

Elizabeth McIntosh
Structure Planning Manager
VPA

By email: elizabeth.mcintosh@vpa.vic.gov.au, amendments@vpa.vic.gov.au

Dear Elizabeth,

RE: SUBMISSION TO RENOTIFICATION OF SUPPLEMENTARY LEVY FOR DONNYBROOK /WOODSTOCK ICP

1.0 Introduction and Background

Mirvac owns a large parcel of land in the Donnybrook Precinct Structure Plan area which is affected by the Donnybrook/Woodstock exhibited Infrastructure Contributions Plan, August 2018 (**ICP**) and received notice of the updated April 2019 ICP. Mirvac's Masterplan for the site, known as 'Olivine', will deliver some 2250 homes, two schools, a Local Town Centre as well as recreation and community spaces. Mirvac has also recently entered into an agreement with Boral Resources Limited to develop a further 278Ha of land to the north which will comprise a further ~2000 lots and thus becoming a core project in the Northern corridor and the largest in the Donnybrook/Woodstock PSP.

Mirvac has previously considered the exhibited material as part of Amendment GC102 and provided a submission to the VPA. We are also listed as a party to the upcoming Panel Hearing. Below we have outlined a number of matters arising from the updated ICP in relation to which we seek written clarification or which may form part of our submission at the upcoming Panel Hearing. As noted throughout, there are a number of issues for which Mirvac is seeking further advice from its experts and, at this time, does not consider its submission to the Amendment as being resolved.

2.0 Key Matters of Submission

The supplementary levy has been significantly lifted from the exhibited amount of ~\$412 per hectare (**Exhibited Supplementary Levy**) to ~\$34,777 per hectare (**Updated Supplementary Levy**) which we see is primarily the result of bridge and culvert projects being entirely funded using the supplementary levy.

Mirvac does not object, in principle, to the increase to the supplementary levy. In our previous submission, we indicated that the Exhibited Supplementary Levy was too low and did not accurately reflect the real costs of delivering the road and intersection projects. Notwithstanding, there are a number of matters which, in our view, require consideration.

2.1 Supplementary v Standard Levy

The table below demonstrates the differences between the exhibited ICP and updated ICP as to how the projects are to be funded.

	Exhibited ICP	Updated ICP
IN01	Wholly funded by Standard Levy (noting 25% apportionment to Shenstone ICP)	Wholly funded by Standard Levy but with no external apportionment
IN02	Wholly funded by Standard Levy (noting 25% apportionment to Shenstone ICP)	Wholly funded by supplementary levy with no external apportionment
IN03	Wholly funded by Standard Levy (noting 25% apportionment to Shenstone ICP)	Funded by supplementary and standard levy with no external apportionment.
IN04	Wholly funded by Standard Levy (noting 25% apportionment to Shenstone ICP)	Wholly funded by Standard Levy with no external apportionment

It is clear that there has been a change in direction as to which projects are funded through the standard levy or the supplementary levy, however the documentation which was advertised as part of the updated ICP provides limited insight on the basis for this change. We understand that the basis for this change is due to the updated design/scope of some of the projects (due to agreements at the conclave) and the consequent implications on the cost of the projects – notably the change of the Donnybrook Road intersection projects being scoped as 3-legged rather than 4-legged interim intersections.

At this time, Mirvac has concerns as to whether 3-legged intersections will receive support and subsequent approval from the Roads Authority and service authorities responsible for existing infrastructure. Mirvac will make its own enquires before making further comment on the changed application of the supplementary and standard levy items. We reserve the right to make further submissions on this matter.

2.2 Apportionment of Projects

Another difference between the exhibited and updated ICP relates to the apportionment of the transport projects. The exhibited ICP and the interim ICP currently in place include a 25% apportionment of the intersections along Donnybrook Road to the Shenstone Park ICP. The updated ICP removes any apportionment of these intersections (IN01, IN02, IN03, IN04, IN05) to the Shenstone Park ICP.

We understand that this change reflects VPA's position that the Donnybrook/Woodstock ICP ought to fund 3-legged intersections (termed a 'compact design') along Donnybrook Road, with the 4th leg to be delivered by the future Shenstone Park ICP to the south. Mirvac support this approach in principle subject to confirming that:

- A) The 3 legged intersections fits entirely within the Donnybrook/Woodstock PSP area or the existing road reserve to ensure that the intersection can be readily delivered. This needs to be checked using accurate survey data.
- B) VicRoads support and will approve the 3 legged compact design for construction and development of Parcels 20 and 10. Any alterations to the scope of the intersection at the detailed design stage which result in land outside of the PSP/Road reserve being required to

deliver it would be an unacceptable outcome. In Mirvac's submission, there must be a reasonable degree of certainty that VicRoads will approve the compact design without material change to land take or cost.

In relation to functional layout, Mirvac has reservations in relation to:

- Levels and Batter / Earthworks extents
- Shared path location
- Existing Services and Relocation
- Guard Rail requirements

It is likely that a further functional layout conclave will be required to address the revised designs.

We appreciate that the VPA is attempting to simplify the delivery of the intersections by the ICP funding a 3 legged intersection and we support this initiative, subject to confirmation that the intersection fits within the PSP/road reserve, VicRoads supports the design and that engineering and existing constraints align with funding scope.

2.3 Costs of Intersections

Throughout this process, it has been our view that that the intersections (specifically IN03) are underfunded.

The update of the intersection designs following the conclave has resulted in an improved design and costing for transport projects within the ICP. However, further time is required for Mirvac to undertake a detailed assessment of the updated benchmark costings.

Until it does so, Mirvac considers the intersection costs to be unresolved.

2.4 Public Land Provision

There are inconsistencies between the Plans and Project Descriptions for IN03 within the ICP (Plan 2 - Transport Construction Projects shows IN03 as a 4 legged intersection and Plan 4 – does not show the 4th leg to the south).

We understand that the VPA intends to update the ICP to reflect the 3 legged intersection design and associated land take in all the relevant Plans and Tables.

[REDACTED]

[REDACTED]

[REDACTED]