context
D3 069	02.03 Strategic Directions
D3 070	02.04 Strategic Framework Plans
D3 071	11.03 Planning for Places
D3 072	15.01 Built Environment
D3 073	16.01 Residential Development
D3 074	Industrial 3 Zone head provision (not provided as this is not modified by the Amendment)
D3 075	Precinct Zone head provision (not provided as this is not modified by the Amendment)
D3 076	Schedule 5 to Clause 37.10 Precinct Zone
D3 077	Schedule 6 to Clause 37.10 Precinct Zone
D3 078	Schedule 1 to Clause 43.02 Design and Development Overlay
D3 079	Schedule 12 to Clause 43.02 Design and Development Overlay (not provided as this schedule is proposed to be deleted in full)
D3 080	Clause 43.06 Built Form Overlay head provision (not provided as this is not modified by the Amendment)

D3 081	Schedule 8 to Clause 43.06 Built Form Overlay
D3 082	Schedule 9 to Clause 43.06 Built Form Overlay
D3 083	Schedule 10 to Clause 43.06 Built Form Overlay
D3 084	Schedule 11 to Clause 43.06 Built Form Overlay
D3 085	Schedule 12 to Clause 43.06 Built Form Overlay
D3 086	Clause 45.09 Parking Overlay head provision (not provided as this is not modified by the Amendment)
D3 087	Schedule 5 to Clause 45.09 Parking Overlay
D3 088	Schedule 6 to Clause 45.09 Parking Overlay
D3 089	Schedule to Clause 72.03
D3 090	Schedule to Clause 72.08
D3 091	Schedule to Clause 74.01
Monash – Planning Scheme Amendment C176mona	
Monash Planning Scheme	
D3 092	02.01 Context
D3 093	02.03 Strategic Directions
D3 094	02.04 Strategic Framework Plans
D3 095	11.03 Planning for Places
D3 096	15.01 Built Environment
D3 097	16.01 Residential Development
D3 098	17.01 Employment
D3 099	Commercial 3 Zone head provision (not provided as this is not modified by the Amendment)
D3 100	Precinct Zone head provision (not provided as this is not modified by the Amendment)
D3 101	Schedule 3 to Clause 37.10 Precinct Zone
D3 102	Schedule 4 to Clause 37.10 Precinct Zone
D3 103	Schedule 1 to Clause 43.02 Design and Development Overlay
D3 104	Schedule 4 to Clause 43.02 Design and Development Overlay (not provided as this schedule is proposed to be deleted in full)
D3 105	Schedule 5 to Clause 43.04 Development Plan Overlay
D3 106	Built Form Overlay head provision (not provided as this is not modified by the Amendment)
D3 107	Schedule 5 to Clause 43.06 Built Form Overlay
D3 108	Schedule 6 to Clause 43.06 Built Form Overlay
D3 109	Schedule 7 to Clause 43.06 Built Form Overlay

D3 110	Schedule to Clause 45.01 Public Acquisition Overlay
D3 111	45.09 Parking Overlay head provision (not provided as this is not modified by the Amendment)
D3 112	Schedule 3 to Clause 45.09 Parking Overlay
D3 113	Schedule 4 to Clause 45.09 Parking Overlay
D3 114	Schedule to Clause 72.03
D3 115	Schedule to Clause 72.08
D3 116	Schedule to Clause 74.01
Clayton – Planning Scheme Amendment GC247	
Monash Planning Scheme	
D3 117	02.01 Context
D3 118	02.03 Strategic Directions
D3 119	02.04 Strategic Framework Plans
D3 120	11.03 Planning for Places
D3 121	15.01 Built Environment
D3 122	16.01 Residential Development
D3 123	Precinct Zone head provision (not provided as this is not modified by the Amendment)
D3 124	Schedule 1 to Clause 37.10 Precinct Zone
D3 125	Schedule 2 to Clause 37.10 Precinct Zone
D3 126	Schedule 1 to Clause 43.02 Design and Development Overlay
D3 127	Schedule 5 to Clause 43.04 Development Plan Overlay
D3 128	Built Form Overlay head provision (not provided as this is not modified by the Amendment)
D3 129	Schedule 1 to Clause 43.06 Built Form Overlay
D3 130	Schedule 2 to Clause 43.06 Built Form Overlay
D3 131	Schedule 3 to Clause 43.06 Built Form Overlay
D3 132	Schedule 4 to Clause 43.06 Built Form Overlay
D3 133	Schedule to Clause 45.01 Public Acquisition Overlay
D3 134	Parking Overlay head provision (not provided as this is not modified by the Amendment)
D3 135	Schedule 1 to Clause 45.09 Parking Overlay
D3 136	Schedule 2 to Clause 45.09 Parking Overlay
D3 137	Schedule to Clause 72.03
D3 138	Schedule to Clause 72.08
D3 139	Schedule to Clause 74.01

Kingston Planning Scheme	
D3 140	02.01 Context
D3 141	02.03 Strategic Directions
D3 142	02.04 Strategic Framework Plans
D3 143	11.03 Planning for Places
D3 144	15.01 Built Environment
D3 145	17.03 Industry
D3 146	18.02 Movement Networks
D3 147	Precinct Zone head provision (not provided as this is not modified by the Amendment)
D3 148	Schedule 5 to Clause 37.10 Precinct Zone
D3 149	Schedule 24 to Clause 43.02 Design and Development Overlay (not provided as this schedule is proposed to be deleted in full)
D3 150	Schedule 25 to Clause 43.02 Design and Development Overlay
D3 151	Schedule 26 to Clause 43.02 Design and Development Overlay
D3 152	Built Form Overlay head provision (not provided as this is not modified by the Amendment)
D3 153	Schedule 5 to Clause 43.06 Built Form Overlay
D3 154	Schedule 6 to Clause 43.06 Built Form Overlay
D3 155	Schedule 7 to Clause 43.06 Built Form Overlay
D3 156	Schedule 4 to Clause 45.09 Parking Overlay
D3 157	Schedule to Clause 72.03
D3 158	Schedule to Clause 72.08
D3 159	Schedule to Clause 74.01
Cheltenham – Planning Scheme Amendment GC246	
Kingston Planning Scheme	
D3 160	02.01 Context
D3 161	02.03 Strategic Directions
D3 162	02.04 Strategic Framework Plans
D3 163	11.03 Planning for Places
D3 164	15.01 Built Environment
D3 165	18.02 Movement Networks
D3 166	Precinct Zone head provision (not provided as this is not modified by the Amendment)
D3 167	Schedule 1 to Clause 37.10 Precinct Zone
D3 168	Schedule 2 to Clause 37.10 Precinct Zone

D3 169	Schedule 3 to Clause 37.10 Precinct Zone
D3 170	Schedule 4 to Clause 37.10 Precinct Zone
D3 171	Schedule 12 to Clause 43.02 Design and Development Overlay (not provided as this schedule is proposed to be deleted in full)
D3 172	Schedule 21 to Clause 43.04 Design and Development Overlay (not provided as this schedule is proposed to be deleted in full)
D3 173	Schedule 25 to Clause 43.04 Design and Development Overlay
D3 174	Schedule 26 to Clause 43.04 Design and Development Overlay
D3 175	Schedule 1 to Clause 43.03 Incorporated Plan Overlay (not provided as this schedule is proposed to be deleted in full)
D3 176	Schedule 7 to Clause 43.04 Development Plan Overlay
D3 177	Built Form Overlay head provision (not provided as this is not modified by the Amendment)
D3 178	Schedule 1 to Clause 43.06 Built Form Overlay
D3 179	Schedule 2 to Clause 43.06 Built Form Overlay
D3 180	Schedule 3 to Clause 43.06 Built Form Overlay
D3 181	Schedule 4 to Clause 43.06 Built Form Overlay
D3 182	Schedule 2 to Clause 45.09 Parking Overlay
D3 183	Schedule 3 to Clause 45.09 Parking Overlay
D3 184	Schedule to Clause 53.01 Public Open Space Contribution and Subdivision
D3 185	Schedule to Clause 66.06 Notice of Permit Applications Under Local Provisions
D3 186	Schedule to Clause 72.03
D3 187	Schedule to Clause 72.04
D3 188	Schedule to Clause 72.08
D3 189	Schedule to Clause 74.01
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D3 190	02.01 Context
D3 191	02.03 Strategic Directions
D3 192	02.04 Strategic Framework Plans
D3 193	11.03 Planning for Places
D3 194	13.07 Amenity, Human Health and Safety
D3 195	15.01 Built Environment
D3 196	16.01 Residential Development
D3 197	18.01 Land Use and Transport

D3 198	18.02 Movement Networks
D3 199	19.02 Community Infrastructure
D3 200	Commercial 3 Zone head provision (not provided as this is not modified by the Amendment)
D3 201	Precinct Zone head provision (not provided as this is not modified by the Amendment)
D3 202	Schedule 1 to Clause 37.10 Precinct Zone
D3 203	Schedule 4 to Clause 43.02 Design and Development Overlay (not provided as this schedule is proposed to be deleted in full)
D3 204	Schedule 14 to Clause 43.02 Design and Development Overlay
D3 205	Schedule 1 to Clause 43.04 Development Plan Overlay (not provided as this schedule is proposed to be deleted in full)
D3 206	Built Form Overlay head provision (not provided as this is not modified by the Amendment)
D3 207	Schedule 1 to Clause 43.06 Built Form Overlay
D3 208	Schedule 2 to Clause 43.06 Built Form Overlay
D3 209	Schedule 3 to Clause 43.06 Built Form Overlay
D3 210	Schedule 4 to Clause 43.06 Built Form Overlay
D3 211	Schedule 2 to Clause 45.09 Parking Overlay
D3 212	Schedule 3 to Clause 45.09 Parking Overlay
D3 213	Schedule to Clause 72.03
D3 214	Schedule to Clause 72.08
D3 215	Schedule to Clause 74.01