Our Reference: 24-0386-002-L-SS

26 March 2025

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

Dear Ms Walkley,

Submission – Proposed Planning Scheme Amendment C244melt

SPOT Planning and MODAN Design continues to act on behalf of the landowners with respect to their interest in the following parcels within the future Melton East Precinct Structure Plan (PSP) area:

- 527-555 Mount Cottrell Road, Grangefields.

The property is approximately 12ha in area and are generally rectangular in shape. The subject site is located north-east of the Mount Cottrell Road and the Tarletons Road intersection.

The property is located at the northern extent of the draft Melton East Precinct Structure Plan and are identified specifically as property 18 in the Land Use Budget Plan. The Land Use Budget outlines the net developable area of this property as 10.29ha, which represent 85.75% of the property and the balance 14.25% as encumbered for other purposes.

Subject Site

On behalf of , 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.

We also appreciate the proactiveness in during the exhibition period to arrange Drainage Strategy workshops with Melbourne Water in an effort to resolve critical issues prior to the close of the exhibition period.

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:

- Melbourne Water Drainage Strategy.
- Precinct Infrastructure Burden and the Infrastructure Contributions Plan.
- Density Expectations.
- Location of LP-04, Distribution of Open Space and the Walkable Catchment Target.
- Staging Plan and Implementation.
- Social and Affordable Housing.
- Specific PSP Plans, Objectives, Requirements, Guidelines and Appendices.

Melbourne Water Drainage Strategy

We appreciate the engagement with Melbourne Water throughout the Co-Design and Agency period and support the removal of the drainage asset from 527-555 Mount Cottrell Road.

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 recommend the Drainage Strategy be refined to remove the constraints associated with environmental values outside the State Biodiversity Conservation Areas, and the constraints associated with the predicted Aboriginal Heritage Sensitivity and protection of pre-European wetlands.

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.

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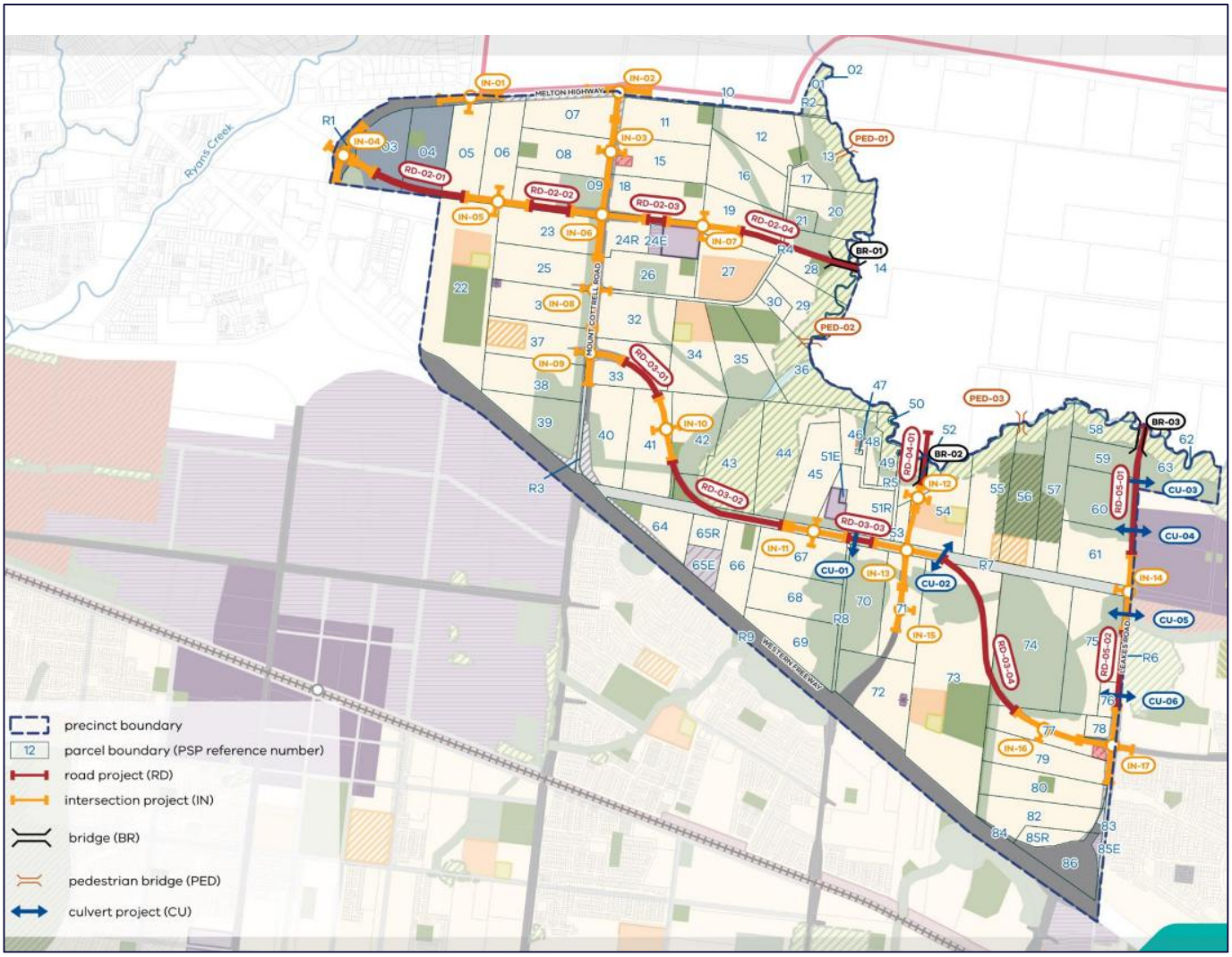
This is coupled with less than 50% of the precinct being considered 'developable area,' results in less land for the contributions to be spread across. We note Section 4.4.1 of the Background Report forming part of the exhibition documentation states that 54% of what could be considered developable land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

Furthermore, we would question the need for Paynes Road to continue across the Kororoit Creek and into the future Warresnbrook precinct, given there are already two separate bridge crossings at Leakes Road and Tarletons Road. We note there was a Bridge Crossings Review undertaken by the Victorian Planning Authority in consultation with the Department of Transport and the City of Melton. We would appreciate the outcomes of the Bridge Review to be further conveyed to landowners within the precinct, to determine whether the need for three separate Bridge crossings are justified from a traffic capacity perspective.

We are currently undertaking our own Traffic Investigations at this time to provide a more informed position and reserve the right to make further submissions on this basis during the Consultation and Panel process.



Transport Infrastructure - ICP

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The Transport infrastructure we would like to specifically highlight and question their necessity within the road network design include:

- ME-IN-01 - Question the need for IN-01 and the internal Connector Road status given there are two alternative outlets to Melton Highway via Mount Cottrell Road and Tarletons Road in this pocket and suggest the removal of this project entirely from the Melton East PSP and the Infrastructure Contributions Plan.
- ME-IN-08 – Question the validity of a Connector Road – Connector intersection for inclusion within the Infrastructure Contributions Plan in accordance with the Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans and suggest the removal of this project entirely from the Melton East PSP and the Infrastructure Contributions Plan.
- ME-IN-12 – Question the need for the east-west connection Suggest this road link be provided as a Local Access – Level 2 and the northern continuation be removed entirely, resulting in the intersection removed from the ICP.
- ME-RD-04-01 and ME-BR-02 – We question the need for Paynes Road to continue north and the Bridge Crossing into the future Warrensbrook precinct noting the additionally proposed Leakes Road and Tarletons Road bridge crossing. We suggest both projects could be removed from Melton East PSP and the Infrastructure Contributions Plan.
- ME-PED-02 – We question the need for three pedestrian bridge crossings of the Kororoit Creek and suggest the removal of this project entirely from the Melton East PSP and the Infrastructure Contributions Plan.

The removal of the abovementioned projects alone would represent a cost saving of approximate **$43,630,960.35** to the Transport Infrastructure within the draft infrastructure Contribution Plan and reduce the overall residential monetary component of the Infrastructure Contributions Plan from **$599,583.55 per net developable hectare** to approximately **$511,970.23ha per net developable hectare**.

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 infrasturue, we are concerned that the contribtions, particulary 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.

Density Expectations

The draft Melton East Precinct Structure Plan has an anticipated population of 40,015 future residents and an anticipated dwelling yield of 12,908 homes. This is drive by the density expectations outlined in Table 3 and 5 of the PSP.

Plan 3 – Housing of the draft Melton East PSP designates residential land within the precinct as Amenity Area (High Density), Amenity Area (Standard) and residential Balance areas. There is various density expectations for these areas as outlined below.

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
TOTAL	481	26.9	12,908
Anticipated population at 3.1persons per dwelling			40,015

Table 5 - Densities

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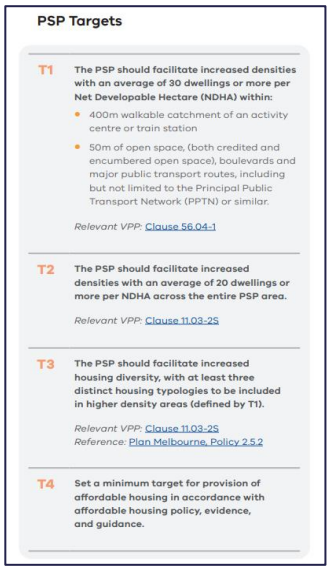
The subject site is located partly within all three Housing Catchment Areas. Of particular concern is the expectations for the Amenity Area (High Density) – 40 dwellings per net developable hectare.

We note that the density expectations exceed the targets outline in the Victorian Planning Authority Precinct Structure Plan Guidelines (2021) and question whether the lack of developable area within the precinct has driven the increased densities to achieve population/yield targets of the draft Melton East PSP.

Whilst we support the amenity driven approach and the general encouragement of medium density housing within the PSP, we have particular concern for the viability and product typology that will be required for the Amenity Area (High Density) – 40 dwellings per net developable hectare. In our view, the PSP is creating an unachievable minimum requirement that will rely on apartments within the walkable catchments to the Local Town Centres that are often not feasible and attractive to the current market without associated rail transport infrastructure. This will result in Superlots being created at the planning applications stage, that are potentially never activated due to the density expectations and market demand for this typology.

We question the ability to achieve an acceptable subdivision design response at 40 dwellings per net developable hectare utilising conventional and Small Lot Housing Code product whilst navigating the design challenges of Council, including the suitable location of Small Lot Housing Code dwellings, appropriate lot widths, garage dominance within the streetscape, provision for street trees, laneways that do not create T's or L's.

In addition, we note the abundance of Arterial Roads and Drainage Infrastructure within the draft Melton East PSP and the typical requirements for internal loop roads, which will further utilise 'developable area' and skew the density calculations for respective future subdivision designs.



PSP Guidelines - Density

The difficulty in achieving these densities is further compounded by Requirement 4 of the draft Melton East PSP, limiting the use of lots less than 10.5m in width. An 8.5m wide allotment can provide for a 3 bedroom dwelling, with single car garage and secondary on-site car park at an affordable price point. This typology is often provided for single parent families.

Furthermore, we note rear loaded product can generally achieve higher densities due to the narrowness of residential allotments. However, Guideline 12 proposes a maximum length of 80m for laneways with unreasonable design expectations. The assumption in this Guideline is flawed and fails to recognise the commercial reality for the cost of delivery of laneways. Industry standard rear loaded allotments are 4.5-6.0m wide (single and double garages respectively). Rear loaded allotments cannot be wider than this due to the costs of the construction of the lane and ratio to Net Saleable Area. Over 80m, a minimum of 9 residential allotments and a maximum of 17 residential allotments per side would need to be delivered for the outcome to be profitable in a meaningful manner for a subdivison project. Anything less than this number would make the construction of a laneway undeliverable in the current market conditions.

It is counter productive that this draft Melton East PSP imposes such density provisions, whilst mandating against some of the general subdivison design outcomes that seek to achieve the desired densities.

R4	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.

Requirement 4

G12	Laneway design and layout should: • Provide a laneway length between 50 metres to 80 metres • Service a maximum of 8 to 10 dwellings per side • Provide good passive surveillance into, along and through the laneway • 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

Guideline 12

In support of our submission, MODAN Design have provided direct feedback on the density provisions proposed within the draft Melton East PSP. MODAN Design have undertaken subdivision design for Planning Applications between 2,500-3,500 residential allotments in Victoria each financial year since 2019. The projects range in size and complexity from Warralilly and Peppercorn Hill (over 5,000 lots) down to 50 lot subdivisions giving a full spectrum of the delivery issues confronted by developers. MODAN's director, Arun Broadhurst worked for over 7 years at Delfin Lend Lease, being the lead designer for projects such as Caroline Springs, Laurimar and Edgewater for much of this time.

To optimise the best outcomes for the communities that have been designed, MODAN Design track the efficiencies of the projects to measure densities and road consumption within their projects.

Modan previously issued correspondence to the VPA on 11 February 2023 (email to Rion Casey and Zachary Powell on 11 February 2023) which outlined some of the challenges in achieving high densities in greenfield settings. The following submission builds upon the basis of that email and further explains the implications of the proposed density requirements within the draft Melton East PSP.

Lot Types

The below demonstrate industry standard lot sizes which are widely used in today's market with additional typology notations for reference:

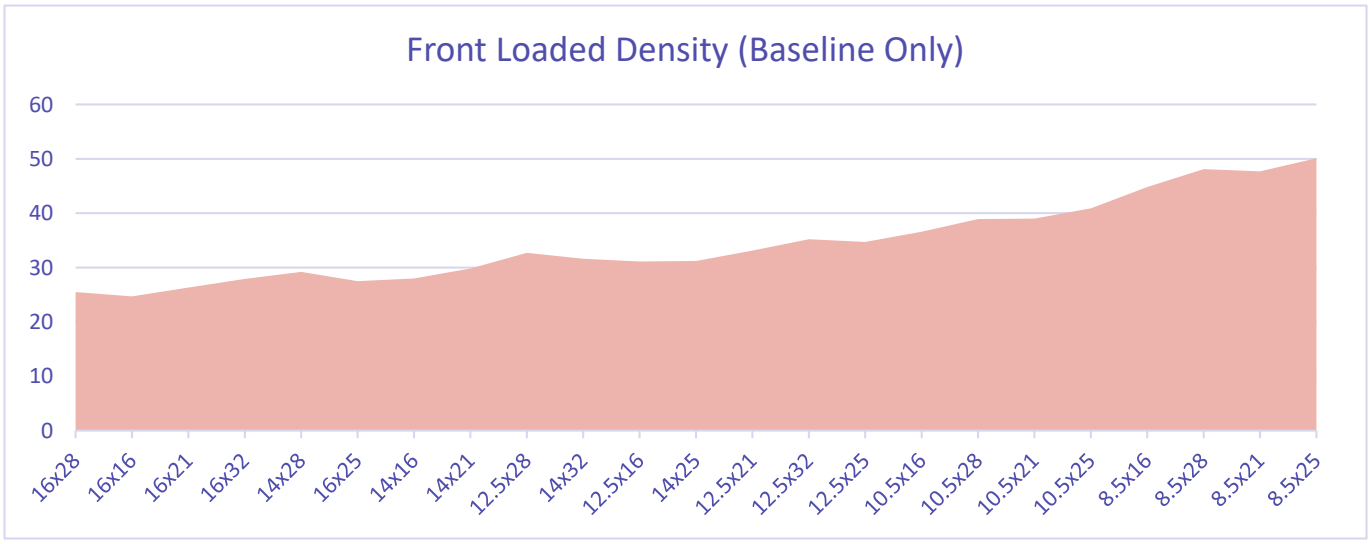
				Lot Width						
			Notes	4.5	6.0	8.5	10.5	12.5	14.0	16.0
Lot Depth	Front Loaded	16	Bookends only							
		21								
		25								
		28								
		32								
	Rear Loaded	19	Upstairs living							
		25	Double Storey							
		28	Single Storey							

Notes:

1. Front loaded products less than 8.5m in width have not been permissible for the last few years due to more stringent offset requirements by utility authorities and requirements by some Councils for 1 street tree per lot (regardless of the lot width);
2. Rear loaded lots less than 25m in depth require reverse living with the private open space being provided via a balcony. Upstairs living is resisted by the market in most circumstances other than overlooking high quality public open space. It's utilisation to achieve higher densities is therefore very limited.
3. Due to the escalating costs of construction, most builders have shifted their product mix from two storey dwellings on smaller lots, to single storey dwellings. As a result, lot sizes are increasing. This trend will continue until such time as there is a de-inflationary correction in the market. Over the lifetime of this PSP, there will be several market cycles. Therefore, mandating densities which force uncommercial product types will cause stagnation in housing supply and ultimately lead to a reduction in affordability.

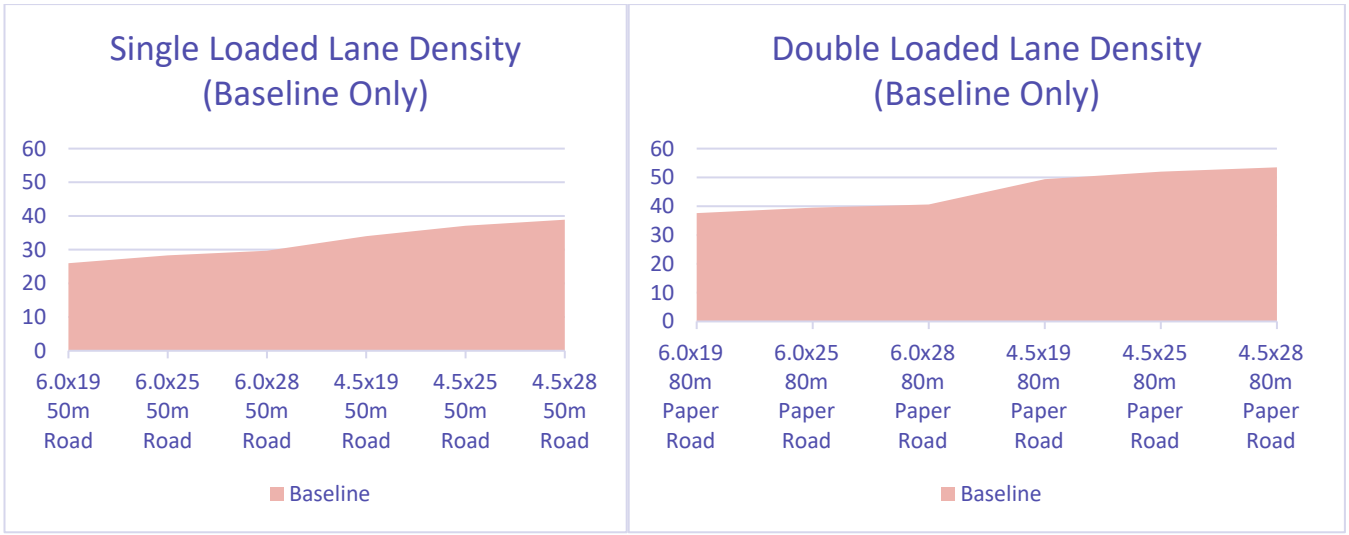
Baseline Density

Baseline Density is the absolute maximum a particular lot type can achieve per hectare based on 240m block lengths specified in Planning Scheme. The baseline density assumes that there are no constraints (protected trees, angled property lines, slope impacts, PSP requirements, etc.), which create inefficiencies in the Subdivision Layout.



MODAN – Front Loaded Density Baseline Data

The below rear loaded densities show a 50m laneway length loaded only from one side (Single Loaded) and an 80m laneway length loaded from both sides (Double Loaded) abutting public open space and utilising a paper road adjoining the public open space. This is to show the ranges of densities with the limitations on laneway length.



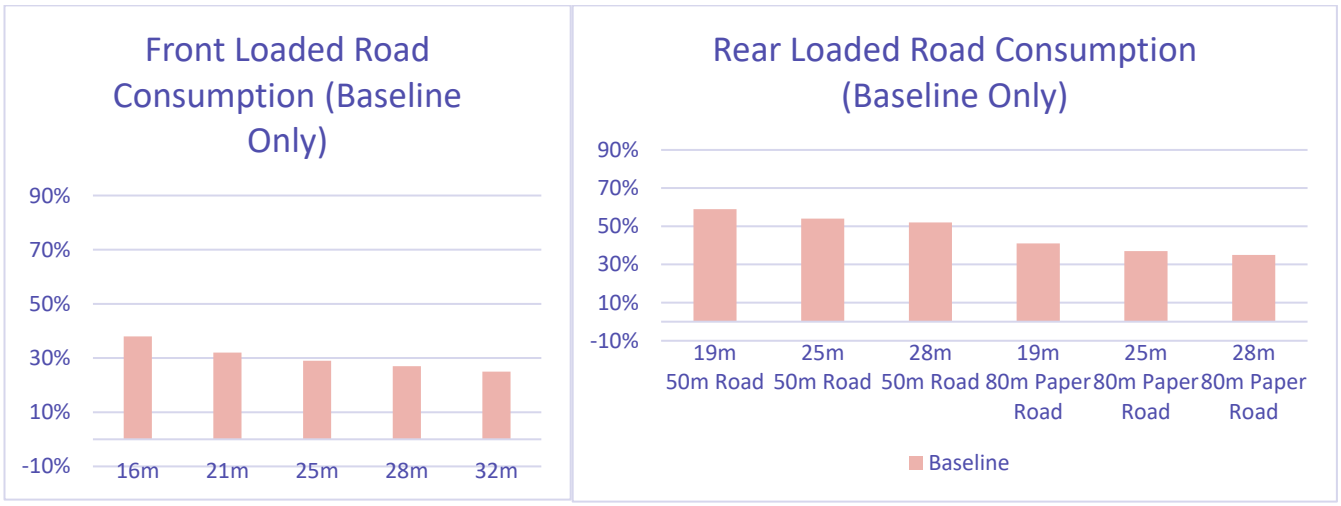
MODAN – Rear Loaded Density Baseline Data

Baseline Road Consumption

Similarly to Baseline Density, Baseline Road Consumption is the absolute minimum road consumption a particular allotment type can achieve per hectare based on standard road cross sections. It assumes that there are no constraints (protected trees, angled property lines, slope impacts, PSP requirements, etc.), which create inefficiencies in the Subdivison Layout.

Road consumption is an important factor, not just because of the impact it has on density but also the impact it has on the delivery cost of a subdivison and secondary considerations such as canopy tree coverage and urban heat island effects.

The below table shows common front loaded lot depths with their road consumption based on 240m block lengths.



MODAN – Road Consumption Data

Inefficiency Coefficient

Greenfield sites are rarely free of constraint, rectangular, flat, or the optimal dimensions for standard subdivisions) Not only do constraints reduce the area available to achieve density targets, ancillary factors such as interface roads further reduce the land area to deliver density.

Some example ancillary factors which reduce density are:

1. The increase in size of electrical kiosks and increase in the number of kiosks per lot to 80 lots/kiosk, which requires lot depths to be increased to accommodate the kiosks. E.g. a corner lots with a 6.2x6.2m kiosk requires lot depths of 25m+ which in turn, sets the depths of the other adjoining lots;
2. The Engineering Design and Construction Manual requirement for driveways to be 6.0m from the tangent point of the splay of a road intersection results in the minimum corner width of a front loaded lot in the City of Melton being 13.5m. This decreases the density of a hectare by between 2-4% depending on the number of corners;
3. For sloping land, many Building Surveyors will not certify dwellings which abut retaining walls. Therefore, lots which comprise retaining walls constructed with the civil works require an additional 1m side setback to a retaining wall for lots over 300m2 and 2 x 1m side setbacks for lots under 300m2. This decreases the density of a hectare 6.25% for a 16m wide lot up to 23.5% for an 8.5m wide lot. Exponents of slope responsive house design would suggest to use the dwelling to respond to slope instead of civil retaining walls, however this can add between $15,000-$50,000 in extra costs depending on the builder.

Overwhelmingly, the biggest factor which creates inefficiency is irregularity of the Net Developable Area. Since 2023, MODAN Design have observed the average road consumption of greenfield projects increase by 4.1%. This is due to a scarcity of greenfield land and the remaining more constrained sites impacting the subdivison design efficiency.

When we calibrate the Baseline Density and Road Consumption with the Inefficiency Coefficient, the realistic density capacities result in the below ranges:

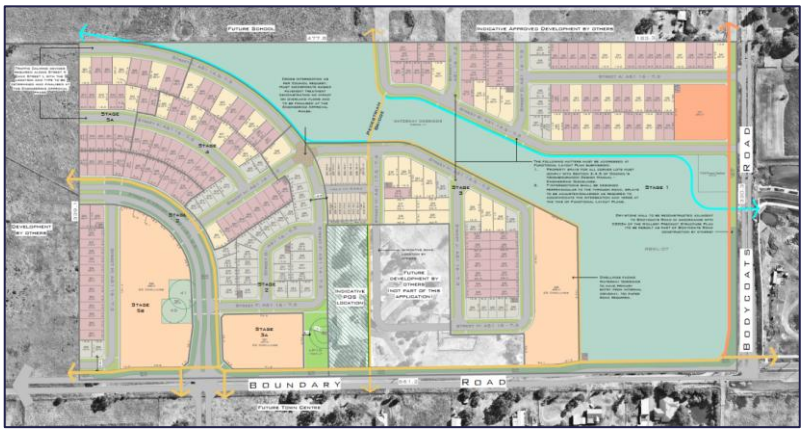
MODAN – Density Data

Case Study – 15 Bodycoats Road, Wollert

As an example of the limitations of industry standard product to achieve density, the below is excerpt is the Subdivison Layout Plan for 15 Bodycoats Road, Wollert. As per the requirements of the Wollert PSP, this site must achieve 30 dwl/ha. Long lengths of single sided road, wide roads, curved roads, tree reserves, irregularity of the land has made 30 dwellings unachievable without the use of strata development outcomes and mandating the Superlots to achieve the density shortfalls.

Therefore to achieve 30 dwl/ha, this project comprises:

- 34% strata lots;
- 79% of green title lots being SLHC; and
- 40% of green title lots being 8.5m front loaded.



15 Bodycoats Road, Wollert – Subdivison Layout Plan

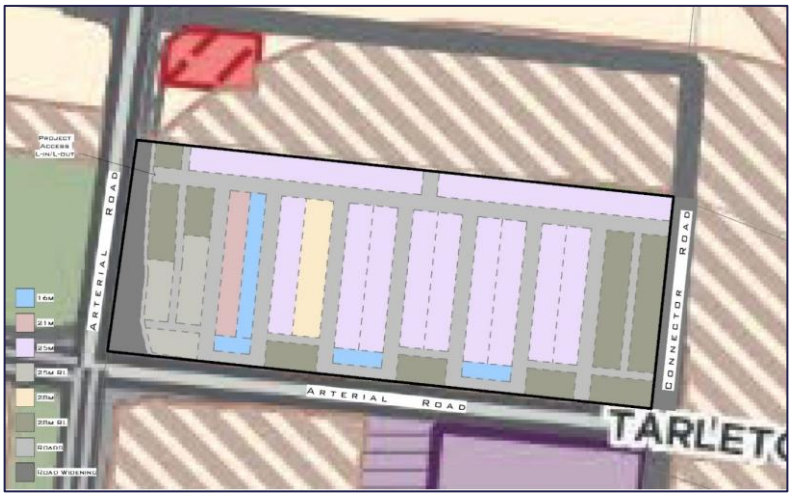
527-555 Mount Cottrell Road - Scenarios

MODAN Design has modelled multiple subdivision scenarios to convey how these factors apply to 527-555 Mount Cottrell Road. The 'b' scenario models the impact of the removal of lot less than 10.5m wide from the subdivision. It should be noted that this landholding is rectangular and relatively flat in comparison to other landholdings withing the PSP. Other landholdings will not be able to achieve the densities outlined in these scenarios.

Scenario 1

The Scenario 1 design is based on requirements of the Planning Scheme and land budget expectations of the draft Melton East PSP. Arterial roads are as per the SMEC report and the design adopts our recommendation to relocate LP-04 for better access of dwellings within 400m of a local park.

The lot mix selected is based on current market conditions with a higher emphasis on rear loaded lots to assist to achieve the highest possible densities. Based on the above, the following densities can be achieved.



527-555 Mount Cottrell Road – Scenario 1 Indicative Design

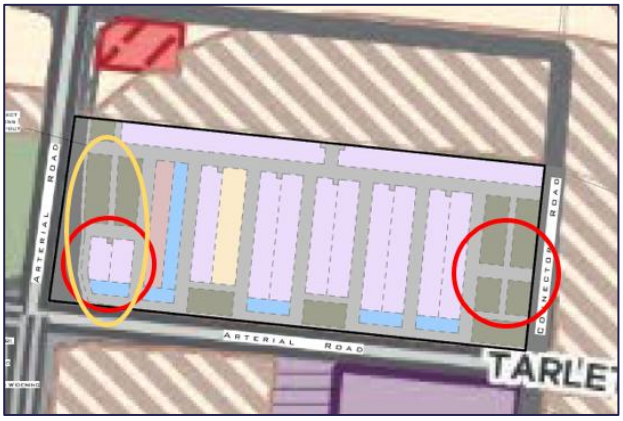
Indicative Development Summary	Scenario 1a	Scenario 1b
PSP Density	40	40
NDA (Actual)	11.48	11.48
Required Dwellings	459	459
Actual Dwellings	386	366
Actual Density	33.6	31.9
No. Front Loaded lots less than 10.5m	81	0
Road %	31.1%	31.1%

As demonstrated above, there is a material reduction in density output due to the removal of front loaded residential allotments less than 10.5m in width.

Scenario 2

This scenario starts to embed some of the additional detailed considerations of the draft Melton East PSP, such as laneway lengths being between 50-80m and their design parameters. As circled in red, the limitation on laneway lengths necessitates the introduction of additional roads, increasing road consumption by approximately 1.7% and a reduction in density by approximately 3% across the landholding. If this is isolated to the yellow circle, it results in 69% more road than otherwise would have been necessary. When this is extrapolated across the PSP as rear loaded housing is intended to abut arterial/connector roads and open space, this will be a significant impact on density, affordability and the heat island effect by unnecessarily adding hard surfaces.

Similarly to Scenario 1, the exclusion of lots less than 10.5m reduces the overall yield in this scenario by 7%.



527-555 Mount Cottrell Road – Scenario 2 Indicative Design

Indicative Development Summary	Scenario 2a	Scenario 2b
PSP Density	40	40
NDA (Actual)	11.48	11.48
Required Dwellings	459	459
Actual Dwellings	353	329
Actual Density	30.8	28.7
No. Front Loaded lots less than 10.5m	89	0
Road %	33.8%	33.8%

Scenario 3

This final scenario re-introduces LP-04 (which is recommended to be re-located as part of thus submission) to demonstrate the impact the open space interface requirements have on density.

The open space interface requirements add an additional 1,688m2 of localised road, which translates to a 4.7% increase across the project. The suggestion is not that open space is not required, but to highlight difficulties in delivering densities consistent with the provisions of the current draft Melton East PSP.

527-555 Mount Cottrell Road – Scenario 3 Indicative Design

Indicative Development Summary	Scenario 3a	Scenario 3b
PSP Density	40	40
NDA (Actual)	10.48	10.48
Required Dwellings	419	419
Actual Dwellings	307	284
Actual Density	29.3	27.1
No. Front Loaded lots less than 10.5m	84	0
Road %	34.2%	34.2%

Scenarios Summary

The above scenarios demonstrate an incremental reduction in density as more design constraints are applied to the site. From the baseline of Scenario 1a to the alternative Scenario 3b, there is a reduction of 102 residential allotments and decrease in density from 33.6 dwellings p/ha to 27.1 dwellings p/ha. Furthermore, the scenario testing also demonstrates the clear impact of the removal of lots less than 10.5m in width.

MODAN Design Density Conclusions

Based on the data provided by MODAN Design utilising the actual densities achieved in active projects and the scenarios modelled for 527-555 Mount Cottrell Road, the following densities are likely to be achievable in Melton East PSP:

- 20 dwl/ha - Most landholdings should be able to achieve this density utilising a range of industry standard lot types to achieve housing diversity, however it will require between 30-50% Small Lot Housing Code allotments.
- 27-30 dwl/ha - In most instances, projects utilising a variety of lot types (excluding 32m product) but with an abundance of rear loaded product at most bookends will be able to achieve around 27dwl/ha. However, 30 dwl/ha requires very few encumbrances. Unfortunately, this density will increase road consumption towards 40%.
- 40 dwl/ha - No project will be able to achieve this density without significant reliance on apartment developments which is not favourable in this greenfield setting without the benefit of rail infrastructure to support development of this nature.

The viability of apartment developments in this setting is questionable, noting the precinct is heavily reliant on vehicular travel and future bus transportation in lieu of rail infrastructure which generally is a catalyst for development of this nature, particularly within growth areas. Furthermore, in Q1 FY2023 the Australian Bureau of Statistics released average construction cost for apartments vs houses in Victoria. Apartments exceeded standard dwellings as the most expensive typology by $44,000. This is without comparing the square metre rate of construction of an apartment to a standard house.

Despite the best intentions to increase the density within the precinct to make up for the shortfall in net developable area, the product typology that will be relied upon to achieve the target density of 40 dwellings p/ha is likely to be unachievable in practice.

As such, we request that the density provisions within the draft Melton East PSP are re-aligned, consistent with the targets identified in the Victorian Planning Authority Precinct Structure Plan Guidelines (2021). This would result in the High Density Amenity Area to require the same density standards as the Standard Amenity Area – 30 dwellings per net developable hectare or more.

In summary, this submission seeks the amalgamation of the High Density Amenity Areas and Standard Density Amenity Area into a single designation – 'Amenity Area' requiring a density target of 30 dwellings per net developable area.

Location of LP-04, Distribution of Open Space and the Walkable Catchment Target

The Victorian Planning Authority Precinct Structure Planning Guidelines (2021) outline in Target 12 the objective for Local Parks to be within a 400m safe walkable distance to each dwelling within the precinct.

The draft Melton East PSP fails to meet this objective and falls short of the target 95% outlined within Figure 1 – Performance Summary. The current Place Based Plan and distribution of Public Open Space achieves a total of 82% of dwellings within a safe and walkable 400m distance to Local Parks.

Victorian Planning Authority Precinct Structure Planning Guidelines (2021)

PSP Performance Summary

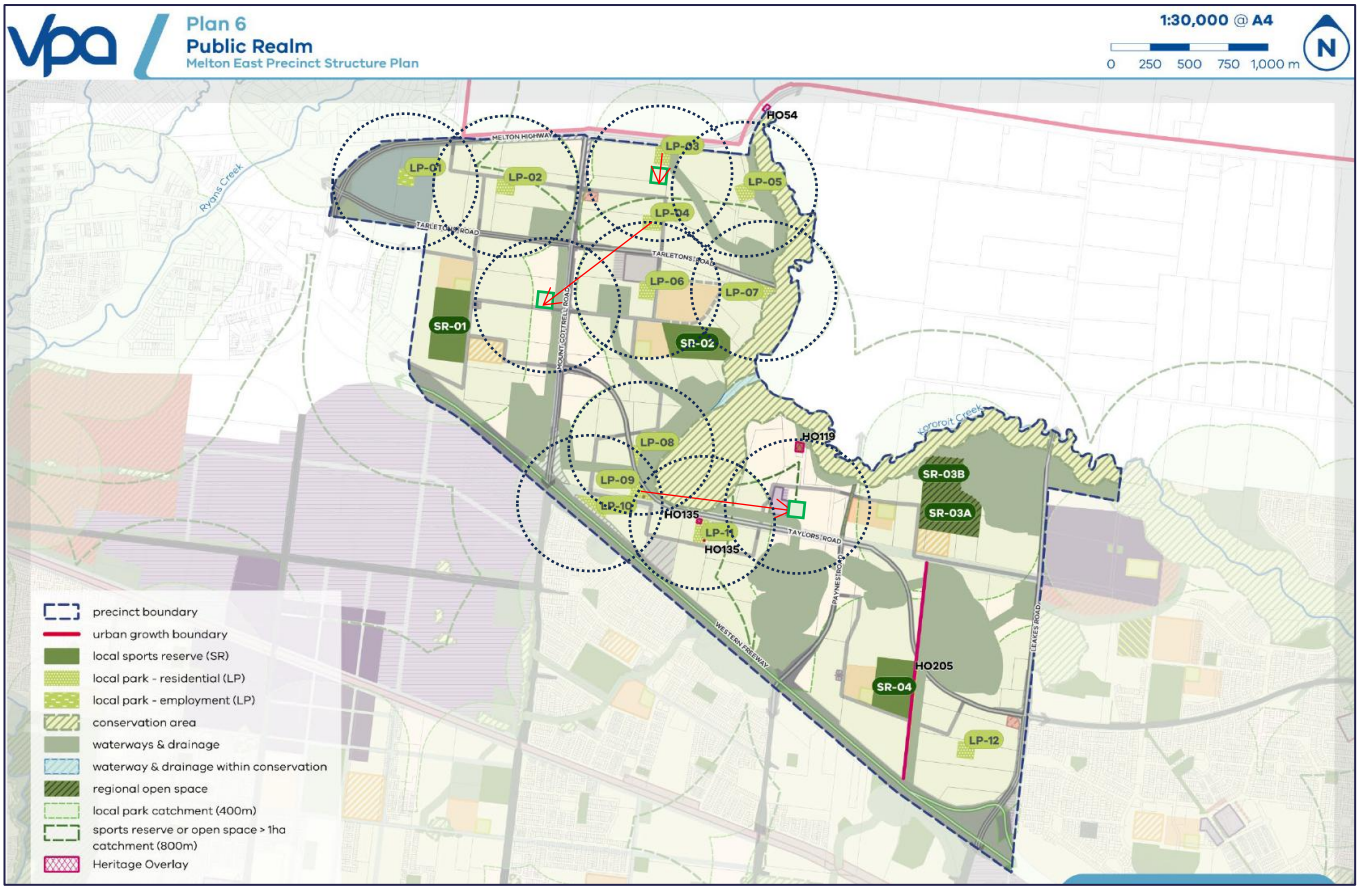
We note the distribution of Local Parks in the northern part of the draft Melton East Precinct Structure Plan and the overlapping of catchments as a result of Public Open Space being located in close proximity to each other. This has created two distinct pockets within the Place Based Plan that fall outside of the 400m walkable catchment of a Local Park.

We further note the location of some Local Parks have created catchments that fall outside the Urban Growth Boundary and could be refined to increase the benefit to the Melton East precinct and be re-located away from Arterial Roads to improve the amenity of the open spaces.

In our view, there is a clear opportunity to re-distribute the Local Park network in the northern part of the draft Melton East Precinct Structure Plan to increase the dwellings within the 400m walkable catchment and increase the percentage within this catchment from 82% to 90-95%.

The recommended refinements to the distribution of Local Parks include:

- Shifting LP-03 further south to ensure a greater amount of the 400m walkable catchment is within the Melton East PSP.
- Re-locating LP-04 south-west to adjoin Mount Cottrell Road and reduce the overlap of catchments and capture a gap within the distribution of Public Open Space.
- Re-locating LP-09 to reduce the overlap of catchments and capture a gap within the distribution of Public Open Space.



Recommended Distribution of Public Open Space

In summary, we recommend the Local Park Network is re-distributed as outlined above, to increase the dwellings within the 400m walkable catchment of Public Open Space and improve the overall percentage outlined within the PSP Performance Summary.

Staging Plan and Implementation

The Planning Scheme Amendment does not currently propose to apply the Specific Controls Overlay, as was omitted in Officer South PSP following the recommendation of the Standing Advisory Committee Referral 8 Report. It does however rely on the provisions within the draft Melton East Precinct Structure Plan and the Urban Growth Zone – Schedule 13 to implement the Infrastructure and Development Staging Plan.

We note that this is despite the recommendation and commentary within the Standing Advisory Committee Referral 8 Report, stating further empirical justification is required to demonstrate why the sequential Staging Plan is required and that it may stifle the collection of infrastructure contributions.

As such, without empirical justification to support the proposed Plan 12 – Infrastructure and Development Staging, the provisions should be removed from the draft Melton East Precinct Structure Plan.

In summary, this submission seeks the removal of Plan 12 – Infrastructure and Development Staging from the Melton East PSP, noting there is no empirical justification for the staging boundaries and the controls provide no value above and beyond the regular sequencing and subdivision requirements and guidelines.

A non-standard approach must be strategically justified

The VPA is proposing a significant departure from the standard approach in Officer South, involving a restrictive approach that prohibits development until certain key infrastructure items have been delivered. This has obvious and significant implications for progressing development in the precinct, and the collection of infrastructure contributions associated with that development which will fund essential infrastructure (discussed in detail in Chapter 6.2).

Given those significant implications, it is imperative that any proposed staging controls have a sound strategic justification, and will deliver a demonstrable net community benefit (or avoid a demonstrable community harm).

The Committee is troubled by the absence of empirical analysis that:

- demonstrates unacceptable outcomes would result if development in each stage were to start before the gateway infrastructure required for that stage was delivered
- quantifies those unacceptable outcomes
- demonstrates how the gateway infrastructure items matched to each stage will resolve those unacceptable outcomes.

Without that empirical analysis, it is difficult for the Committee to conclude with certainty that the VPA's proposed staging approach will deliver a net community benefit, and impossible to quantify that benefit.

Standing Advisory Committee Referral 8 Report

For these reasons, the Committee cannot support the Staging Plan in the form proposed by the VPA.

(iv) Conclusions and recommendation

The Committee concludes:

- The Staging Plan in the form proposed by the VPA is inappropriate and should not be supported.
- There is no justification to apply the Specific Controls Overlay.

The Committee recommends:

General recommendation

Do not apply the Specific Controls Overlay to any land in the precinct.

Recommendation

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.

G3	Residential subdivision and development that contributes to meeting the 12% affordable housing target is encouraged.
G4	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.
G5	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

- 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 within the precinct, we are concerned that the infrastructure costs will prevent affordable housing 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).

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.

	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%

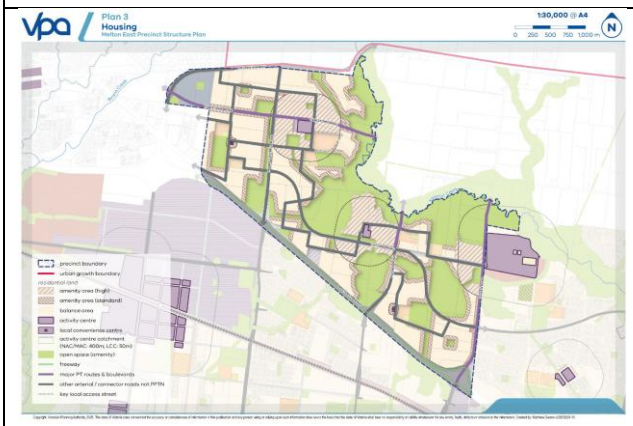
Table 5. Dwelling yields

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
TOTAL	481	26.9	12,908
Anticipated population at 3.1persons per dwelling			40,015

Table 4 - Densities Affordable Housing Delivery Guidance

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

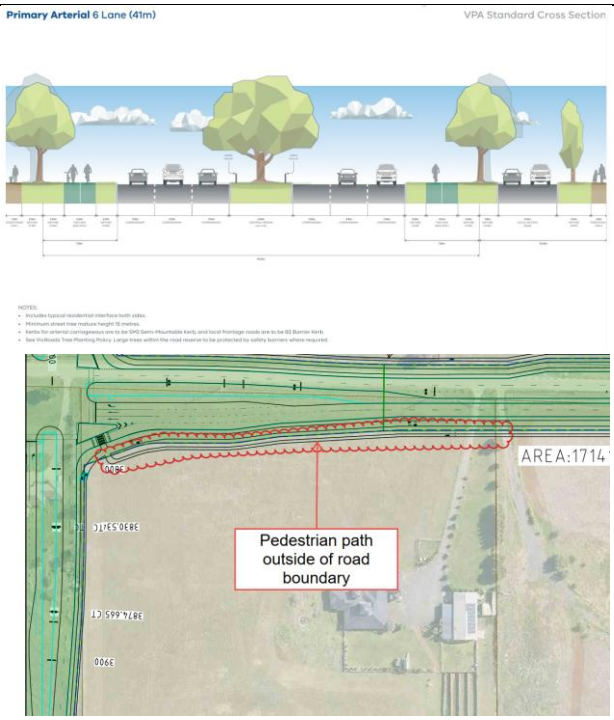
A thorough review of the draft Melton East Precinct Structure Plan has been undertaken, along with the Planning Scheme Ordinance and we provide the following submissions in addition to the matters outlined above:

Draft Melton East Precinct Structure Plan	Submission
	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-distribution of Public Open Space).
O3 To provide higher density development within walkable catchments to areas of high amenity, including around key destinations such as activity centres, open space, and active and public transport networks R1, R2, G1	As per the body of our submission, it is requested to amalgamate the Amenity Area (High Density) and Amenity Area (Standard). Therefore, in order for the vocabulary to remain consistent and clear, it is requested to remove the work 'high' from the objection below to clearly apply to the submitted 'Amenity Areas.' Refinements recommended below: *To provide higher density development within walkable catchments to areas of ~~high~~ amenity, including around key destinations such as activity centres, open space, and active and public transport networks*
R4 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.	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.
	Plan 3 – Housing: As per the body of our submission, it is requested to amalgamate the High Density Amenity Areas and Standard Density Amenity Area into a single designation – 'Amenity Area' requiring a density target of 30 dwellings per net developable area - consistent with the targets identified in the Victorian Planning Authority Precinct Structure Plan Guidelines (2021).

G4 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.	As per the body of our submission, it is requested to amalgamate the Amenity Area (High Density) and Amenity Area (Standard). Therefore, in order for the vocabulary to remain consistent and clear, it is requested to remove the work 'high' from the guideline below to clearly apply to the submitted 'Amenity Areas.' Refinements recommended below: *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.*
Table 3 – Housing Density and Diversity	As per the body of our submission, it is requested to amalgamate the Amenity Area (High Density) and Amenity Area (Standard) along with the Target Density to reflect 30 dwellings per NDA as per the PSP Guidelines (2021). The Target Typologies should also be refined accordingly and as detailed in our submission, all developments are likely to be reliant on Small Lot Housing Code typologies. As such, the Amenity Area and Balance Area Target Typologies description should not limit the utilisation of Small Lot Housing Code but rather encourage it as appropriate.
R11 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.	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.' As such, it is requested to refine requirement 11 as follows: *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.~~*
R12 Pedestrian and cyclist crossings must be provided generally in accordance with those indicated in Plan 4 Movement Network. Additional pedestrian and cyclist crossings must be provided every 400–800m where appropriate, along arterial roads, waterways, and any other accessibility barriers.	It is recommended to refine requirement 12 as follows, noting the infrastructure burden within the precinct and the typical Clause 56 controls that may guide any further pedestrian cyclist crossings/infrastructure required: *Pedestrian and cyclist crossings must be provided generally in accordance with those indicated in Plan 4 Movement Network.* *~~Additional pedestrian and cyclist crossings must be provided every 400–800m where appropriate, along arterial roads, waterways, and any other accessibility barriers.~~*
G11 Direct vehicle access to lots from connector roads should be minimised through: • Rear loaded lots with laneway access • Vehicle access from side streets • Restricting direct access to residential lots from connector roads.	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.
G12	Laneway design and layout should: • Provide a laneway length between 50 metres to 80 metres • Service a maximum of 8 to 10 dwellings per side • Provide good passive surveillance into, along and through the laneway • 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	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.
R22	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).	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.
R39	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.	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.
G15	Vegetation identified in Plan 8 Native Vegetation Retention & Removal as 'can be removed' should be retained where possible along streets and in subdivisions, as identified in the *Melton East PSP Arboricultural Report* (Tree Logic, July 2022).	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.
G16	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.	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.
G17	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.	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.
G32	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.	The preparation of the Cultural Heritage Management Plan and the *Aboriginal Heritage Act 2006* 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.
G33	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 Aboriginal Heritage Regulations 2018: • Land identified as a potential rise area on Plan 10 – Aboriginal Cultural Values • Land identified as rock outcrops/exposed rock on Plan 10 – Aboriginal Cultural Values • Land identified as moderate, moderate-high and high predicted archaeological sensitivity in Appendix 9 Predicted Aboriginal Archaeological Sensitivity.	Given the nomination as voluntary, it is requested to delete guideline 33 from the draft Melton East PSP and rely on the *Aboriginal Heritage Act 2006* and the *Aboriginal Heritage Regulations 2018.*

G34 Development should recognise and respond to Aboriginal Cultural Heritage significance through: • Protection of River Red Gums and remnant endemic vegetation within waterways and water landscapes and drainage areas shown on Plan 10 – Aboriginal Cultural Values • Protection and incorporation of view lines shown on Plan 10 – Aboriginal Cultural Values • 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 • Incorporation of interpretative signage at significant locations in development in consultation with the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation. • Use of Wurundjeri Woi-wurrung place names in consultation with the Wurundjeri Woi-wurrung Cultural Heritage Aboriginal Corporation.	The preparation of the Cultural Heritage Management Plan and the *Aboriginal Heritage Act 2006* 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.
R63 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. 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.	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. As such, it is requested for requirement 63 to be amended to a guideline and re-phrased as follows: *Infrastructure and development staging ~~must~~ 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.* *Where it ~~can be demonstrated to the satisfaction of Melbourne Water that this~~ is not possible, staged development proposals ~~must~~ 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.*
R68 Drainage from stormwater infrastructure must be designed to minimise impacts on biodiversity values, particularly habitat for matters of national environmental significance located within conservation areas.	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: *Drainage from stormwater infrastructure within Conservation Areas must be designed to minimise impacts on biodiversity values, particularly habitat for matters of national environmental significance ~~located within conservation areas~~.*
R69 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.

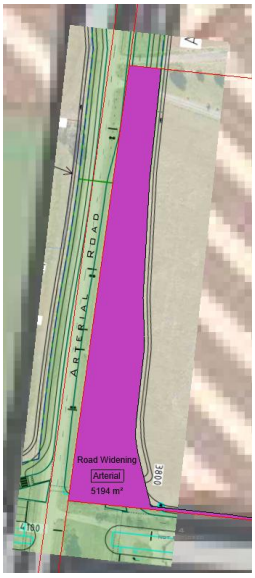


Appendix 5 – The Standard Road Cross Sections

We note that Plan 4 - Movement Network designates Mount Cottrell Road as a Primary Arterial Road – 6 Lane (41) with off road 2-way bike path and pedestrian path.

The cross section however depicts the pedestrian path outside of the 41m road reserve and within the adjoining private land.

The Land Budget for property 18 specifies that 0.71ha of land is required for Arterial Road - Public Acquisition Overlay and Arterial Road - New / Widening / Intersection Flaring (ICP land).

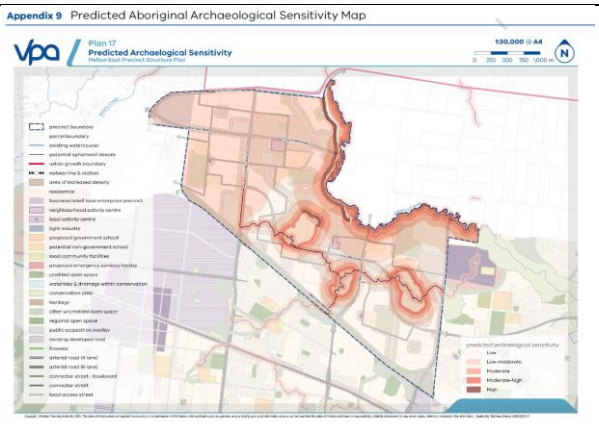


Our review of the widening and impacts indicate that the area is 94m2 larger than what is indicated within the PSP Land Budget. Furthermore, the PSP Land Budget excludes the additional area required for the pedestrian path from the ultimate public land requirements of the PSP.

It is therefore recommended to remove the pedestrian path from the Primary Arterial 6 Lane (41m) if it does not form part of the Arterial Road road reservation and is not intended to be acquired by the public land requirements of the ICP. In addition, it is recommended to remove the reference to pedestrian path from within the Plan 4 - Movement Network legend.

We further note that Plan 4 - Movement Network designates Tarletons Road as a Secondary Arterial – 4 lane (34m) with on-road bike lanes and off-road shared paths (on both sides). There are no cross sections included for the Secondary Arterial Roads within the PSP.

We recommend the Secondary Arterial Road cross sections are included within the PSP for clarity and a visual representation of the expectations.



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 *Aboriginal Heritage Act 2006* and the associated Regulations directly address Aboriginal Cultural Heritage.

As such, it is submitted to delete Appendix 9 from the draft Melton East PSP.

Urban Growth Zone – Schedule 13	Submission
Section 2.2 – Applied Zones	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.
Clause 3 – Application Requirements Environmentally sustainable development An application for the development of land must be accompanied by a Sustainable Design Assessment report or a Sustainability Management Plan prepared by a suitably qualified professional that demonstrates how the development will achieve best practice sustainable design. This includes encouraging energy performance, integrated water management, indoor environment quality, transport, waste management and urban ecology. Best practice environmental design for the development can use the Built Environment Sustainability Scorecard (BESS) or other comparable sustainable design tool. The sustainable design assessment (including an assessment using BESS, STORM or other methods) should consider as relevant to the below: Residential • 2-9 dwellings. • A building used for accommodation other than dwellings with a gross floor area between 100 square metres and 1000 square metres. Non-residential • A non-residential building with a gross floor area of 300 square metres to 1000 square metres. • An extension to an existing non-residential building creating between 300 square metres to 1000 square metres of additional gross floor area (excluding outbuildings). The Sustainability Management Plan (including an assessment using BESS/Green star, STORM/MUSIC or other methods) and a green travel plan should be applicable to the below: Residential • 10 or more dwellings. • A building used for accommodation other than dwellings with a gross floor area of more than 1000 square metres. Non-residential • A non-residential building with a gross floor area of more than 1000 square metres.	Whilst we do not oppose the application of Environmentally Sustainable Development initiatives into the Planning Scheme and development process, it provides problematic assessment frameworks at the planning application phase without clear minimum benchmark/expectations to be achieved. It is recommended that clearer benchmarks/expectations are outlined within these provisions to provide clarity for development outcomes and Council statutory planners.

• An extension to an existing non-residential building creating more than 1000 square metres of additional gross floor area (excluding outbuildings). Mixed use Applicable assessments for the residential and non-residential components of the development.	
Shared Path Network Plan 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. 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: • Identify the existing pedestrian, bicycle and/or shared path network connections along these roads. • 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. • Identify the relevant ICP items required to be delivered in full or in part to ensure continuous connections to activity nodes are provided.	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. As currently drafted, the requirement is ambiguous as how far this plan should extent and what would be considered relevant. It is submitted that this plan should be confined to activity nodes within 400m walkable catchment of the subject site.
Acoustic Assessment Report Any application for use, subdivision or development of land for Accommodation, Education centre (other than Tertiary institution and Employment training centre) or Hospital within a noise influence area shown on Plan 15 Noise Influence Areas of the Melton East Precinct Structure Plan, must be accompanied by an acoustic assessment report prepared by a qualified acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority which: • Applies the following noise objectives: - Not greater than 35 dB LAeq,8h when measured within a sleeping area between 10pm and 6am. - Not greater than 40 dB LAeq,16h when measured within a living area between 6am and 10pm.	We are seeking independent advice as to whether the provisions suggested are consistent with the Environment Protection Regulations under the *Environment Protection Act 2017* and the Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues (Publication 1826, Environment Protection Authority, May 2021). Nevertheless, we recommend the provisions are simplified to require an Acoustic Assessment to address the provisions of Clause 13.05-1S. This will ensure the requirements are consistent with State and Industry Standards.

- For areas other than sleeping and living areas, not greater than the median value of the range of recommended designed sound levels. • Noise levels should be assessed: - Considering the cumulative noise from all sources impacting on the proposal including existing and likely future road traffic noise, industry noise and other potential noise sources; and - In unfurnished rooms with a finished floor and the windows closed and be based on average external noise levels measured as part of a noise level assessment. • Identifies lots and/or buildings requiring mitigation from noise from all sources impacting on the proposal, including road traffic noise and industry noise. If lots and/or buildings requiring acoustic mitigation are identified, the report should include recommendations for any noise attenuation measures required to meet the applicable noise level objectives. These recommendations should prioritise measures that benefit both outdoor and indoor spaces, and should address: - Noise compatible design for buildings, with siting, orientation, and internal layout, to be considered prior to setting building envelope performance requirements. - Potential noise character (tonality, impulsiveness or intermittency); - Noise with high energy in the low frequency range; - Transient or variable noise; and - Vibration. This requirement does not apply if the permit applicant provides, to the satisfaction of the responsible authority, a statement in writing, supported by verifiable evidence, from a qualified acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority that, having regard to Clause 13.05, the proposed development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions, and that no noise attenuation measures are required.	
Clause 4 – Conditions and Requirements for Permits Condition – Shared Path Network 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	The intention and requirement of this condition is not clear. 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. We request further clarification behind the intent of this condition and what is being mandated given the Activity Node definition can be

Road, shown on Plan 1 of this Schedule, must include the following condition: 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.	subjective based on the expansion within Clause 3 – Application Requirements. 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.
Clause 5 – Exemptions from Notice and Review An application for a use listed in Section 2 of the Residential Growth Zone and General Residential Zone on land where the applied zone listed at Table 1 of this schedule is Residential Growth Zone or General Residential Zone is not exempt from the notice requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.	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. 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.
Clause 6 – Decision Guidelines Shared Path Network 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 notes, including local employment centres, community centres, primary and secondary schools, public transport and community infrastructure.	We note the Share Path Network decision guideline currently included within the draft Urban Growth Zone – Schedule 13. 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. 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.

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 or via email

Yours sincerely
SPOT Planning Pty Ltd

Samuel Sawaya
Director