

Submission to

Casey Fields South Employment & Devon Meadows PSP, DSS & Amendment C295 case

90 Clyde – Five Ways Road, 70 & 130 Moores Road, Clyde

Client
Villawood Pty Ltd

Issued
31 March 2025



Introduction

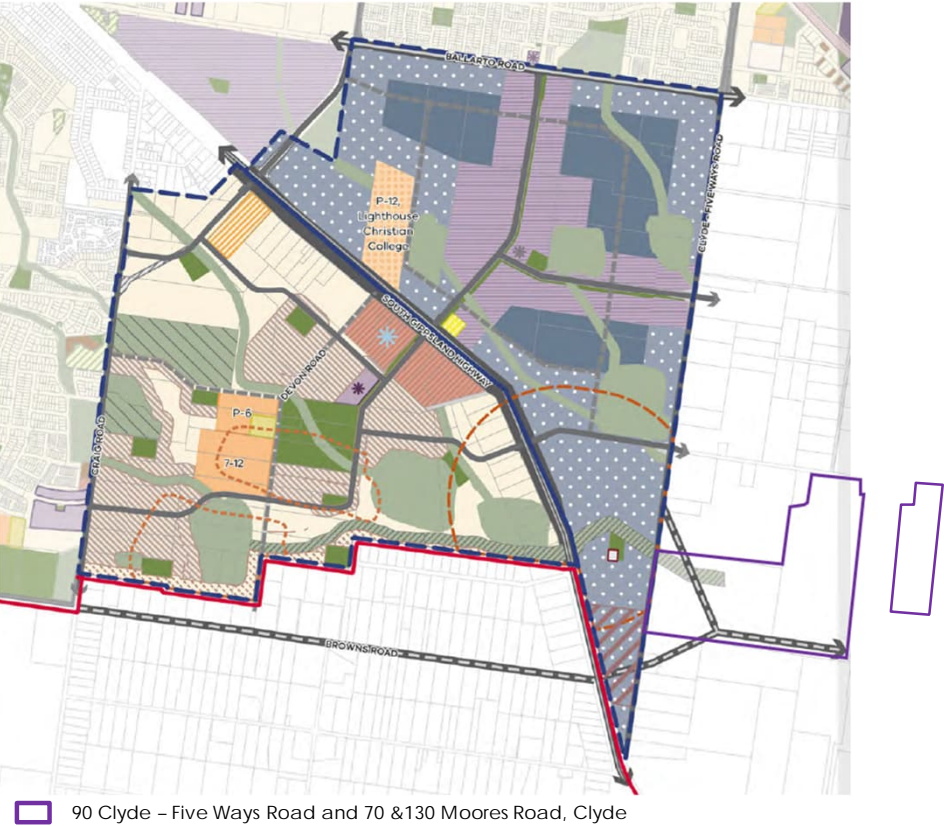
Beveridge Williams makes this submission to the Casey Fields South Employment and Devon Meadows Precinct Structure Plans (CFS&DM PSP), the Casey Fields South Employment and Devon Meadows Development Services Scheme (CFS&DM DSS) and Planning Scheme Amendment C295case on behalf of Villawood Pty Ltd who have an agreement with the current landowners to develop the properties at 90 Clyde – Five Ways Road and 70 Moores Road, Clyde and 130 Moores Road, Clyde, following the gazettal of the future Clyde South PSP.

The subject land is located within the Clyde South PSP which the State Government’s 10-year Greenfields Plan identifies as a as a Horizon 2 project (to commence between 2025/26 and 2028/29, with completion by 2033). The VPA has recently completed the Due Diligence Threshold Assessment for Clyde South PSP and has formally submitted their recommendation to the Minister for Planning to progress the PSP from Due Diligence to PSP Preparation Stage. It is understood that the VPA is awaiting the Minister’s approval to commence the PSP.

Our client makes this submission because whilst the subject land is located within a neighbouring PSP, the CFS&DM PSP and DSS propose land use outcomes that will directly impact the existing land uses and potential development opportunities in the future. Specifically, these documents propose to apply the Public Acquisition Overlay Schedule 4 (PAO4) to the subject land to facilitate the purchase and construction of a diversion waterway to an existing drainage channel that runs through the site. The CFS&DM PSP also illustrates an inductive future road network across the subject land despite the land not forming part of the CFS&DM PSP.

Based on a review of the CFS&DM PSP, DSS and Amendment documentation, our client strongly objects to the draft CFS&DM PSP and the CFS&DM DSS as it applies to Clyde South and the subject land.

Figure 1: Extract from PSP Plan 2: Place Based Plan (VPA 2025)



Subject Site and Surrounds

Villawood’s landholdings comprise two parcels that are identified as 90 Clyde Fiveways Road and 70 Moores Road, Clyde. These properties are located on the western edge of the future Clyde South Precinct Structure Plan (PSP) area which neighbours the Casey Fields South and Devon Meadows Precinct Structure Plan (CFS&DM PSP).

90 Clyde Fiveways Road is a rectangular land parcel with a 368m frontage to Clyde – Five Ways Road and has a site depth of 559m. The total site area is approximately 20.6Ha.

The property is occupied by a single dwelling as well as work sheds that are used to support a market garden which occupies the balance of the land. A farm drain traverses the site in a north to south direction and there is a large dam located in the south-east corner of the site. Vegetation/trees line the front property boundary and the around the dwelling. A number of windrows are located along the edges of the crop arrangements.

The property at 70 Moores Road, Clyde is slightly irregular in shape with a frontage to Moores Road of 229m. The property has a depth ranging from 642m to 801m. The site is occupied buildings and infrastructure to support the agricultural operations that occur on the land. Two large dams are located in the north-western corner of the site and are actively used for irrigation purposes. A centrally located farm drain traverses the site from north to south. The site spans a total area of 26.86 hectares and supports vegetation primarily along the boundaries of the property and along the edges of the dams and crop arrangements.

90 Clyde-Five Ways Road and 70 Moores Road are located within the southwestern extent of the future Clyde South PSP area. The precinct is designated as a residential precinct and will form the final residential precinct within the City of Casey to be planned within the urban growth boundaries. The Clyde South PSP is currently identified as a Horizon 2 project, with preparation potentially commencing as early as July 2025, depending on the outcomes of the VPA’s 2025/26 Business Plan. The Clyde South PSP spans an area of 1057ha and is bounded by Ballarto Road to the north, Yallambee Road and farming properties to the east, Manks Road to the south, the South Gippsland Highway to the southwest and Clyde Fiveways Road to the west. Clyde-Five Ways Road generally forms the shared boundary with the CFS&DM PSP.

Figure 2: Site Context Aerial (Metro Map 2025)

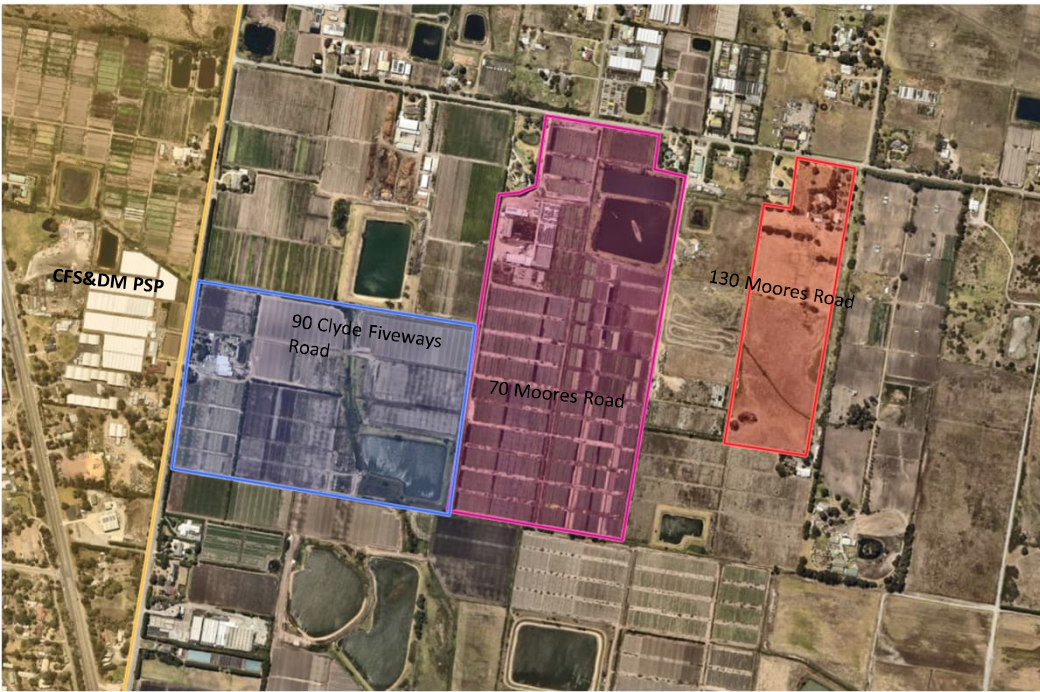


Figure 3: 90 Clyde-Five Ways Road, Clyde Aerial (Metro Map, 2025)



Figure 4: 130 Moores Road, Clyde Aerial (Metro Map, 2025)



Figure 5: 70 Moores Road, Clyde Aerial (Metro Map, 2025)



Property Details		
Address	90 Clyde Fiveways Road Clyde	70 Moores Road Clyde
Formal Description	Lot 2 on LP99489	Lot 2 on PS312668
Municipality	City of Casey	
Site Area	20.6ha	26.86ha
Zone	Urban Growth Zone (UGZ) Urban Floodway Zone (UFZ)	Urban Growth Zone (UGZ)
Overlay	Public Acquisition Overlay – Schedule 1 (PAO1) Land Subject to Inundation Overlay (LSIO)	Land Subject to Inundation Overlay (LSIO)
Area of Aboriginal Cultural Heritage Sensitivity	Yes	Yes
Bushfire Prone Area	Yes	Yes
Melbourne Strategic Assessment Area	Yes	Yes

Title Details

90 Clyde - Fiveways Road is formally known as Lot 2 on LP99489. A drainage easement is located on the property and traverses north-west to south-east through the site. Two caveats are also registered on title which serve to restrict the sale of the land without written consent from the affected parties.

70 Moores Road is formally known as Lot 2 on PS312668. No easements are present on site. A single caveat is registered on title and restricts the sale of the property without written consent from the affected parties.

130 Mores Road is formally known as Lot 2 LP213261.

Section 45 notice is registered on both Titles and relates to the application of the Melbourne Strategic Assessment Area. Section 201UB is also registered on both Certificate of Titles and relates to GAIC liability.

Figure 6: Extract from Title – Lot 2 on LP99489 (90 Clyde-Five Ways Road)

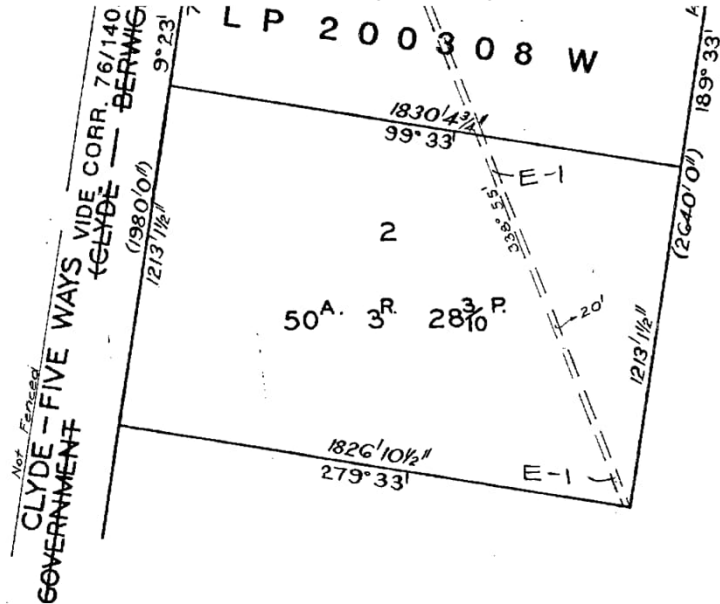


Figure 7: Title Extract Lot 2 PS312668 (70 Moores Road)

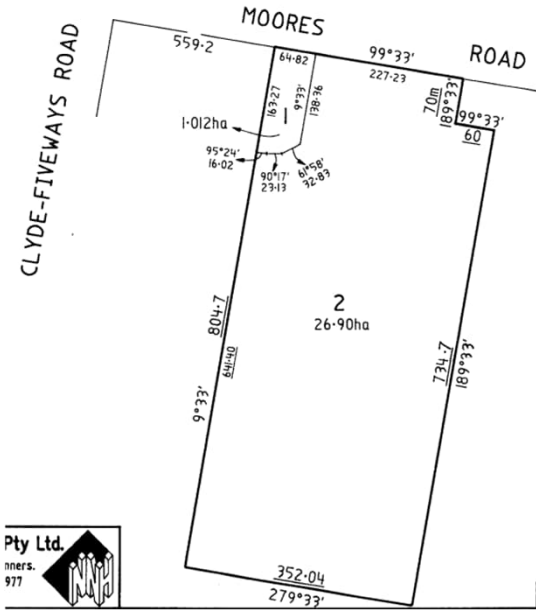
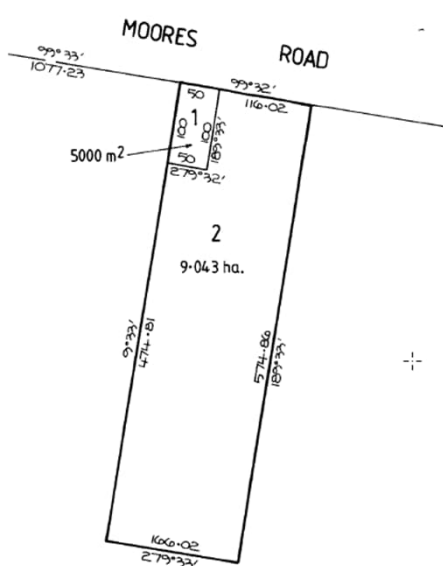


Figure 7: Title ExtractLot 2 213261 (130 Moores Road)



Existing Planning Controls

90 Clyde – Five Ways Road and 70 Moores Road are located within the City of Casey and are subject to the provisions of the Casey Planning Scheme.

The sites are zoned Urban Growth Zone (UGZ), and as the Clyde South PSP is yet to be prepared, no schedule currently applies. The Urban Floodway Zone also applies to 90 Clyde – Five Ways Road. Both properties are affected by the Land Subject to Inundation Overlay (LSIO). The Public Acquisition Overlay – Schedule 1 applies to the western edge of 90 Clyde Five-Ways Road to facilitate the future widening of the road to an arterial standard.

Clause 37.07 Urban Growth Zone

The site is subject to the Urban Growth Zone (UGZ). The purpose of the Urban Growth Zone is:

- To manage the transition of non-urban land into urban land in accordance with a precinct structure plan.
- To provide for a range of uses and the development of land generally in accordance with a precinct structure plan.
- To contain urban use and development to areas identified for urban development in a precinct structure plan.
- To provide for the continued non-urban use of the land until urban development in accordance with a precinct structure plan occurs.
- To ensure that, before a precinct structure plan is applied, the use and development of land does not prejudice the future urban use and development of the land.

Under the provisions of the UGZ, Part A applies to the land since the Clyde South PSP has not yet been prepared. Part A generally restricts the subdivision and development of the land until a Schedule that implements the outcomes of the Clyde South PSP is incorporated into the Casey Planning Scheme. In the interim, the planning controls support the continued use of land for agriculture.

Clause 37.04 Urban Floodway Zone (UFZ)

The Urban Floodway Zone (UFZ) partially traverses the eastern extent of 90 Clyde Fiveways Road (approximately 3.17ha, and 80m in width). The UFZ is applied to areas with the greatest risk and frequency of flooding. The zone aims to ensure that the development of land allows the passage and storage of floodwater; minimises flood damage to property; recognises flooding as a hazard; and responds to local drainage conditions. Additionally, the zone intends to improve environmental quality as well as minimise soil erosion, sedimentation, and silting.

Under the UFZ, a dwelling is a 'Section 3 – Prohibited' use meaning that a permit cannot be granted to use this portion of the site for housing.

Within the UFZ, a permit is required for land subdivision. Subdivision is only allowed if the number of lots does not increase, unless a local floodplain development plan incorporated into the scheme permits otherwise. Additionally, a subdivision may be approved if it creates a lot that, by agreement between the landowner and the relevant floodplain management authority, is to be transferred to an authority for a public purpose.

Clause 44.04 Land Subject to Inundation Overlay (LSIO)

The LSIO partially applies to both properties. Under Clause 44.04-2, planning approval is required for any future development or subdivision on the site. The application will be referred to Melbourne Water to address flooding and inundation concerns. This typically means that finished floor levels must be set above a certain height, and basement ramps may need to be designed with specific gradients to minimise flood risks.

Clause 45.01 Public Acquisition Overlay Schedule 1 (PAO1)

The Public Acquisition Overlay – Schedule 1 (PAO1) applies to the western boundary of 90 Clyde Five Ways Road, reserving the land for the Head, Transport for Victoria. This is for the future widening of Clyde-Five Ways Road to an arterial standard. The adjacent Clyde Creek PSP to the north plans for Clyde-Five Ways Road to continue south as a 41m wide, 6-lane primary arterial road, and this configuration is expected to be included in the future Clyde South PSP.

Figure 8: Existing UGZ & UFZ (Source: VicPlan)

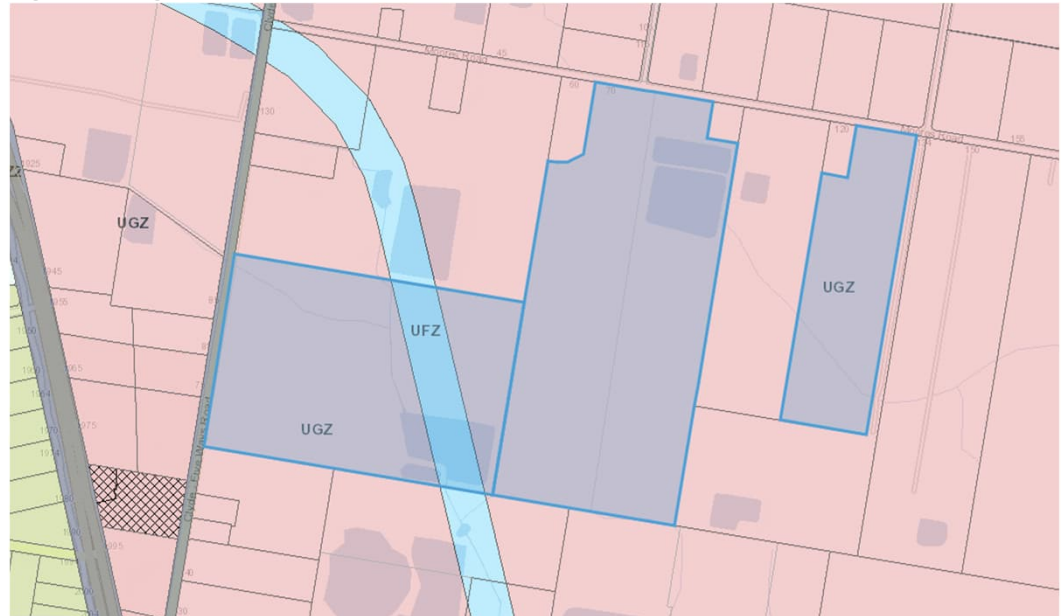
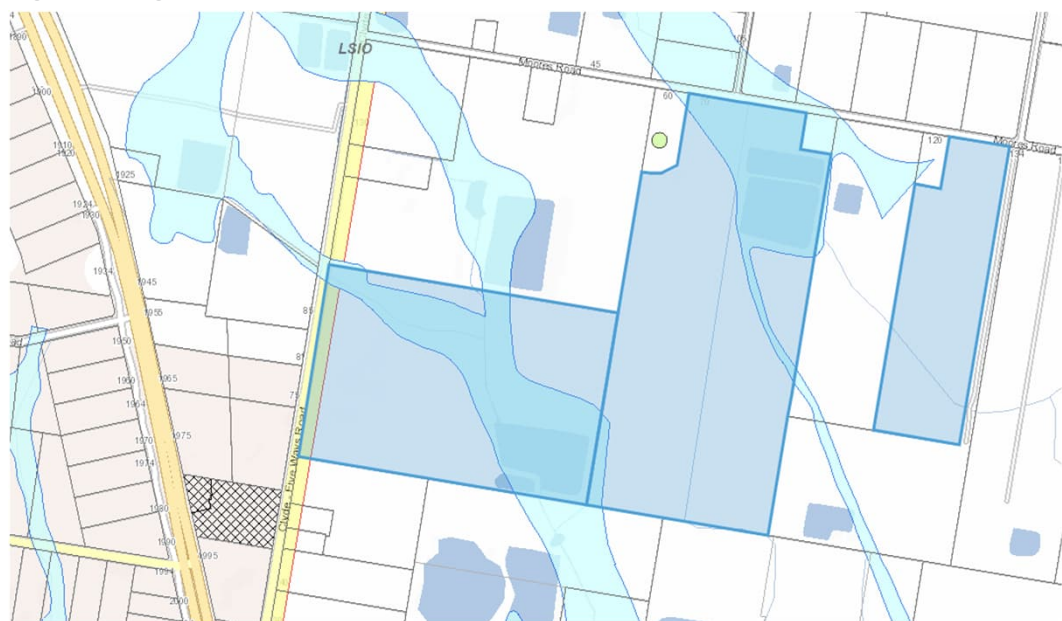


Figure 9: Existing PAO1 & LSIO (Source: VicPlan)



Draft Casey Fields South (Employment) and Devon Meadows PSP & Proposed Planning Controls

Casey Fields South and Devon Meadows Precinct Structure Plan (CFS&DM PSP)

The draft Casey Fields South (Employment) and Devon Meadows PSP combines a residential precinct and an employment precinct into a single Precinct Structure Plan. The precincts are relatively small in comparison to the adjoining Clyde South PSP being 275Ha and 216Ha respectively. Both precincts are distinct in character and physically separated by the established road network.

The future Clyde South PSP forms the shared boundary with the Casey Fields South (Employment) Precinct which the CFS&DM PSP envisages as a flexible, next-generation employment precinct, expected to create around 5,370 jobs. The urban structure is designed to be robust and adaptable, supporting a diverse mix of industries and businesses to foster growth and innovation.

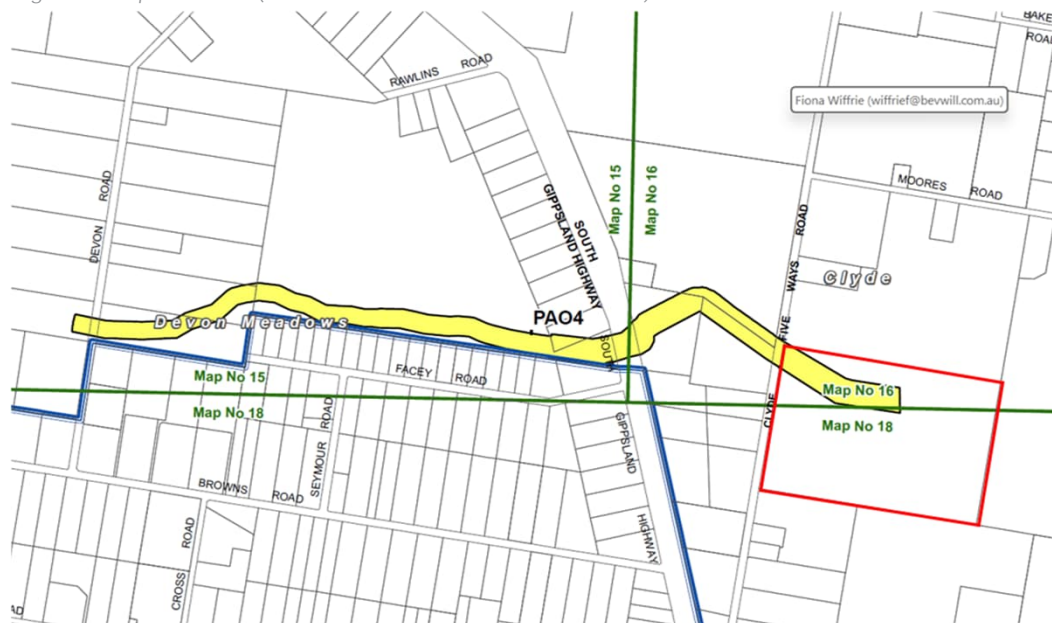
As a residential precinct Devon Meadows 'will be an immersive and walkable residential community that is home to just over 11,000 residents in a seamless blend of modern urban living and natural landscape character'.

The subject site is located within the Clyde South PSP, adjacent to the CFS&DM PSP. The CFS&DM PSP and the draft CFS&DM Development Services Scheme (DSS) propose infrastructure to support the development of the precinct, particularly the Devon Meadows precinct. The CFS&DM PSP proposes to apply the Public Acquisition Overlay – Schedule 4 (PAO-4) to 90 Clyde Five-Ways Road to enable the construction of a waterway and a legal point of discharge into the existing channel that runs through the eastern extent of the subject land. This proposed outcome aligns with the plans outlined in the draft CFS&DM DSS.

In addition, the CFS&DM PSP illustrates an indicative future road network across the subject land.

It is submitted that the draft CFS&DM PSP and DSS seek to mandate land uses on the subject land before the Clyde South PSP has even commenced preparation. The implications of this approach are far-reaching, as it pre-empts planning outcomes for Clyde South and risks progressing Devon Meadows without a detailed understanding of the broader impacts. Furthermore, there has been little to no analysis conducted to address the potential negative impacts on the existing business operations and the future development potential of the subject land. As a result, Villawood strongly objects to the draft CFS&DM PSP and the CFS&DM DSS in relation to the subject land.

Figure 10: Proposed PAO4 (Source: Exhibited Amendment C295case)



Public Acquisition Overlay – Schedule 4

The CFS&DM PSP and DSS propose a 40m wide Public Acquisition Overlay over 90 Clyde – Five Ways Road to facilitate drainage for the entire Devon Meadows Precinct and to improve what Melbourne Water has described as 'legacy issues' associated with the Devon Meadows rural residencies located beyond the Urban Growth Boundary. The total land-take associated with proposed PAO4 as it applies to 90 Clyde – Five Ways is approximately 2ha.

Preliminary investigations have identified that parts of the Public Acquisition Overlay (PAO) are located on a rise in the westernmost section of the Devon Meadows precinct which will require significant earthworks to construct the future waterway. At its widest point, the waterway could be in the order of 100m wide to allow for appropriate batters. A more detailed analysis also indicates that the diversion channel, when compared with GHD's groundwater observations, significant sections of the channel appear to be below the groundwater level which will likely contribute to further increases in flows into Clyde South.

It is submitted that the application of the PAO is premature and requires further investigations to confirm the accurate extent of land required to facilitate the current drainage scheme proposal.

Until this work has been undertaken, Villawood strongly objects to the application of PAO-4 and the diversion waterway across their site.

Staging

CFS&DM PSP Plan 9 – Infrastructure and Development Staging identifies the purchase of land and the construction of the proposed diversion waterway as a Stage 1 priority. The staging plan prevents any development within either precinct from commencing until this infrastructure has been delivered.

Of great concern to our client is that the current agricultural operations will continue on site until the land receives planning permit approval for subdivision and development in line with the future Clyde South PSP. The existing business has no intention of reducing or closing operations before this approval is granted. Therefore, the existing land use does not trigger a need for any upgrades to the existing channel that runs through the site to support current operations.

Accordingly, Villawood raises concerns about how Melbourne Water and the VPA plan to manage the significant increase in water flow through the site before a drainage scheme for the subject land and the Clyde South PSP is prepared. The staging plan, CFS&DM PSP, and DSS do not recognise the extent of work that will be required to the existing waterway that traverses the subject land. Specifically, the diversion waterway could increase flows by up to 100%. Similarly, the resolution of increased flow further downstream at the UGB and beyond remains unresolved under the current draft DSS.

Due to the lack of resolution associated with drainage downstream of the proposed diversion waterway in addition to the premature and under investigated approach to the impacts it will inevitably have on the development potential of Clyde South, Villawood strongly objects to any increase in flows into the site to facilitate the development of the adjoining precinct as per the draft CFS&DM DSS and PSP.

Preliminary Drainage Investigations

To understand the potential implications to the subject land, Beveridge William's drainage engineers have reviewed the draft CFS&DM DSS and attended the four DSS engagement sessions hosted by the VPA and Melbourne Water. The engineers have also met directly with Melbourne Water to discuss the draft CFS&DM DSS.

During the engagement sessions, concerns have been identified by Beveridge Williams and other parties in relation to:

- The diversion channel proposed to direct flows across catchments from Devon Meadows to the future Clyde South PSP via the Casey Fields South PSP.
- Presence of significant unknowns such as impacts to Clyde South PSP and downstream agricultural land.
- Staging of the proposed development, especially focused on the absence of downstream waterways to accept flows.
- The amount of land proposed to be used for waterways, retarding basins and wetlands.
- The lack of alignment with other planning objectives such as efficient urban form.

Appendix A to this submission contains a memorandum that details Beveridge Williams' preliminary investigations and includes:

- High level review of planning and objectives.
- High level review of site context.
- Review of GHD's current proposal
- Outlining alternative ideas to manage stormwater through the subject land.

Drainage Considerations

The study area relating to the drainage memorandum includes the Casey Fields South (Employment) & Devon Meadows PSPs and the neighbouring Clyde South PSP which has not yet commenced. The PSP areas interact with 8 Melbourne Water Drainage Services Schemes (DSS) which identified as:

- Devon Meadows DSS (2362) – Under preparation in conjunction with PSP.
- Clyde Five Ways Rd DSS (2367) – Under preparation in conjunction with PSP.
- Moore Rd DSS (2368) - Under preparation in conjunction with PSP.
- Clyde Township DSS (2373) – To be developed with Clyde South PSP; Downstream of Casey Fields South PSP.
- Botanic Ridge DSS (2352) – In progress; located upstream of and drains into Devon Meadows.
- Junction Village North DSS (2365) – In progress; located upstream of and drains into Junction Village South.
- Junction Village South DSS (2363) – Not yet commenced construction; located upstream of and drains into Clyde Five Ways Rd DSS.
- Casey Fields South DSS (2364) – Completed; located upstream of and drains Moore Rd DSS.

There are 2 key areas downstream of the PSP's that are relevant to this assessment:

- Existing Devon Meadows to the south of the proposed Devon Meadows PSP.
- The existing green wedge area to the south and east of future Clyde South PSP that is used for agriculture.

The stormwater and flooding related controls for the PSPs are:

- **Flood Control:** ensure that flooding is appropriately managed through the PSP for the nominated design event. This requires appropriate capacity of assets with sufficient freeboard to surrounding properties and no detrimental impacts to adjacent (upstream and downstream) areas. It is noted that due to the release of ARR2019 version 4.2 and the latest climate change guidelines, design events are now required to account for climate change. Melbourne Water have not yet nominated a climate change projection required to select the design event.
- **Peak Runoff Control:** implement retarding basins and other measures to ensure that peak runoff during the design event does not exceed pre-development conditions where the DSS ends.
- **Volume Control:** implement measures to ensure that the overall volume of flows discharging from the site (including frequent events) does not significantly increase as a result of development.
- **Water Quality Control:** implement water sensitive design measures such constructed wetlands and sediment ponds to ensure that best practice water quality targets are achieved and receiving waters are protected from pollutants and excess nutrients.

Considerations for the drainage strategy include:

- **Socially and economically sustainable:** The proposed design needs to be as cost effective as possible so as to be affordable for the community to operate and maintain.
- **Considerate of other planning requirements:** The proposed design needs to be sensitive to other requirements such as environmental protection, habitat, heritage requirements, open space requirements, and efficient urban layout.
- **Minimise earthworks requirements:** Earthworks can be destructive, expensive and generate pollution and CO2 emissions. The proposed design should work closely with the natural terrain to minimise earthworks requirements for the scheme and surrounding urban areas.
- **Implementable:** The design should consider the means by which the scheme is staged and delivered. There should be a clear process by which the scheme can be delivered without overreliance on temporary assets, and assets should be located on properties where there is sufficient other development available to fund the scheme works.
- **Groundwater management:** The study area is known for high groundwater levels and will need careful design to avoid impact to the groundwater table.
- **Opportunities for water reuse:** The proposed scheme should identify opportunities to capture and reuse stormwater, especially in the context of the downstream agricultural areas.
- **Melbourne Water wetland preferences:** Verbal feedback from Melbourne Water is that their maintenance team have reported that small to medium sized wetlands are performing well and their large end of line wetlands are not. As such they would like to see several smaller wetlands rather than one large wetland. MW have also noted that they do not want wetlands to discharge to downstream wetlands and flows should aim to bypass instead.
- **Amenity and public use:** Where possible, scheme assets should be configured to provide value/amenity to the community in the form of public open space. They should also aim to integrate, where possible, remnant vegetation and habitat.

Melbourne Water draft DSS

The draft CFS&DM Development Services Scheme proposes:

- 4 basins (WLRB) for Devon Meadows and a further 4 basins on Casey Fields
- 8 new constructed waterways including the proposed diversion channel

The key component of the strategy is the diversion channel is to achieve the following:

- Divert flood flows away from downstream properties to solve flood capacity issues in existing Devon Meadows
- Prevent increase in volume of water to downstream properties in existing Devon Meadows

The strategy terminates at Clyde Five Ways Road with 3 assumed connection points to the downstream channel network. It is noted that the area included in the strategy does not represent the full Clyde Five Ways Rd DSS and Moore Rd DSS.

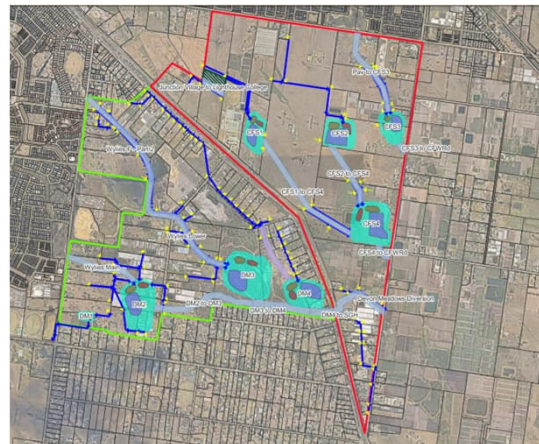


Figure 11: Preliminary Concept Drainage Strategy Plan (Source: Draft CFS&DM DSS - GHD 2024)

Concerns associated with current drainage proposal

The information below identifies the concerns associated with Melbourne Water's current drainage proposal as identified through preliminary drainage investigations undertaken by Beveridge Williams.

The Diversion Channel

The stated purpose of this channel was to protect downstream homes in Devon Meadows from flooding and excessive increases in volumetric discharge. While redirecting flows from Devon Meadows would protect these homes from the issues above, its not clear how it solves the issue. Rather it just relocates it as a problem for the landowners on Clyde South to manage until such time as they PSP/DSS can be developed and implemented. Even then, the issue will require additional assets or negotiation with downstream owners to resolve.

Supplementary discussions with MW have indicated that they have previously assessed flooding downstream and believe that these could be managed if flows are retarded to predevelopment at the boundary of the Devon Meadows DSS. It was noted that the only real flood concern related to the existing properties along Facey Rd.

In these discussions, MW have also noted that the volumetric concern was based of anecdotal evidence (customer complaints) and not modelling or analysis.

Preliminary analysis of the flooding and water balance conducted by Beveridge Williams indicates that these issues could potentially be managed through more typical measures including:

- Maintenance and minor capacity augmentation of the downstream channel, to potentially a 10m wide grassed channel which would require minimal property acquisition to achieve.
- Retarding basins to ensure pre-development flow rates at the boundary.
- Capture and retention of ~565 ML/y of flows in the basin and a diversion pipe in the order of 225mm to direct it to the farmland downstream for re-use.
- A more modest diversion between DM3 and DM4 before connecting to the existing Wylies Drain channel to protect homes along Facey Rd.

With regards to the actual implementability of the channel:

- Beveridge Williams has used the 1m LiDAR and levels summarised in GHDs report I an effort to understand how the channel works with the terrain and groundwater levels.
- Preliminary analysis indicates that the diversion channel requires significant cut to achieve the required levels, particularly between basins DM2 and DM3.
- At its deepest, up to 10m of cut will be required which with the proposed 1:5 batters could require a reserve width of up to 100m at its widest rather than the 40m proposed by the PAO. This would require a significant volume of earthworks to achieve which will incur significant cost.
- When compared with GHD's groundwater observations, it appears that significant sections of the channel are proposed to be below the groundwater level which raises several key issues:
 - If groundwater is allowed to enter the channel, then this is essentially a groundwater extraction and diversion system that will convey an unknown volume of groundwater into Clyde South.
 - If the channel is lined somehow to exclude groundwater, then this is a significant obstruction to the natural groundwater flow which may cause issues upstream. Its also not clear how this would affect downstream groundwater use (human or environmental).
 - Considering the size and scale of the works, the groundwater interaction will complicate the construction methodology further adding cost.
- The final consideration is that the outfall for this channel is still not negotiated and will require significant culvert upgrades under the South Gippsland Highway and Clyde Five Ways Road. There is also no channel for it to connect to downstream of Clyde Five Ways Road.

In summary, the proposed channel appears to be a drastic and expensive measure directed at solving a problem that was not properly assessed/quantified. It does not appear even resolve the perceived issue, instead just relocating it to a different location. It is strongly recommended that the diversion channel as proposed is abandoned and focus is placed on an alternate solution to protect homes in Devon Meadows.

Connection Points and Impact to Landowners in Clyde South

At this time, the proposed strategy relies on 3 connection points (shown in images below). These points are characterised by:

- Roads being only marginally above the surrounding floodplain.
- An absence of any major drainage features, which are at best a small drainage channel and culvert and at worst no drainage feature at all.

The following is unclear:

- How the proposed connections will work:
 - What will they connect to where no channel exists, will there be a requirement to extend the channel until an appropriate discharge point is reached?
 - Is it proposed to lower the channel or raise Clyde Five Ways Rd to construct sufficient culvert crossings?
 - How will these works impact the existing landowners.
- With current agricultural land uses occurring downstream, how will these properties manage additional flows from proposed upstream works, especially from increased volumetric discharge from Casey Fields (similar to the Devon Meadows issue) and both volumetric and flood flows from Devon Meadows relocated via the diversion drain.
 - Considering that the PSP has not commenced for Clyde South, implementation of any downstream management works could be years away.
 - Will interim basins on Casey Fields be implemented to manage these interim issues?
- Under the ultimate use, what works surplus to those required to meet Clyde South obligations will be required:
 - Additional retarding basin to ensure predevelopment flow rates at Manks Road (outfall from Clyde Five Ways DSS) is maintained?
 - Additional basin/storage to capture and reuse excess volumetric flow (assuming this cannot be shunted downstream onto the green wedge?)
 - Additional waterway reserve area to handle additional flows diverted from Devon Meadows which could be between an 8-15 cu.m/s if retarded to pre-development (current climate conditions), depending on timing of the peaks. This could effectively increase flows passing through Clyde Five Ways Rd DSS in Clyde South PSP area by up to 100%. Further modelling is required to confirm this.

PROPOSAL FOR AN ALTERNATIVE CONCEPT

Given the issues identified above, it is clear that there is a need for a rethink of significant components of the strategy. Beveridge Williams are currently undertaking additional modelling and concept design along the following lines to see if a more equitable solution can be found that addresses the above concerns:

- Removal of the diversion drain to be replaced with minor improvements to the existing channels downstream and including of a 225mm diversion drain for re-use.
- Redesign of the Devon Meadows basins to demonstrate that objectives can be met without the need to divert to Clyde South.
- Concept design of works downstream of Clyde Five Ways Rd to allow MW and the VPA to arrange a PAO to secure outfalls for Casey Fields.
- Additional concept design of a potential diversion drain around Lighthouse College.
- An examination of Casey Fields basins to determine if there is a more efficient/equitable distribution of assets.

As part of this assessment BW will be looking at potential footprints, concept level earthworks and cost comparison to demonstrate that the solution is an improvement over the current proposal. This work will form a detailed supplementary submission the CFS&DM PSP, DSS and Amendment C295case.

Ancillary Implications of PAO4 and future DSS

Cultural Heritage Management Plan (CHMP)

A CHMP will be required to carry out works to facilitate the construction of the diversion waterway and the waterway downstream which will require upgrading, directly consequent to the increased flows caused by the development of Casey Fields South and Devon Meadows.

It is submitted that the completion of a CHMP for all land within the Clyde South PSP, which is required to support the development of the CFS&DM PSP, must be funded through the CFS&DM DSS.

Melbourne Strategic Assessment (MSA)

MSA levy contributions are applicable to the subject land.

MSA payments are typically tied to a stage of subdivision and, under Section 35 of the *Subdivision Act 1988*, are payable by the acquiring authority. It is submitted that the proposed CFS&DM DSS, and by extension, the CFS&DM PSP, unfairly burdens our client's future development potential in order to facilitate the development of the adjoining PSP while also addressing 'legacy drainage issues' associated with land that, from a drainage perspective, remains completely unrelated to the Clyde South Precinct.

It is submitted that the MSA levy, as it applies to all the land required to support the diversion waterway and the upgrading of existing waterways within the Clyde South PSP, must be funded through the CFS&DM DSS and not by our client.

Growth Area Infrastructure Levy (GAIC)

In a similar manner to the MSA, the GAIC Levy applies to the subject land. However, unlike the MSA, the person whose land is being acquired by the acquiring authority will generally be liable to pay the GAIC levy.

It is submitted the proposed PAO and necessary waterway upgrades are required to achieve a drainage solution that supports the development of Devon Meadows beyond what would have been required if the diversion was never proposed.

It is submitted that the GAIC payment associated with all land required to support the diversion waterway and waterway upgrades within the Clyde South PSP must be funded through the CFS&DM DSS.

Existing Use Rights

Somewhat overlooked by the proposed CFS&DM PSP and DSS is the landowners right to continue their current agricultural operations indefinitely, without disruption or prejudice.

It is submitted that even if Melbourne Water acquires the land to facilitate the construction of the diversion waterway as currently proposed, the flows entering the site cannot be increased to a level that would impact the operation of the existing use. As previously detailed, the current operator intends to continue the agricultural use on the land until a planning permit is granted to subdivide and develop the site in accordance with the future Clyde South PSP.

Drainage investigations conducted by Beveridge Williams have identified that the increase in flows entering the site could increase by up to 100%. This significant increase will have a considerable impact on the existing waterway that runs through the property.

Our client is concerned that there are significant unresolved issues regarding the management of flows and detention downstream of the diversion waterway. Specifically, it appears that no consideration has been given to the implications to the existing land uses and the potential loss of developable land due to the increased flows through Clyde South and 90 Clyde – Five Ways Road.

Accordingly, Villawood objects to any increases in flows entering their land until all impacts on their site and downstream are known.

Proposed Road Network

CFS&DM PSP Plan 4 – Movement Network identifies 2 indicative 4-lane secondary arterial roads traversing 90 Clyde – Five Ways and 70 Moores Road at various angles (Figure 11).

A review of the Strategic Traffic Modelling Report (which incorporates Clyde South) has been prepared to inform the proposed future road network for the CFS&DM PSP. Notably, the report does not provide commentary or imagery to support the indicative secondary arterial road as proposed on the subject land, as illustrated Figure 12. It is submitted that the nomination of a future road network within the Clyde South PSP is more appropriately addressed through the Clyde South PSP.

It is submitted that the proposed road network as it applies to 90 Clyde – Five Ways and 70 Moores Road, must be removed from all plans within the CFS&DM PSP as it is not justified.

Figure 12: Extract from PSP Plan 4: Movement Network (VPA 2025)

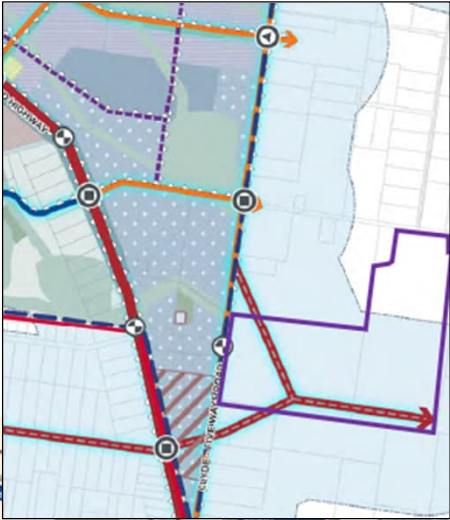
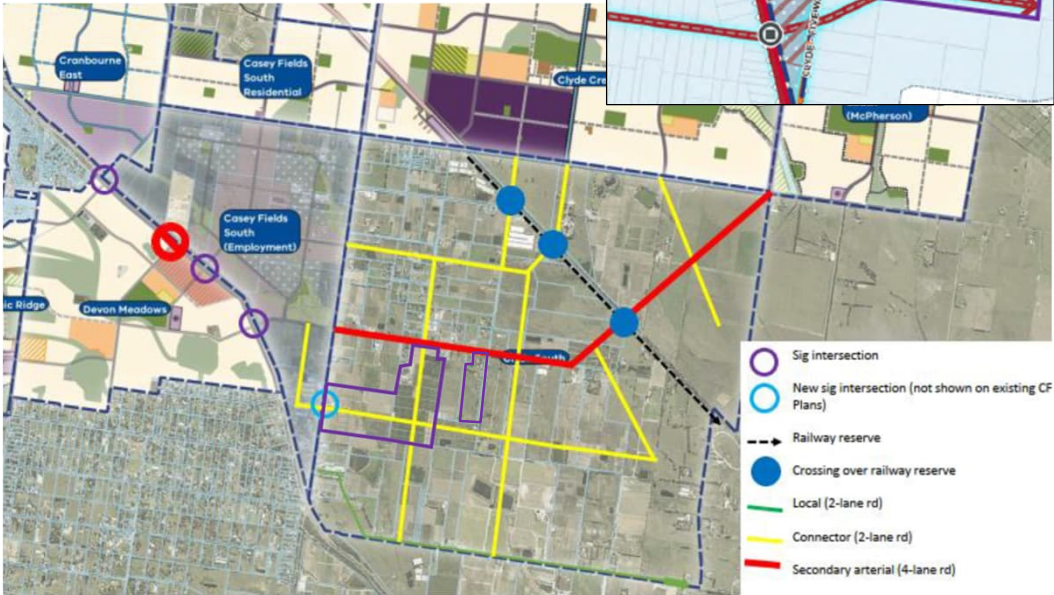


Figure 13: Proposed transport network for Clyde South PSP (Source: Strategic Traffic Modelling Report Figure 4-2 (Jacobs, October 2024))



90 Clyde – Five Ways Road and 70 & 130 Moores Road, Clyde

Conclusion

Villawood have an agreement with the current landowners to develop the properties at 90 Clyde – Five Ways Road and 70 Moores Road, Clyde following the gazettal of the future Clyde South PSP. As affected parties, Villawood strongly object to the draft CFS&DM PSP and the CFS&DM DSS as it applies to Clyde South PSP and the subject land.

The draft CFS&DM PSP and the draft CFS&DM DSS proposes land use outcomes that will directly impact and prejudice the existing land uses as well as potential development opportunities in the future on the subject land. Specifically, these documents propose to apply the Public Acquisition Overlay Schedule 4 (PAO4) to the subject land to facilitate the purchase and construction of a diversion waterway to an existing drainage channel that runs through the site. The CFS&DM PSP also illustrates an inductive future road network across the subject land despite the land not forming part of the CFS&DM PSP.

Technical drainage advice highlights significant concerns regarding the limited analysis conducted on the land within the Clyde South PSP. Specifically, there has been little attention given to managing increased flow downstream of the diversion waterway. The current operator of the land plans to continue agricultural uses until a planning permit is granted for subdivision and development as per the future Clyde South PSP. The existing operations do not require any drainage upgrades. Therefore, the client questions how Melbourne Water intends to manage the substantial increase in flows through the subject land and downstream without negatively impacting existing land uses when the data indicates that significant upgrades will likely be required.

From a future land use perspective, the client is concerned that the proposed drainage scheme will unfairly limit the development potential of the site before drainage issues are fully addressed and the technical analysis for the future PSP is completed.

To better understand the potential impacts and work towards a resolution for the broader region, Beveridge Williams has conducted a preliminary drainage investigation. Additional modelling and concept design is currently being undertaken to produce a more equitable solution, including:

- Removal of the diversion drain to be replaced with minor improvements to the existing channels downstream and including of a 225mm diversion drain for re-use.
- Redesign of the Devon Meadows basins to demonstrate that objectives can be met without the need to divert to Clyde South.
- Concept design of works downstream of Clyde Five Ways Rd to allow MW and the VPA to arrange a PAO to secure outfalls for Casey Fields.
- Additional concept design of a potential diversion drain around Lighthouse College.
- An examination of Casey Fields basins to determine if there is a more efficient/equitable distribution of assets.

In addition to the above, there are significant concerns regarding the financial burden that the drainage assets will place on our client, particularly the additional costs associated with multiple levies and the technical investigations required to support the delivery of the proposed infrastructure. It is submitted that any expenses generated as a consequence of the adjoining PSP must be incorporated into the CFS&DM DSS to ensure that our client is not further burdened by the CFS&DM PSP.

Finally, the CFS&DM PSP indicates a road network through the subject land. The Strategic Traffic Modelling Report does not provide commentary or imagery to support the application of this road, nor should the CFS&DM PSP include proposed future land uses, indicative or not, to properties located outside of the CFS&DM PSP. It is therefore submitted that the road network as it applies to the subject land be removed from the PSP.

