

26 March 2025

Ms Genna Walkley  
Strategic Planning Manager - Metropolitan Melbourne West  
Victorian Planning Authority  
Via email: [MeltonEast@vpa.vic.gov.au](mailto:MeltonEast@vpa.vic.gov.au)

Dear Ms Walkley,

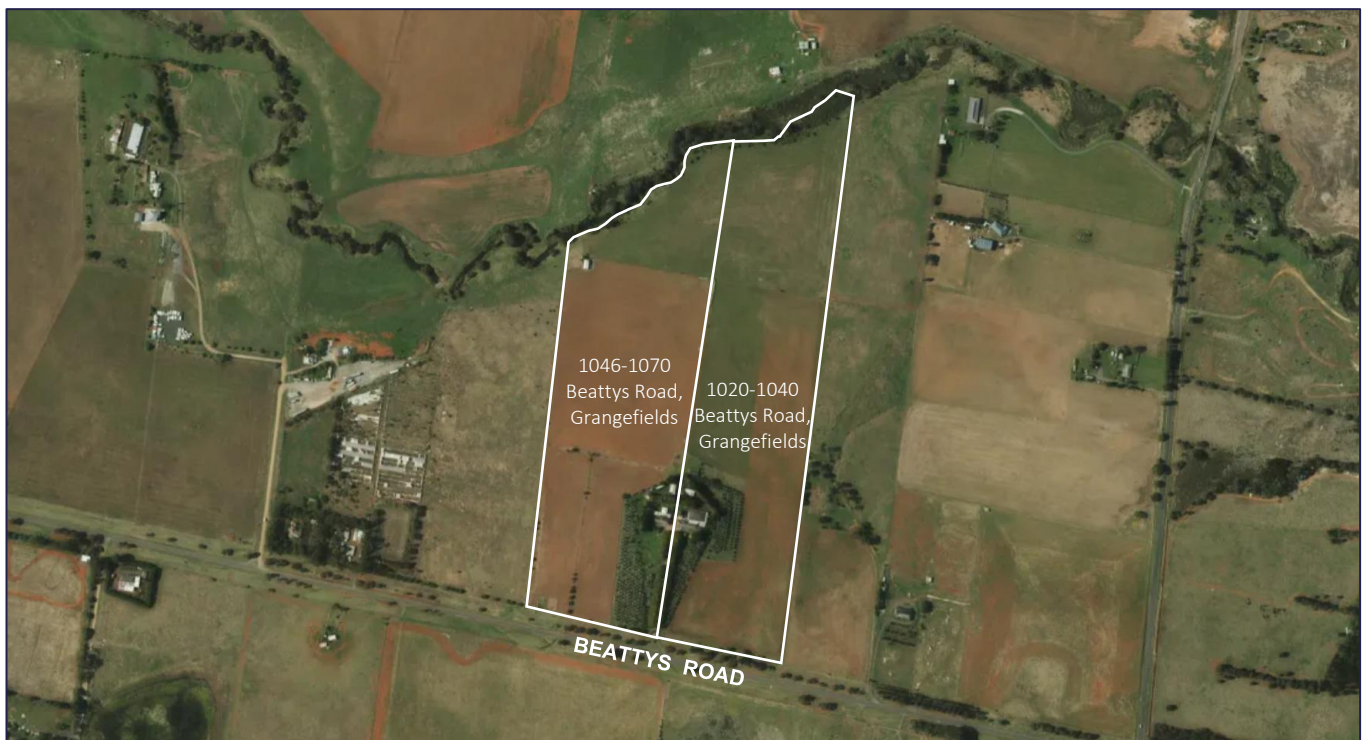
## Submission – Proposed Planning Scheme Amendment C244melt

SPOT Planning acts on behalf of Xingsi Ru-De Kong Meng Association Ltd and K.N. Lin & Y. L. Lin Huangwith Association Ltd with respect to their interest in the following parcels within the future Melton East Precinct Structure Plan (PSP) area:

- 1020-1040 Beattys Road, Grangefields; and
- 1046-1070 Beattys Road, Grangefields

These two properties are approximately 14.85ha in area each and are irregular in shape due to the northern boundary adjoining the Kororoit Creek. The subject site is located north of the Beatty's Road.

The properties are located at the south-eastern extent of the draft Melton East Structure Plan area and are identified specifically as property 55 and 56 in the Land Use Budget Plan. The Land Use Budget outlines the combined net developable area of these properties as 8.00ha, which represent 55.17% of the land. The balance 44.83% is encumbered for other purposes including the Regional Parkland and Non-Government School.



*Subject Site*

On behalf of Xingsi Ru-De Kong Meng Association Ltd and K.N. Lin & Y. L. Lin Huangwith Association, we would like to firstly commend the Victorian Planning Authority on the advancement of the Melton East Precinct Structure Plan and Amendment C244melt to formal public exhibition. This is a significant milestone for the project and we acknowledge the work and effort required to coordinate and Structure Plan of this scale and complexity.

Whilst we welcome and support the intent behind the proposed Planning Scheme Amendment C244melt, we would like to take this opportunity to raise the following key issues as objections for further discussion/consideration as part of the refinement to the final Planning Scheme Amendment documentation and draft Melton East Precinct Structure Plan and draft Infrastructure Contributions Plan.

These are summarised below and expanded upon within this submission:

- **Co-Location of Education Infrastructure.**
- **Size and Location of Regional Parkland.**
- **Precinct Infrastructure Burden and the Infrastructure Contributions Plan.**
- **Melbourne Water Drainage Strategy.**
- **Social and Affordable Housing.**
- **Specific PSP Plans, Objectives, Requirements, Guidelines and Appendices.**

### Co-Location of Education Infrastructure

We note refinements that have occurred to the Final Draft Place Based Plan released in April 2023 at the conclusion of the Co-Design phase that impact the subject site. This includes the re-location of the Non-Government School to within the subject site and entirely off the adjoining land at 998-1018 Beattys Road, Grangefields.

We accept that refinement to the early iterations of the Draft Place Based Plan generally occurs during Agency Exhibition and following further liaison with key stakeholders, however it is not clear what justification is behind this change given the significant encumbrances now imposed on property 56. As a result, the property now only contains 0.71ha of developable land of the 14.85ha gross area. Representing only 4.78% of property 56 as 'developable area'.



Draft Place Based Plan April 2023



Draft Melton East Precinct Structure Plan

Nevertheless, it is submitted that both the Draft Place Based Plan released in April 2023 and the exhibited draft Melton East Precinct Structure Plan fail to appropriately locate the Non-Government School to address the Victorian Planning Authority Precinct Structure Planning Guidelines (2021) and the Requirements and Guidelines of the draft Melton East PSP.

More specifically, we note the Victorian Planning Authority Precinct Structure Planning Guidelines (2021) and PSP Feature 14 along with general principle 14.1 which encourages education facilities to be co-located within community hubs.

The Guidelines further state: *'Where a specialist school is required, it should wherever possible, be located adjacent to an existing or proposed government school—preferably a secondary school.'*

The currently proposed location is isolated from the nearby education facilities and does not achieve the objective outlined above.

F 14. Local schools and community infrastructure	
Education and community infrastructure and facilities that are located to equitably and efficiently maximise their accessibility and shared use.	
GENERAL PRINCIPLES	
<b>F 14.1</b>	<b>Education and community facilities (i.e. primary, secondary and specialist schools, kindergartens, community centres, health facilities and sport reserves) should:</b>
	<ul style="list-style-type: none"> <li>» be co-located within community hubs</li> <li>» have good visual and physical links to a local centre</li> <li>» be located on connector streets, linked by walking and cycling paths</li> <li>» be located in proximity to high-quality public transport where possible</li> <li>» be located away from potential hazards.</li> </ul>
Relevant VPP: <a href="#">Clause 56.03-3</a>	

Victorian Planning Authority PSP Guidelines (2021)



In order to achieve a PSP design response that more directly achieves the objective of the PSP Guidelines (2021), it is recommended to re-locate the Non-Government school site to the west, as part of the cluster of education and community facilities adjoining Paynes Road and the east-west connector road. This would still ensure the school maintains two connector road interfaces in accordance with the requirements of the draft Melton East PSP whilst achieving a co-located community and education hub.



*Proposed Re-location of Non-Government School*

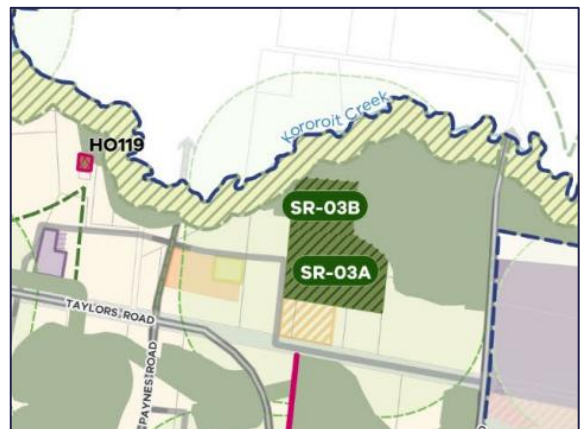
*In summary, we submit that the Non-Government School should be re-located to the south-western corner of the Paynes Road extension and the east-west connector road as indicated above, to avoid an isolated school site and ensure a co-located education/community hub is achieved in accordance with the Victorian Planning Authority PSP Guidelines (2021).*

#### Size and Location of Regional Parkland

An additional refinement to the Final Draft Place Based Plan released in April 2023 at the conclusion of the Co-Design phase is the general shape and orientation of the Regional Parkland (SR-03A and SR-03B). The Regional Parkland combines to a total of 15ha within the draft Melton East PSP and forms half of the ultimate Regional Parkland to be captured within the future Warrensbrook Precinct Structure Plan.



*Draft Place Based Plan April 2023*

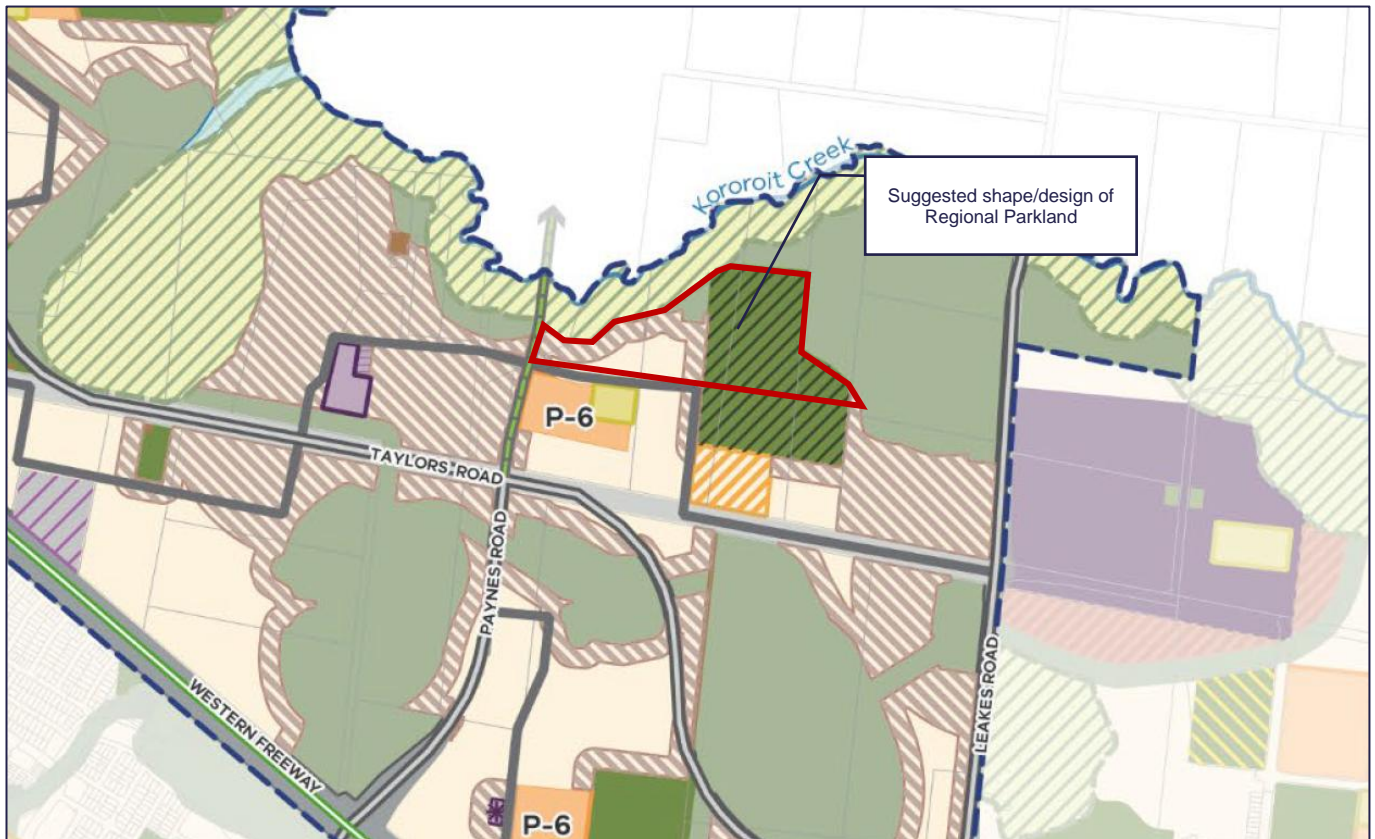


*Draft Melton East Precinct Structure Plan*

The previously identified east-west orientation appeared to provide a more equitable outcome for the landowners, spreading the encumbrance across multiple properties and providing a more distinct pocket of developable area. The amended shape and orientation that elongates the State Metropolitan Park north-south now places a significant burden on properties 55 and 56. We note the Land Use Budget Plan outlines 2.86ha is required from property 55 and 8.68ha is required for property 56. Providing for a total of 11.54ha within these properties of the total 15ha Regional Parkland. This is equivalent to 38.86% of the gross area of the properties specific to the Regional Parkland.

In order to provide a direct comparison between the Final Draft Place Based Plan released in April 2023 and the current Draft Melton East PSP, it would be appreciated if the VPA could confirm the total Regional Parkland area impacting properties 55 and 56 based on the design/orientation as depicted in the Final Draft Place Based Plan released in April 2023.

Whilst it is acknowledged that the Regional Parkland shape/design needs to accommodate the anticipated Sports infrastructure, it is submitted that an east-west orientation and further elongation of the Regional Parkland across multiple landholdings may provide for a more equitable outcome.



*Proposed Re-Orientation and Elongation of Regional Parkland*

Furthermore, we note that the land component SR-03A and SR-03B is captured under the Public Land of the draft Infrastructure Contribution Plan. Clarification is requested to confirm whether the 5ha of encumbered SR-03B will be valued at the same rates as SR-03A un-encumbered.

***In summary, we submit the Regional Parkland (SR-03A and SR-03B) should be re-oriented and elongated to reduce the burden on property 55 and 56 and provide for a more equitable distribution of this encumbrance across multiple properties.***

#### **Precinct Infrastructure Burden and the Infrastructure Contributions Plan**

We note the Melton East Precinct Structure Plan is significantly encumbered, and whilst there is a gross area of 1,005ha, only 502ha is considered 'developable area.' This represents less than 50% of the precinct being considered as 'developable.' This places a significant infrastructure cost on the precinct and land that is considered developable.

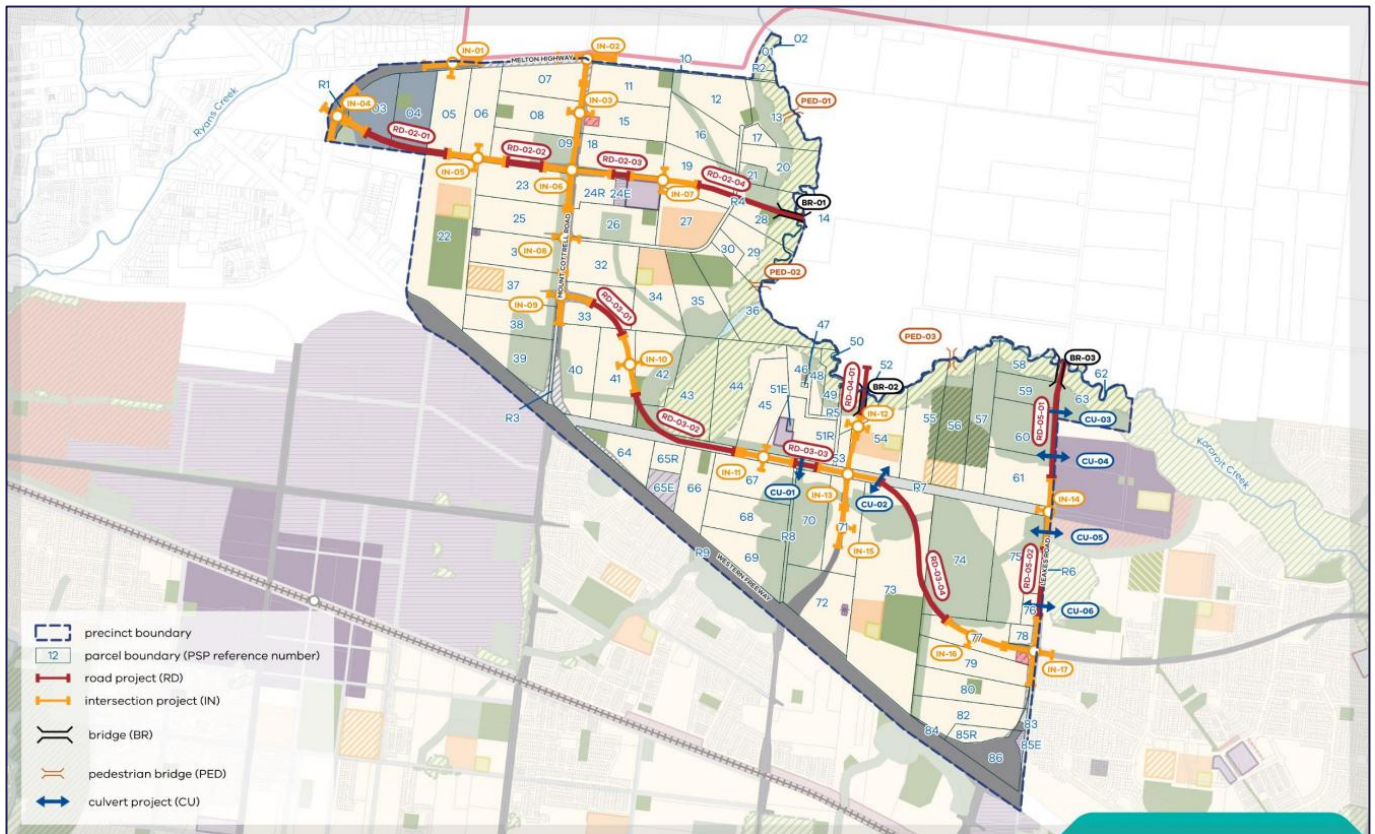
The draft Melton East Infrastructure Contributions Plan identifies a supplementary levy for the precinct of \$342,933.55 dollars per net developable hectare, which is considerably higher than the standard levy alone for residential development. The total supplementary levy across the precinct is **\$172,110,706.25** dollars due to the burden of Transport Infrastructure including Arterial Roads, Connector Roads intersection with Arterial Roads and Bridge Crossings.



This is coupled with less than 50% of the precinct being considered 'developable area,' results in less land for the contributions to be spread across. We note Section 4.4.1 of the Background Report forming part of the exhibition documentation states that 54% of what could be considered developable land within the precinct is dedicated to stormwater management infrastructure and conservation purposes.

Given the burden of Transport Infrastructure is significant, we would recommend a formal review of the necessity of some of the Arterial/Connector intersection and the Bridge Crossings within the precinct in order to determine what is needed for the road network to function effectively, and what has been provided purely for connectivity/permeability purposes. Noting the Transport Infrastructure burden on the precinct, a balanced view of the needs and wants for Transport Infrastructure within the Melton East precinct is required.

Based on a purely planning review of the road network and Transport Infrastructure within the precinct, we would question the extent of Connector Roads and Arterial/Connector intersection and suggest a greater reliance on Local Access roads and Local Access Level 2 roads could be utilised to balance the road network design. The Arterial/Connector intersections increase the burden of infrastructure with the Infrastructure Contributions Plan.



Transport Infrastructure - ICP

Furthermore, we would like to encourage additional efficiencies to the Drainage Strategy design in order to maximise developable area across the precinct and spread the infrastructure burden across a greater extent of land. This could include the piping of minor flows that are currently conveyed via open channels.

Whilst we appreciate the need for urban development to levy funds for the delivery of higher order infrastructure, we are concerned that the contributions, particularly the Supplementary Transport Levy currently required by the draft Infrastructure Contributions Plan, will compromise the ability to deliver residential development at an affordable market rate.

***In summary, this submission seeks a review of the overall road network design and the Transport Infrastructure within the draft Infrastructure Contributions Plan with the view to provide greater efficiencies and reduce the infrastructure burden on the precinct.***

### Melbourne Water Drainage Strategy

It is understood that the current Melbourne Water Drainage Strategy is founded on the protection/preservation of environmental values including Seasonal Herbaceous Wetlands within the precinct. Furthermore, we note our submission above and the application of the predicted archaeological sensitivity buffer around the environmental values and nominated 'Pre-European wetlands.' As a result, the Drainage Scheme to service the precinct is not as efficient as what could be designed if these environmental values were excluded from the design response.

It is noted that the land is located within the Melbourne Strategic Assessment (MSA) area and affected by the Melbourne Strategic Assessment Program. The entirety of the Melton East Precinct Structure Plan area is in fact located within an MSA area and the protection of environmental values outside of the State Biodiversity Conservation Areas is contrary to the purpose of the MSA Program.

As such, the environmental values of the Seasonal Herbaceous Wetlands that are located outside of the State Biodiversity Conservation Areas should be excluded from consideration of the Drainage Strategy design, noting an Environmental Mitigation Levy offset is payable as part of urban development.

Furthermore, we note the requirements of the *Aboriginal Heritage Act 2006* and the associated Regulations, requiring a mandatory Cultural Heritage Management Plan for land impacted by Aboriginal Cultural Heritage Sensitivity. It is submitted that the *Aboriginal Heritage Act 2006* and the associated Regulations appropriately manage potential Aboriginal Cultural Heritage values through a more thorough and comprehensive process.

Given the significant drainage encumbrance within the precinct and lack of 'developable area' to spread the infrastructure burden across, it is strongly encouraged to explore additional efficiencies to the currently proposed Drainage Strategy design.

***In summary, we submit the Drainage Strategy should be refined to remove the constraints associated with environmental values outside the State Biodiversity Conservation Areas, and the constraints associated with the predicted archaeological sensitivity buffer.***

### Social and Affordable Housing

Whilst we support the intention to facilitate the delivery of social and affordable housing, we seek clarification on how the measures are to be implemented as part of project delivery within the Melton East precinct and how the contribution percentage was determined.

We note the social and affordable housing provisions are generally captured by the Planning Scheme Amendment as follow:

- Objective 5 of the draft Melton East PSP – 'To facilitate 12% affordable housing.'
- Guidelines 3-5 of the draft Melton East PSO.
- The Target Typologies description in Table 3 – Housing Density and Diversity.
- Table 4 – Affordable Housing Delivery Guidance within the draft Melton East PSP.
- The Urban Growth Zone – Schedule 13 - Application requirements requiring as follows: *A written statement outlining how the proposal will contribute to the delivery of affordable housing in the precinct, including any proposed delivery mechanisms.*
- The Urban Growth Zone – Schedule 13 – Decision Guidelines as follows:

#### Affordable housing

Before deciding on an application to develop or subdivide land for dwellings, the responsible authority must consider, as appropriate:

- Whether the proposed subdivision application contributes towards the provision of affordable housing;
- The ministerial Notice under 3AA(2) of the Act, as amended from time to time.

#### Decision Guidelines

With the already significant contributions burden of development within the precinct, we are concerned that the infrastructure costs will prevent affordable housing provisions from being realised.

Furthermore, clarification is requested to determine if this is a mandatory requirement of development within the precinct, and if so, how this will be facilitated as part of the future planning application process (i.e. mandatory affordable housing financial contribution for all developments or alternative provisions negotiated with Council).

<b>G3</b>	Residential subdivision and development that contributes to meeting the 12% affordable housing target is encouraged.
<b>G4</b>	Affordable housing products should be located in high amenity areas close to services and community facilities and provide for a range of housing typologies to meet demonstrated local needs generally in accordance with Table 3 Housing density and diversity.
<b>G5</b>	Where affordable housing is provided, consideration should be given to meeting the needs of different income ranges and household sizes generally in accordance with Table 4 Affordable housing delivery guidance.

Guidelines 3-5

Affordable housing			
% of total dwellings	12%		
	Subsidised Market Housing	Social Housing	
% of total dwellings	2%	9%	
Income Band	% of subsidised market housing by income band	% of social housing by income band	
Very low	0%	69%	
Low	0%	28%	
Moderate	100%	3%	
Housing Type	% of subsidised market housing by number of bedrooms	% of social housing by number of bedrooms	
1-bedroom	46%	52%	
2-bedroom	18%	16%	
3-bedroom	18%	17%	
4+ bedrooms	18%	15%	

**Table 5. Dwelling yields**


HOUSING CATCHMENT AREA	NDA (HA)	DWELLINGS/NDHA	NO. OF DWELLINGS
Amenity area (High density)	110	40	4405
Amenity area (Standard)	98	30	2,952
Balance area	267	20	5,332
Town Centre	5	40	218
<b>TOTAL</b>	<b>481</b>	<b>26.9</b>	<b>12,908</b>
<b>Anticipated population at 3.1 persons per dwelling</b>			<b>40,015</b>

Table 4 - Densities Affordable Housing Delivery Guidance

***In summary, this submission seeks further clarity on the Social and Affordable Housing provisions forming part of Amendment C244melt and the expectations for future development.***

**Specific PSP Plans, Objectives, Requirements, Guidelines, Appendices and Urban Growth Zone - Schedule 13**

A thorough review of the draft Melton East Precinct Structure Plan has been undertaken, along with the Planning Scheme Ordinance and we provide the following submissions in addition to the matters outlined above:

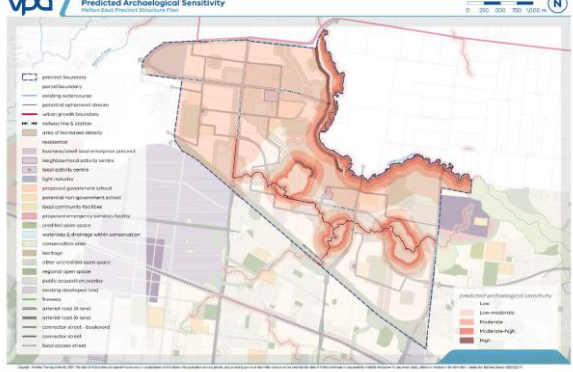
Draft Melton East Precinct Structure Plan	Submission
	<p>Plan 2 – Place Based Plan: It is requested for the Place Based Plan to be refined in accordance with the matters raised in the body of this submission (i.e. re-location of Non-Government School and re-orientation of Regional Open Space).</p>
<p><b>R4</b> Lots with frontage widths of less than 10.5 metres must be rear loaded, unless the layout ensures the provision of canopy street trees, streetscape shading, servicing, infrastructure and on-street car parking to the satisfaction of the responsible authority.</p>	<p>It is requested to delete requirement 4 from the draft Melton East PSP. Whilst the requirement provides discretion, there are already applicable requirements and guidelines to manage the streetscape requirements including canopy street trees and on-street car parking. The inclusion of this requirement will stifle the ability to provide an affordable and popular front loaded 8.5m product. Council is likely to limit the acceptance of this product as part of future subdivision design and as such, it is requested to rely on the additional requirements and guidelines within the PSP to control streetscape outcome.</p>
<p><b>R11</b> Vehicular access to lots fronting arterial roads must be from service roads, internal loop roads and/or rear laneways. Service roads and internal loop roads must provide indented parking lanes to cater for on street parking.</p>	<p>It is not considered necessary for internal loop roads and some service roads to provide indented car parking. Particularly internal loop roads can traditionally provide for the car parking requirements within the 7.3m carriageway and still allow two vehicle passing movements. Mandating indented parking bays would require a wider cross section and further place infrastructure burden on a precinct which is lacking functional ‘developable area.’</p> <p>As such, it is requested to refine requirement 11 as follows:</p> <p><i>Vehicular access to lots fronting arterial roads must be from service roads, internal loop roads and/or rear laneways. <del>Service roads and internal loop roads must provide indented parking lanes to cater for on street parking.</del></i></p>
<p><b>G11</b> Direct vehicle access to lots from connector roads should be minimised through:</p> <ul style="list-style-type: none"> <li>• Rear loaded lots with laneway access</li> <li>• Vehicle access from side streets</li> <li>• Restricting direct access to residential lots from connector roads.</li> </ul>	<p>Noting the density expectation of the draft Melton East PSP, encouraging the limitation of residential allotments access to connector roads would require additional road infrastructure burden on development and further impact the ability to achieve the nominated densities. As such, it is requested to remove this guideline from the PSP.</p>



<p>Laneway design and layout should:</p> <ul style="list-style-type: none"> <li>• Provide a laneway length between 50 metres to 80 metres</li> <li>• Service a maximum of 8 to 10 dwellings per side</li> <li>• Provide good passive surveillance into, along and through the laneway</li> <li>• For laneways longer than 70 metres in length or L or T style arrangements, ensure passive surveillance is provided to the laneway via direct line of view from a habitable room on an adjoining rear loaded dwelling</li> </ul> <p><b>G12</b></p>	<p>Noting the density expectation of the draft Melton East PSP, the guideline regarding laneway designs and layouts may limit the ability to provide innovative design solutions in order to achieve the density requirements. As such, it is requested to remove this guideline from the PSP.</p>
<p>Canopy tree coverage within the public realm must achieve a minimum of 30% coverage (excluding areas dedicated to biodiversity, native vegetation conservation, and drainage assets).</p> <p><b>R22</b></p>	<p>Noting the density expectation of the draft Melton East PSP, it may be unachievable in some urban locations such as directly adjoining the Local Town Centres to achieve the mandated 30%. As such it is requested for requirement 22 to be provided as a guideline within the PSP.</p>
<p>Stormwater infrastructure within or adjacent to the BCS conservation area or retained wetlands (pre-European) must be designed to use treated stormwater to achieve the hydrological requirements of retained wetlands (pre-European) and Growling Grass Frog habitat wetlands, unless otherwise agreed to by the DEECA.</p> <p><b>R39</b></p>	<p>As per the body of our submission, the currently retained wetlands (pre-European) should be removed from the PSP to maximise the Drainage Strategy design. As such, it is requested to delete requirement 39.</p>
<p>Vegetation identified in Plan 8 Native Vegetation Retention &amp; Removal as 'can be removed' should be retained where possible along streets and in subdivisions, as identified in the <i>Melton East PSP Arboricultural Report</i> (Tree Logic, July 2022).</p> <p><b>G15</b></p>	<p>It is noted that the Schedule to Clause 52.17 does not provide this vegetation any planning protection and the trees may be removed outside the planning application process. As such, it is submitted to remove guideline 15.</p>
<p>Canopy trees should have an average canopy foliage of 6.4m in diameter at maturity in summer or as specified in relevant Melton City Council landscaping and tree policies. Where this cannot be achieved because of local climate and soil conditions, a suitable species should be selected which closest achieves this canopy cover, to the satisfaction of the responsible authority. The requirement for a minimum 30% canopy tree coverage within the public realm must still be met.</p> <p><b>G16</b></p>	<p>It is noted that there are separate requirements and guidelines associated with tree species selection to the satisfaction of the Responsible Authority and tree canopy targets. As such, this guideline is superfluous, and it is submitted to remove guideline 16.</p>
<p>The design of subdivision and development should facilitate the retention of existing canopy trees to contribute to the 30% canopy tree cover target where practical.</p> <p><b>G17</b></p>	<p>As noted above, the Schedule to Clause 52.17 does not provide vegetation protection unless nominated for retention. Therefore, the existing canopy trees referenced may not be afforded any planning protection and the trees may be removed outside the planning application process. As such, it is submitted to remove guideline 17.</p>
<p>Where a Cultural Heritage Management Plan is required, it should include recommendations for the ongoing preservation, restoration, management and maintenance of waterways and water landscapes. Any such ongoing management and maintenance requirements should be considered for inclusion as an appropriately worded condition on a relevant planning permit.</p> <p><b>G32</b></p>	<p>The preparation of the Cultural Heritage Management Plan and the <i>Aboriginal Heritage Act 2006</i> and the associated Regulations will ensure this is addressed prior to any planning permit being issued. As such, it is requested to remove Guidelines 32.</p>
<p>A voluntary Cultural Heritage Management Plan should be undertaken in the following locations if a high impact activity is undertaken, as listed in Division 5 of the <i>Aboriginal Heritage Regulations 2018</i>:</p> <ul style="list-style-type: none"> <li>• Land identified as a potential rise area on Plan 10 – Aboriginal Cultural Values</li> <li>• Land identified as rock outcrops/exposed rock on Plan 10 – Aboriginal Cultural Values</li> <li>• Land identified as moderate, moderate-high and high predicted archaeological sensitivity in Appendix 9 Predicted Aboriginal Archaeological Sensitivity.</li> </ul> <p><b>G33</b></p>	<p>Given the nomination as voluntary, it is requested to delete guideline 33 from the draft Melton East PSP and rely on the <i>Aboriginal Heritage Act 2006</i> and the <i>Aboriginal Heritage Regulations 2018</i>.</p>
<p>Development should recognise and respond to Aboriginal Cultural Heritage significance through:</p> <ul style="list-style-type: none"> <li>• Protection of River Red Gums and remnant endemic vegetation within waterways and water landscapes and drainage areas shown on Plan 10 – Aboriginal Cultural Values</li> <li>• Protection and incorporation of view lines shown on Plan 10 – Aboriginal Cultural Values</li> <li>• Incorporation of natural landscape features into the open space network such as potential rise areas, rock outcrops and waterways and water landscapes shown on Plan 10 – Aboriginal Cultural Values</li> <li>• Incorporation of interpretative signage at significant locations in development in consultation with the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation.</li> <li>• Use of Wurundjeri Woi-wurrung place names in consultation with the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation.</li> </ul> <p><b>G34</b></p>	<p>The preparation of the Cultural Heritage Management Plan and the <i>Aboriginal Heritage Act 2006</i> and the associated Regulations will ensure this is addressed prior to any planning permit being issued. As such, it is requested to delete Guidelines 34.</p>



 <p><b>Bushfire hazard buffer treatment - Local Access Street Level 1</b> Using perimeter roads to deliver bushfire protection in new subdivisions</p>	<p>We note the defendable space requirements of Plan 9 – Bushfire and the 19m Bushfire Hazard A setback applying to the interface to the drainage reserve.</p> <p>We are seeking independent advice in regards to the hazard designation to determine whether a low threat environment would be more appropriate for the drainage reserve interface.</p> <p>Nevertheless, it is requested that the cross section include a notation to more clearly demonstrate that the defendable space is required between the encumbered open space/drainage reserve boundary and the dwelling built form.</p> <p>As such, allowing for the front setbacks and front yards of dwellings to provide for this defendable space setback as long as controls are in place to ensure the entire defendable space is provided between the building line and the open space/drainage reserve boundary.</p>
<p><b>R63</b> Infrastructure and development staging must provide for the delivery of ultimate waterway and drainage infrastructure, including stormwater quality treatment, and consider opportunities for early establishment of waterways to the satisfaction of Melbourne Water and the responsible authority.</p> <p>Where it can be demonstrated to the satisfaction of Melbourne Water that this is not possible, staged development proposals must demonstrate how any interim solution adequately manages flow rates and flow volume, treats stormwater generated from the development and how this will enable delivery of an ultimate drainage solution, to the satisfaction of water authority/retailer and the responsible authority. Development construction staging and interim solutions must avoid or mitigate the risk of soil erosion and water and waterway degradation from sodic and/or dispersive soils.</p>	<p>Whilst we appreciate the intention to require the timely delivery of ultimate infrastructure, this is sometimes unachievable due to land access limitations. As such, we do not consider the phrasing of must within a requirement of the PSP to be appropriate given the alternative scenario in paragraph 2 where interim drainage can be considered.</p> <p>As such, it is requested for requirement 63 to be amended to a guideline and re-phrased as follows:</p> <p><i>Infrastructure and development staging <del>must</del> should provide for the delivery of ultimate waterway and drainage infrastructure, including stormwater quality treatment, and consider opportunities for early establishment of waterways to the satisfaction of Melbourne Water and the responsible authority.</i></p> <p><i>Where it <del>can be demonstrated to the satisfaction of Melbourne Water that this is not possible</del>, staged development proposals <del>must</del> should demonstrate how any interim solution adequately manages flow rates and flow volume, treats stormwater generated from the development and how this will enable delivery of an ultimate drainage solution, to the satisfaction of water authority/retailer and the responsible authority. Development construction staging and interim solutions must avoid or mitigate the risk of soil erosion and water and waterway degradation from sodic and/or dispersive soils.</i></p>
<p><b>R66</b> Utilities must be placed outside of BCS conservation areas, natural waterway corridors or on the outer edges of these corridors in the first instance. Where services cannot avoid crossing or being located within a conservation area or natural waterway corridor, they must be located to avoid disturbance to existing waterway and cultural values, native vegetation, areas of strategic importance to Growling Grass Frog, to the satisfaction of the DEECA, Melbourne Water, and the responsible authority. Development must be consistent with the outcomes identified in the relevant Appendix 6 Conservation Area Concept Plans and Interface Cross Sections.</p>	<p>As per the body of our submission, the Melton East precinct is located within the Melbourne Strategic Assessment area, and only native vegetation within the Conservation Areas should be protected in accordance with the Biodiversity Conservation Strategy. As such, it is requested to refine to requirement 66 as follows to provide greater clarity:</p>

	<i>Drainage from stormwater infrastructure <u>within Conservation Areas</u> must be designed to minimise impacts on biodiversity values, particularly habitat for matters of national environmental significance located within conservation areas.</i>
<b>R69</b> Utilities and other infrastructure must avoid traversing patches of native vegetation and habitat for matters of national environmental significance.	As per the body of our submission, the Melton East precinct is located within the Melbourne Strategic Assessment area, and only native vegetation within the Conservation Areas should be protected in accordance with the Biodiversity Conservation Strategy. As such, it is requested to delete requirement 69.
<p><b>Appendix 9 Predicted Aboriginal Archaeological Sensitivity Map</b></p> 	<p>Appendix 9 - Noting the submissions to delete guideline 33 and guideline 34, we question the value of Plan 17 – Predicted Aboriginal Archaeological Sensitivity Mapping given the <i>Aboriginal Heritage Act 2006</i> and the associated Regulations directly address Aboriginal Cultural Heritage.</p> <p>As such, it is submitted to delete Appendix 9 from the draft Melton East PSP.</p>
<b>Urban Growth Zone – Schedule 13</b>	<b>Submission</b>
<b>Section 2.2 – Applied Zones</b>	Noting the density expectations applied to the precinct as a whole, regardless of the ‘Amenity Areas’ it is submitted that all residential land should be zoned Applied Residential Growth Zone.
<p><b>Clause 3 – Application Requirements</b></p> <p>Shared Path Network Plan</p> <p>An application to subdivide land, construct a building or construct or carry out works on land that adjoins existing or future primary or secondary arterial road, being Tarletons Road, Mount Cottrell Road, Taylors Road, Paynes Road, Leakes Road shown on Plan 1 of this Schedule must be accompanied by a Shared Path Network Plan.</p> <p>The Shared Path Network Plan must respond to the Place Based Plan, Infrastructure and Development Staging Plan, and ICP PIP Table and identify the direction and distances to existing activity nodes, including local employment centres, community centres, primary and secondary schools, community infrastructure and/or a major public transport hub such as a railway station or bus interchange, and:</p> <ul style="list-style-type: none"> <li>Identify the existing pedestrian, bicycle and/or shared path network connections along these roads.</li> <li>Identify any sections of the pedestrian, bicycle and/or shared path network along these roads that is not constructed that would provide continual access to existing activity nodes.</li> </ul>	<p>Whilst we can appreciate the transport network not only should provide for vehicle access and connectivity, but for alternative modes of active transport, the application requirements should be made clearer to specify a distance in which these existing activity nodes should be measured.</p> <p>As currently drafted, the requirement is ambiguous as how far this plan should extent and what would be considered relevant.</p> <p>It is submitted that this plan should be confined to activity nodes within 400m walkable catchment of the subject site.</p>

<ul style="list-style-type: none"> <li>Identify the relevant ICP items required to be delivered in full or in part to ensure continuous connections to activity nodes are provided.</li> </ul>	
<p><b>Clause 4 – Conditions and Requirements for Permits</b></p> <p>Condition – Shared Path Network</p> <p>A permit granted to subdivide land, construct a building or construct or carry out works on land that adjoins existing or future primary or secondary arterial road, being Tarletons Road, Mount Cottrell Road, Taylors Road, Payne Road, Leakes Road, shown on Plan 1 of this Schedule, must include the following condition:</p> <p>Before the Statement of Compliance for the plan of subdivision is issued (or, in the case of a staged subdivision, the plan of subdivision or masterplan which implements the first stage of the subdivision), or before a building permit is issued (whichever comes first), a dedicated shared path must be constructed between the subject site and existing activity nodes, to the satisfaction of the responsible authority in accordance with the Shared Path Network Plan.</p>	<p>The intention and requirement of this condition is not clear.</p> <p>We note the Transport Infrastructure included within the draft Infrastructure Contributions Plan, including Tarletons Road, Mount Cottrell Road, Taylors Road, Payne Road, Leakes Road – all include a shared path to be delivered as part of the Infrastructure Project.</p> <p>We request further clarification behind the intent of this condition and what is being mandated given the Activity Node definition can be subjective based on the expansion within Clause 3 – Application Requirements.</p> <p>Until the intent of this condition is made abundantly clear in the drafting and its interpretation, we submit this should be removed from the Urban Growth Zone – Schedule 13.</p>
<p><b>Clause 5 – Exemptions from Notice and Review</b></p> <p>An application for a use listed in Section 2 of the Residential Growth Zone and General Residential Zone on land where the applied zone listed at Table 1 of this schedule is Residential Growth Zone or General Residential Zone is not exempt from the notice requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.</p>	<p>We note the exemptions Clause excluded Section 2 uses within the Residential Growth Zone and General Residential Zone. This may prevent the timely delivery of non-residential infrastructure to service the precinct, such as child care centres, medical centres etc.</p> <p>As such, it is requested for standard exemption applied to PSP areas if considered to be ‘generally in accordance with the PSP’ to replace the currently drafted exemption that excludes Section 2 land uses.</p>
<p><b>Clause 6 – Decision Guidelines</b></p> <p>Shared Path Network</p> <p>Whether the proposed application to subdivide land, construct a building or construct or carry out works on land that adjoins existing or future State roads, will enable safe pedestrian, bicycle and/or shared path network access to existing activity nodes, including local employment centres, community centres, primary and secondary schools, public transport and community infrastructure.</p>	<p>We note the Share Path Network decision guideline currently included within the draft Urban Growth Zone – Schedule 13.</p> <p>We request further clarification behind the intent of the condition and what is being mandated given the Activity Node definition can be subjective based on the expansion within Clause 3 – Application Requirements.</p> <p>Until the intent of these requirements are made abundantly clear in the drafting and its interpretation, we submit this should be removed from the Urban Growth Zone – Schedule 13.</p>



## Conclusion

I trust that this submission and enclosed information will assist the Victorian Planning Authority with the further consideration of the proposed Planning Scheme Amendment C244melt. We appreciate the opportunity to provide feedback at this critical phase of the project.

Beyond the matters outlined within this submission, we are supportive of the Planning Scheme Ordinance, Maps and Documentation exhibited in its current form and would appreciate being notified if there are any further consequential changes throughout the consultation process.

We look forward to continuing to work closely with the Victorian Planning Authority and State Government Agencies to refine the draft Melton East Precinct Structure Plan and Infrastructure Contributions Plan post-exhibition in an effort to resolve as many matters as possible ahead of Panel. Should the matters outlined within this submission remain unresolved and be referred to Planning Panels, we reserve the right to be heard at the Panel and make submissions.

Should you have any queries, please do not hesitate to contact me on 0409 962 001

Yours sincerely

**SPOT Planning Pty Ltd**



**Samuel Sawaya**  
Director