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28 March 2025

Victorian Planning Authority
Level 25, 35 Collins Street
Melbourne VIC 3000

Dear Sir / Madam,

DRAFT MELTON EAST PRECINCT STRUCTURE PLAN

SUBMISSION ON BEHALF OF THE TRUSTEE FOR 68 PAYNES RD FAMILY TRUST

66 - 114 PAYNES ROAD, GRANGEFIELDS

Human Habitats acts on behalf of *'The Trustee for 68 Paynes Rd Family Trust'* in relation to their property at 66 – 114 Paynes Road, Grangefields ("our client's site"). We write in response to the exhibition of the Draft Melton East Precinct Structure Plan (March 2025) ("the PSP") and the Draft Melbourne Water Drainage Strategy ("the DSS"). The PSP identifies our client's site for residential purposes and includes a large drainage area along the eastern extent of the site.

On behalf of our client, we wish to make the following submission:

1. The drainage area proposed is oversized and should be reduced.
2. The drainage area surrounding the natural depression is not required to respond to ecological or cultural heritage values.
3. The increased drainage size unreasonably burdens our client's site and reduces its development potential.
4. The site should be downgraded from medium potential to low potential for contamination.

Our justification and reasons for making this submission is outlined in the remainder of this correspondence.

1 Background

The site is located on the western side of Paynes Road, north of the Western Freeway. The site has an approximate area of 12ha and is currently vacant grassland. The site has a 387 metre frontage to Paynes Road, forming its eastern boundary, and a 655 metre frontage to the Western Freeway, forming its southern boundary.

Several trees and other vegetation have been planted along the east boundary of the site. Additionally, vegetation is planted adjacent to the southern site boundary, within the Western Freeway road reserve.

There is a constructed waterway in the southwest corner of the site. This provides an outlet for the Paynes Road PSP (south of the Western Highway). The constructed waterway connects to a natural depression/low point in the northeast corner of the site, which crosses Paynes Road and forms part of a larger drainage area located at 1173-1199 Beattys Road, Grangefields.

The site is within the Urban Growth Zone and is not affected by any Overlays under the current Planning Scheme controls.



Figure 1 Aerial view of subject site (outlined in red)

2 Melton East PSP

The Melton East PSP seeks to deliver a network of walkable, safe and attractive neighbourhoods which leverage the natural beauty of Kororoit Creek conservation area and wetlands. The PSP supports affordable and sustainable living with diverse housing with a strong connection to surrounding areas to ensure there are local employment opportunities.

The draft Melton East PSP was released for public consultation in early March, with the opportunity for submissions closing on 31 March 2025. Upon review of the submissions, the VPA may conduct a Planning Panel prior to finalising the Structure Plan for Ministerial consideration.

2.1 Proposed PSP Controls

The PSP nominates the western half of the site for residential use and development, with the remainder of the site earmarked as 'other uncredited open space' designated as a drainage area. The residential area within 50 metres of the drainage area is proposed to be an 'area of increased density' for housing, as shown in Figure 2 below. We understand the drainage area is based on the draft DSS prepared by Alluvium in February 2025 (excerpt of pre-development conditions in Figure 3).



Figure 2 - Excerpt of Draft Future Urban Structure (subject site outlined in red)

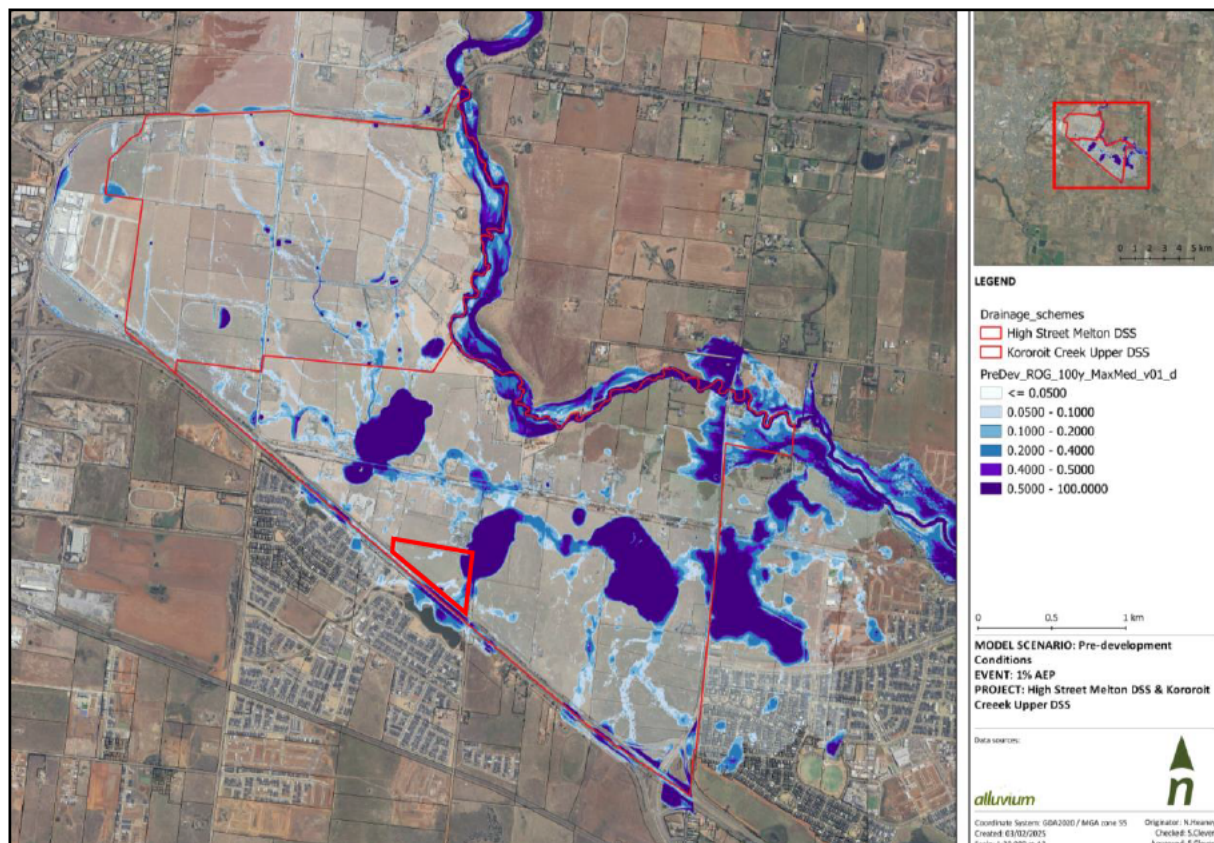


Figure 3 - Excerpt of the Modelled Pre-development Conditions of the Melton East PSP area (site outlined in red)

3 Submission

On behalf of our client, we wish to raise an issue with the proposed location and extent of the proposed drainage area at 66 – 114 Paynes Road, Grangefields. The proposed drainage area is oversized and unreasonably burdens our client's land.

From our review of the draft Melton East PSP and the supporting documentation, we make the following submission:

- The drainage area has been oversized, above what is required solely for drainage purposes. This appears to be for vegetation conservation and in response to the potential for Aboriginal Cultural Heritage.
- The site is located within the Melbourne Strategic Assessment (MSA) Area, with none of the site identified for conservation by the MSA. This additional area is not required for conservation purposes and has been mapped for removal and offset in accordance with the MSA. The drainage area should be reduced accordingly.
- The Aboriginal Cultural Heritage Assessments that inform the PSP are desktop/preliminary assessments only, as per the standard process. A 'predicted archaeological sensitivity' map for the PSP area has been produced as part of this. It is acknowledged in the Assessments that the purpose is to provide guidance for planning and future development of the precinct, identifying the most likely potential locations for cultural heritage. It has not been produced to quarantine these areas, noting its preliminary nature.
- We do not dispute that the area surrounding the drainage basin/natural depression is an Area of Aboriginal Cultural Heritage Sensitivity. However, the proposed PSP drainage area should not be used to quarantine this land from development.

- The land should be designated for residential use and development. The preparation of a Cultural Heritage Management Plan through the development process is an appropriate method for determining whether cultural heritage is present and identifying the necessary requirements to protect and manage it.

The proposed drainage area should be limited to the area strictly necessary for drainage purposes. This is to ensure the most efficient development of land and delivery of new housing to meet the States housing needs. It is also in Melbourne Water's interest to minimise the land required for drainage to reduce the cost of the DSS and compensation payable to landowners for drainage infrastructure land.

3.1 Alternate Drainage Basin Design

We understand that the landowner to the north, at 2-32 and 34-64 Paynes Road, through their engineer, DPM Consulting Group, is proposing an alternative design for the Paynes Road drainage area. This involves relocating the sediment, silt storage, and treatment areas to the north of the basin and piping them rather than using channel connections to the basin. The design also proposes to realign the constructed waterway, connecting the drainage area to the Paynes Road PSP, closer to the existing Paynes Road road reserve.

This design is supported in principle on the basis that it reduces the land take required for drainage purposes on our client's land. We encourage this land take to be minimised as much as possible and use the constrained land between the basin and the proposed alignment of Paynes Road (within 1173-1199 Beattys Road and 1145-1171 Beattys Road). This is not a high amenity area being next to an arterial road and would be better suited for drainage purposes. The development of this land would also be challenging and inefficient due to a significant proportion of the area being taken up by perimeter roads as an interface treatment to the drainage area and Paynes Road.

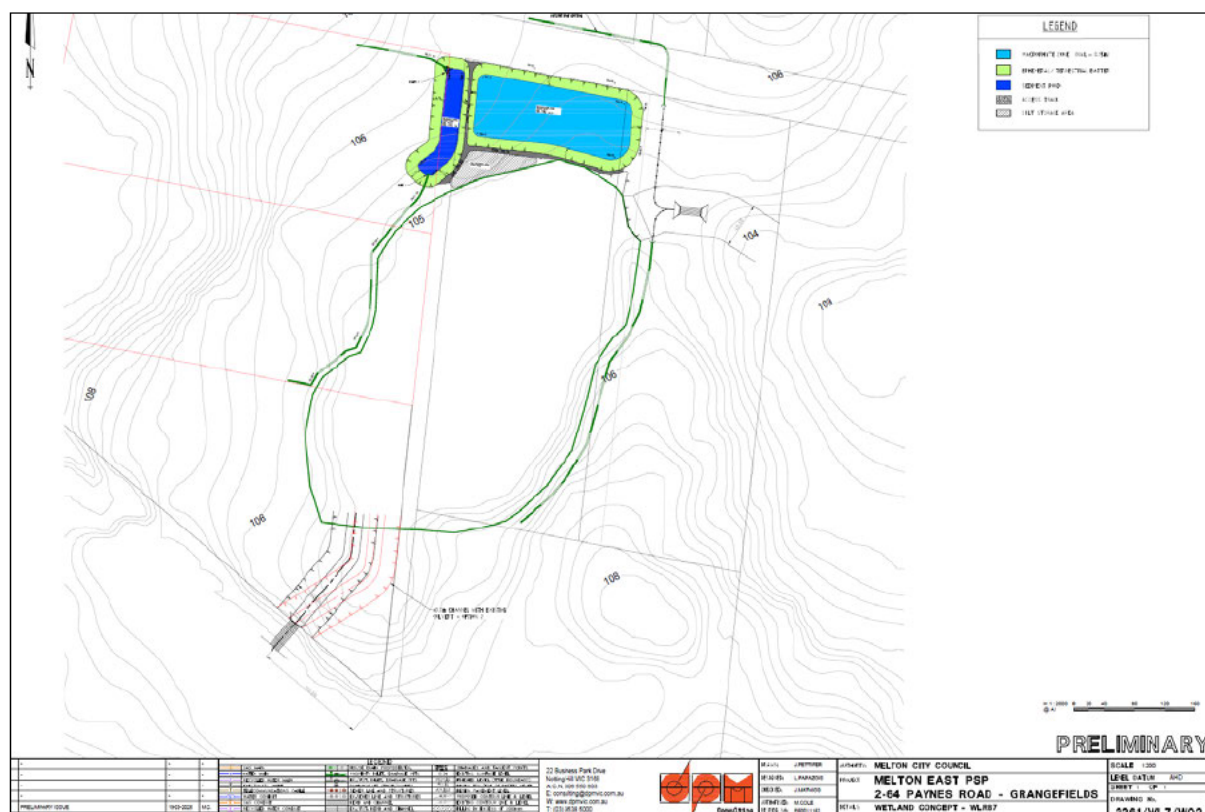


Figure 4 - Preliminary Wetland Concept, prepared by DPM Consulting Group



3.2 Potential for contamination

Reviewing the Land Capability Assessment (LCA) prepared by Jacobs dated 27 March 2023, we understand that the site has been assessed as having 'medium potential for contamination'. This is on the basis that there is some agricultural waste on the property. Appendix E (pdf page 180 of Part 4 of LCS) includes the following observation regarding the site (property 69): *Paddock with some localised agricultural waste evident on the surface (timber, metal, plastic). Water being pumped from Thornhill Park opposite on to the site.*

We question the need for a Preliminary Risk Screen Assessment to be applied to the site, given that the LCA states it is timber, metal, and plastic waste that is present. These are not hazardous materials caused by a high or medium potential for contamination land use as defined by Planning Practice Note 30. This waste can be removed as part of the development of the site. Accordingly, the site should be downgraded from medium potential to low potential for contamination.

4 Conclusion

Human Habitats acts on behalf of The Trustee for 68 Paynes Rd Family Trust in relation to their property at 66 – 114 Paynes Road, Grangefields. Upon review of the draft Melton East PSP and supporting documentation, we have concern with the size and location of the proposed drainage area. We believe our client's land is proposed to be unreasonably unencumbered and its development potential unnecessarily reduced.

Our client looks forward to engaging in discussions with the VPA in the hope of agreeing a position on the strategic planning for the site. Notwithstanding, our client reserves the right to make further submissions to the draft PSP and DSS in due course, including appearing at a Standing Advisory Committee Hearing.

If you would like to discuss this submission further, please do not hesitate to contact [REDACTED] via email to [REDACTED] or via phone on 03 9909 2202. Alternatively please contact the undersigned at [REDACTED]

Yours sincerely

A handwritten signature in black ink, appearing to read 'José Virguez'.

José Virguez
Director