

Our Reference: [REDACTED]

21 December 2021

Victorian Planning Authority
C/o Wonthaggi NE PSP
Level 25, 35 Collins Street
MELBOURNE VIC 3000

[REDACTED]
Melbourne Office
1 Glenferrie Road
PO Box 61
Malvern VIC 3144
Tel: (03) 9524 8888

beveridgewilliams.com.au

Via email: [REDACTED]

Dear Sir / Madam

**RE: SUBMISSION TO THE REVISED WONTHAGGI NORTH EAST PRECINCT STRUCTURE PLAN, DEVELOPMENT CONTRIBUTIONS PLAN, ASSOCIATED DOCUMENTS & BACKGROUND REPORTS
PROPERTY ID #46 & 47 – KORUMBURRA – WONTHAGGI ROAD ST. CLAIR**

Beveridge Williams acts on behalf of BW Projects Pty Ltd, who have a contract of sale to purchase this land from Carbora Nominees Pty Ltd in relation to the above matter.

The site to which this submission applies Korumburra – Wonthaggi Road, St. Clair. This site is identified with two parcel identification numbers, being 46 and 47, in the PSP and DCP.



Figure 1 - Subject Site

This submission is in response to the revised Wonthaggi North East PSP, Development Contributions Plan (DCP) and Changes Report and associated background documents, dated November 2021 and follows our submission to the PSP in November 2020 on behalf of Carbora Nominees Pty Ltd. In response to the exhibited changes, we raise the following concerns and requests for clarification:

Public Open Space

- There is a discrepancy in the Public Open Space percentage included in R65 of the PSP and the Schedule to Clause 53.01 for residential land. We understand the POS calculation of 3.82% outlined in R65 has been calculated incorrectly as it includes local reserves provided for under the DCP. We understand the correct percentage should be 2.47% of NDHa.

Community Infrastructure Levy (CIL)

- There is inconsistency within the CIL which is payable per dwelling. Page 8 of the Development Contributions Plan (DCP) states the community infrastructure levy is capped at \$1,225 per dwelling, whilst Table 9 on page 35 shows that based on the DCP costings for community infrastructure the CIL per Dwelling computes to be \$1,178.97. We seek clarification on why the VPA & Council are seeking to collect a CIL that is above what is required to deliver the nominated projects.

Development Contributions Plan

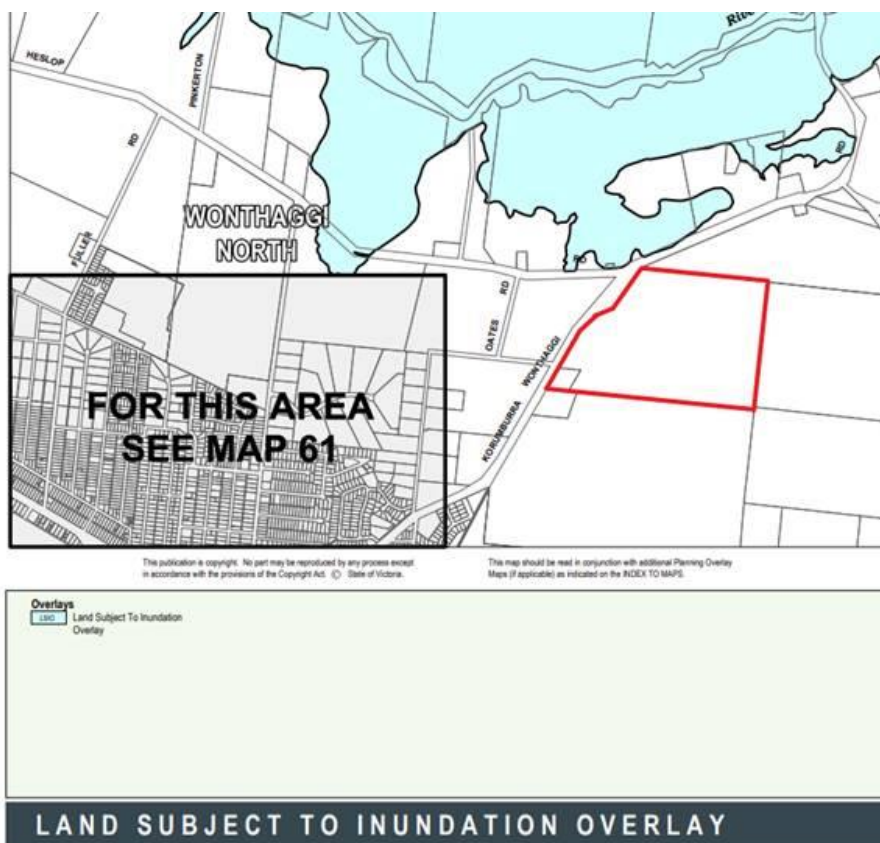
- We reserve the right to provide a response on the design and cost of intersection IN-04, which has been relocated further south than previously proposed, once provided.
- What is the rationale behind Alluvium's proposal to apportion the cost of drainage projects, which have been estimated at the functional design level, as 80% to the DCP with the remaining 20% attributed to Council?
- What is the methodology to be used to value land required to be provided in the DCP? We request that this be outlined in the DCP (see previous email attached also requesting this dated 19/03/2021).
- Section 3.2.4 of the DCP (Page 24) states that, "The DCP only makes an allowance for acquisition of land for drainage infrastructure where the land required would be otherwise unencumbered or is not the subject of a Section 173 Agreement". This is not acceptable to our client as this land still has a value and can be developed if filled to 600mm above the flood level. This also appears to be contradictory to the costings shown on Page 33 of the DCP, which includes a land value component of \$8,599,080.16 for WL-01.
- Why is the entire upstream catchment being included when sizing the sedimentation basins at WL-01? There are 12 sedimentation basins upstream that will be providing treatment.
- What is Alluvium's reasoning for including the external catchments in the sizing of the sedimentation basins? This results in the basins being larger than they need to be and will lead to additional construction costs and land acquisition costs for the DCP. The size of the sedimentation basins at WL-01 will create logistical issues at the time of cleaning.
- Why are Alluvium proposing higher BPEMG targets than are currently required and outlined in the Engeny Drainage Report? Has this been done at the request of Council as it will result in larger assets which are more expensive to deliver and, in turn, maintain?
- The Engeny Drainage Report requires the use of rainwater tanks (see Page 49) but Guideline G62 in the PSP states that "Development should demonstrate a reduced reliance on potable water through the use of alternative design features that

increases the utilisation of fit-for-purpose alternative water sources such as storm water, rain water and recycled water. **In particular, the use of lot-scale rainwater tanks plumbed to internal reuses such as toilet features is encouraged for stormwater quality treatment.** If rainwater tanks are only encouraged, and not mandated, how will Council be able to confirm overall treatment requirements are being met once the PSP is fully developed? If they are not installed and the treatment areas are required to be upsized they will be under funded in the DCP.

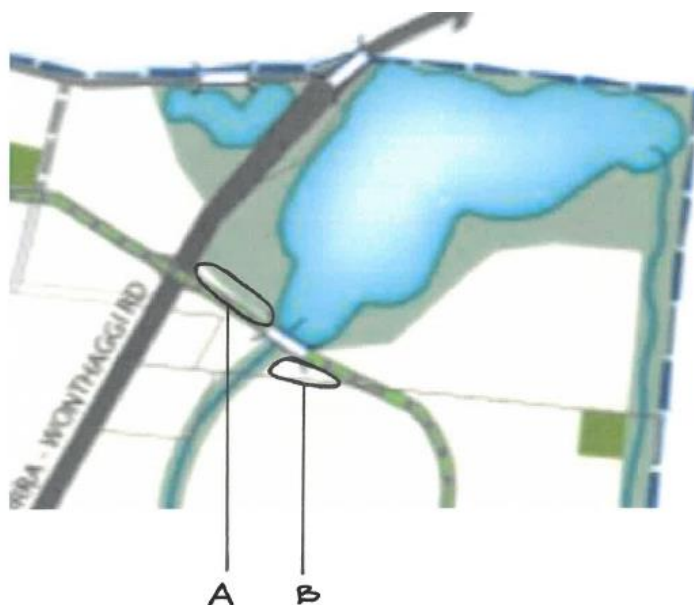
- Have allowances been made for the loss of flood storage due to the land being filled to facilitate development in the PSP area? The drainage strategy is unclear on this.
- Have Geotechnical Investigations & Reports being undertaken for the wetland areas to inform functional design and cost estimates? If not, why not, as the existing soil profile could have a substantial effect on project costs for works of this magnitude?
- What does the excavation rate of \$38m³ include? This rate that Alluvium have adopted for costing purposes appears high.
- Have the costings prepared by Alluvium been independently checked? The allowance of \$1,266,444 for traffic management in WL-01 costs appears high considering the wetland is contained within the site, whilst the allowance of only \$3,000 for timber bollards, \$100,000 for a shared path and \$35,000 for seating in WL-01 costs appears low, considering the significant size of the wetlands.
- Why has the Korumburra - Wonthaggi Road Embankment Culvert (Location 12-13), also known in Alluvium report as CU8, not been re-costed? This allows for 14 x 1200mm dia x 20m pipes for the outfall, whilst Alluvium's functional design shows the outfall as being 3 x 1200mm x 1200mm box culverts.
- The costing for WL-01 and the waterways includes the installation of the wetland planting but it makes no allowance for the maintenance of the landscaping for the two year landscape maintenance period. We object to this omission and request that the costing be revised to include this because for a project of this scale it will be substantial.
- Plan 11 of the PSP shows that the shape & size of WL-01 have changed substantially to what was previously proposed and what is shown in the updated Engeny Drainage Strategy. The screenshot below from Page 69 of the Alluvium Functional Design Report shows the proposed footprint of WL-01 in the Engeny Drainage Report (dashed blue line) over the Alluvium functional design for WL-01.



- The report prepared by Alluvium states that the land within the inundation extent falls within the LSIO.
- As can be seen on the excerpt from Map 57 from the Bass Coast Planning Scheme below the land (outlined red) does not lie within the LSIO.



- We also disagree that what Alluvium have proposed is a more cost effective approach, as the cost of constructing two wetlands is going to be far greater in comparison to constructing a single wetland. Further, the cost to fill the abutting land to 600mm above the 1% AEP flood level should be comparatively cheap as there will be fill available on site from the excavation for the wetlands. Using the fill won from excavating the wetlands should also provide a saving as it may otherwise need to be disposed of.
- Has any consideration been given to how the residual land around the wetlands will be practically developed? The areas shown as A & B on the image below have, respectively, no and very little value and are not going to be able to be developed to their highest & best use. If not reconfigured our client believes they should also be compensated for this land.



We thank you for the opportunity to register an addendum to our original submission in response to Amendment C152basc. Should the matters identified above remain unresolved and a Standing Advisory Committee is convened, we reserve the right to present our position elaborating on our points in greater detail to the committee.

Should you have any queries, please do not hesitate to contact me via email

[REDACTED]

Yours faithfully,

BEVERIDGE WILLIAMS
on behalf of
Bennett Williams Pty Ltd

Enclosures:

Submission to the draft Wonthaggi North East PSP – November 2020

Our Reference: Carbora Nominees

30 November 2020

Victorian Planning Authority
Re: Wonthaggi North East PSP
Level 25, 35 Collins Street
MELBOURNE VIC 3000

Melbourne Office
1 Glenferrie Road
PO Box 61
Malvern VIC 3144
Tel: (03) 9524 8888

beveridgewilliams.com.au

Dear John Petrakos,

**RE: SUBMISSION TO THE DRAFT WONTHAGGI NORTH-EAST PRECINCT STRUCTURE PLAN
PROPERTY ID #46 & 47 – KORUMBURRA – WONTHAGGI ROAD ST. CLAIR**

Beveridge Williams acts on behalf of Carbora Nominees Pty. Ltd. in relation to the above matter.

Carbora Nominees thanks the Victorian Planning Authority and Bass Coast Shire Council for progressing the Wonthaggi North East Precinct Structure Plan and the Wonthaggi North East Development Contributions Plan.

The site to which this submission applies Korumburra – Wonthaggi Road, St. Clair. This site is identified with two parcel identification numbers, being 46 and 47, in the PSP and DCP.



Following a review of the Draft Wonthaggi North East PSP, the Draft Wonthaggi North East DCP and the proposed planning controls as they apply to Property ID # 46 & 47, our client requests clarification of the following matters as they pertain to their land:

- The Engeny Drainage Strategy does not demonstrate the effect the PSP has on the 1% AEP Event. The plan contained in Appendix A of the strategy shows the existing conditions for the 1% AEP Event. We request that it be clarified and demonstrated the effect the PSP has on the extent, duration and flood level on the property for the 1% AEP Event considering that the strategy only allows for the 39% AEP & 63% AEP events to be detained back to predeveloped rates.

- Section 2.3.4 of the DCP states that *"the DCP only makes an allowance for the acquisition of land for drainage infrastructure where the land required would be otherwise unencumbered"*. We disagree with this position as encumbered land still had a value. Please justify the reasoning for this statement.
- Requirement 53 of the PSP states that *"all lots identified as "subject to existing flood extent" on Plan 9 must be filled to 600mm above the 1% AEP flood level for this area"*. Has WL-01 been sized to provide flood offset storage to compensate for this area being filled? Considering the scale of the drainage works occurring why has filling being linked to the pre-development flood extent and not the post development flood extent?
- If it is found that a larger area is required for WL-01 than allowed for in the PSP/DCP will the land owner be compensated accordingly?
- It is currently proposed that an Environmental Audit Overlay be placed over Property No. 47. We request that this be checked as the GHD Contaminated Land Investigation Report appears to be referring to Property No. 48 (Identifier 039 in the GHD Report) and not Property No. 47 (see attached).
- As per Section 3.2.2 of the DCP the PLEM valuation method is based around the average public land provision required for the PSP, with the land required for each property being calculated and compared against the average. We would like the DCP to list the average public land provision for the entire PSP area as well as a breakdown for each individual property in order to understand where additional land is being provided and whether the subject site is affected.

In addition to the above, we raise the following modification request.

- The owner has informed us that Property No.'s 46 & 47 are actually on the same title as he decided not to proceed with the previously proposed subdivision.

We thank you for the opportunity to register our submission to Amendment C152basc. We would appreciate a meeting to discuss the above issues with the VPA and Council in order to understand and resolve the issues. Should an independent panel be convened in related to this amendment, we reserve the right to formally present our position.

Should you have any queries, please do not hesitate to contact me via email



Yours faithfully,



FIONA WIFFRIE
Senior Town Planner
BEVERIDGE WILLIAMS