

27 October 2023

Paul Cassidy
Director, South East Metropolitan Melbourne
Victorian Planning Authority
Via email to osepsp@vpa.vic.gov.au

Dear Paul,

**Submission to Amendment C274 to the Cardinia Planning Scheme
Officer South Employment Precinct Structure Plan**

This is a submission from YourLand Developments (YourLand) to Amendment C274 to the Cardinia Planning Scheme (the Amendment), which implements the Officer South Employment Precinct Structure Plan (PSP).

YourLand controls 81.36 hectares of land, comprising PSP property 30E, 30R, 31E and 31R as shown on Figure 1. YourLand would like to commence development of the land as soon as planning approvals are in place.

YourLand supports the intent of the Amendment, but requests that changes are made to the Amendment before it is approved.

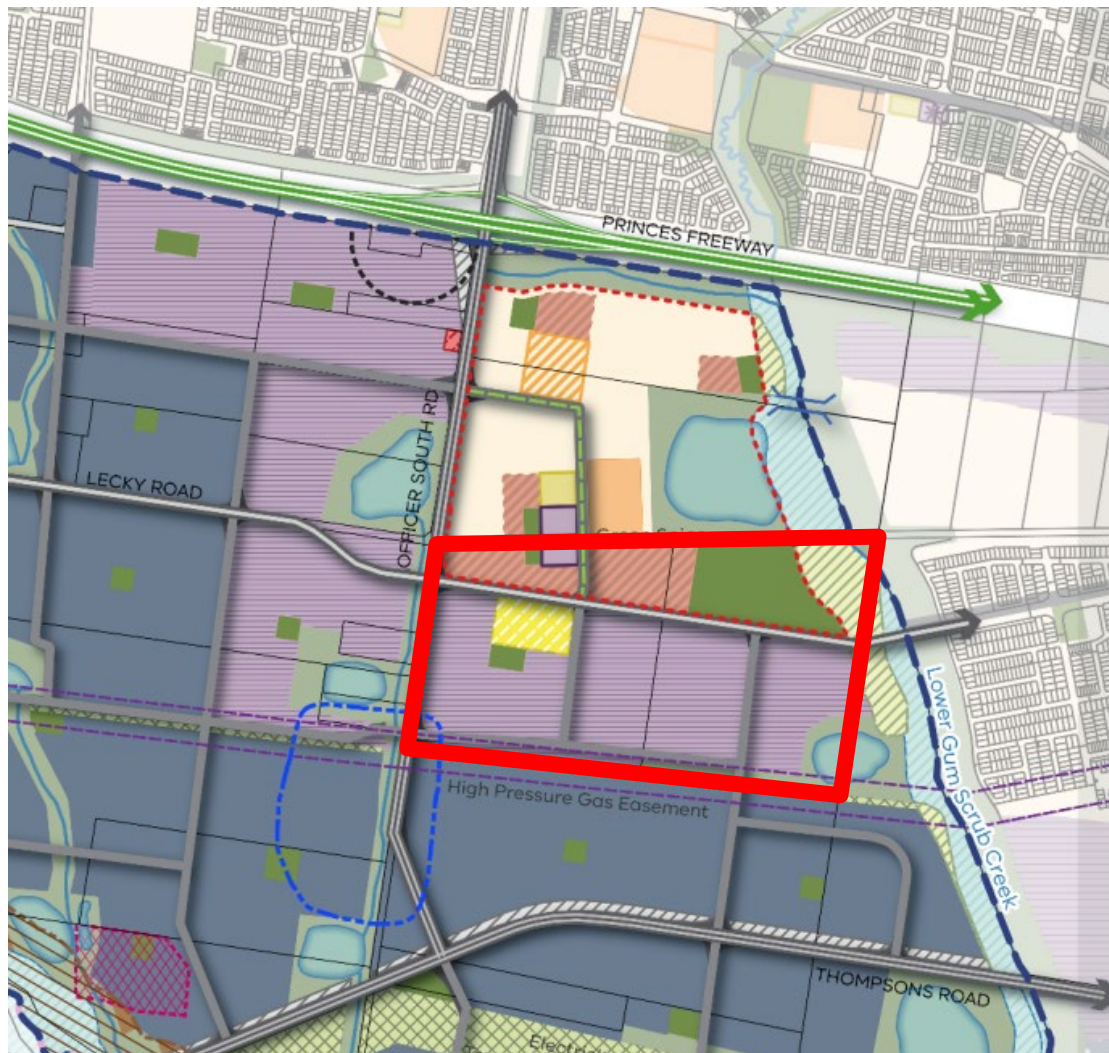
Summary of YourLand's Submission

YourLand submits that:

- A. The Amendment should be approved as soon as possible so urban development can commence.
- B. The following PSP future urban structure plan related changes should be made before the Amendment is approved:
 - Move the local town centre north, so it is more central to its residential catchment and so that it is entirely within one land title.
 - Remove the proposed State Government Facility from the PSP and locate it close to rail services. If the facility must be within the PSP, given there is no funding or Public Acquisition Overlay (PAO) proposed, relocate it further east and ensure there is flexibility for its final location.
 - Ensure there is flexibility for the final location of the Centre of Excellence.
 - Adjust the Recreation Reserve to reflect available Council funding.
 - Adjust the YourLand southern East-West Connector Street alignment to ensure undevelopable land is not unnecessarily created.

- Relocate and make the local park locations more flexible.
- Adjust the BCS Conservation Area, the associated Rural Conservation Zone (RCZ) and improve the shape of the recreation reserve.

Figure 1: YourLand Controlled Land Shown on PSP Plan 3



- C. The following infrastructure and Infrastructure Contributions Plan (ICP) related changes should be made before the Amendment is approved:
- Make changes to the PSP text and plans to ensure there is flexibility for drainage and services to be in locations approved by the relevant authority.
 - Remove the “DSS Investigation Area” from the YourLand site.
 - Make a provision for a new electricity sub-station site, as required by AusNet.

- Adjust the land required for Intersection 08 to include additional land.
- Apply Public Acquisition Overlays (PAOs) to assist in the timely delivery of key road bridge infrastructure.
- Hold stakeholder discussions around how to address Council funding shortfalls for BR-01 and consideration of options for delivery of the bridge.
- Introduce provisions, like those for Non-Government Schools for the State Government Facility, if it does not proceed at this location.
- Introduce provisions, like those for Non-Government Schools, to address underfunding of the Recreation Reserve land acquisition.
- Remove the potential State Government Facility from NDA and ICP charge. Separate to the PSP process, we request VPA assistance to commence discussions with the Department of Health around a potential GAIC WIK for the transfer of land.
- Include all PSP Plan preparation costs in the ICP.
- Adjust the Fast Cycle, alternative transport route to include a link to Officer Rail Station.

YourLand would like to note that it supports the proposed PAO that will facilitate the delivery of the Gippsland facing ramps on the Princes Freeway at Officer South Road (OSR).

D. The following PSP requirements should be changed:

- The affordable housing requirement should make it clear that it is voluntary.
- The job density requirements should not be assessed at a permit level.
- The drainage requirements and guidelines should be adjusted as specified in this submission.
- Introduce a new requirement for a Town Centre Urban Design Framework to be prepared to the satisfaction of the VPA and the responsible authority.
- Reduce the scope of the Urban Design Performance Area (UDPA) to focus on more detailed urban design outcomes as part of a planning permit process.
- Make detailed PSP drafting changes to requirements and guidelines as specified.

E. The Special Controls Overlay should be changed to provide greater flexibility and to consider enabling additional development.

The detail of the YourLand Submission is contained in the Attachment.

Conclusion

We congratulate the VPA on the work it has undertaken to date. We look forward to continuing our collaborative and positive approach to progressing this PSP and to moving quickly to the development phase when the PSP is approved.

YourLand requests discussions with the VPA and Council to agree on responses to all or specific parts of our submission. We would welcome reaching agreement on as many elements as possible well before the proposed Directions Hearing.

We would welcome the opportunity to discuss our submission further with you or your team.

Yours sincerely

Heidi Erskine

Heidi Wilson

Senior Planning Development Manager

ATTACHMENT: SUBMISSION DETAIL

A. SUBMISSION A - SUPPORT FOR AMENDMENT OVERALL

The Amendment should be approved as soon as possible so urban development can commence. YourLand supports the general PSP land use configuration, which has strong strategic justification. The background information that was exhibited alongside the PSP documents, together with the technical reports, generally provide a logical and sound strategic basis for the urban structure in the Draft PSP.

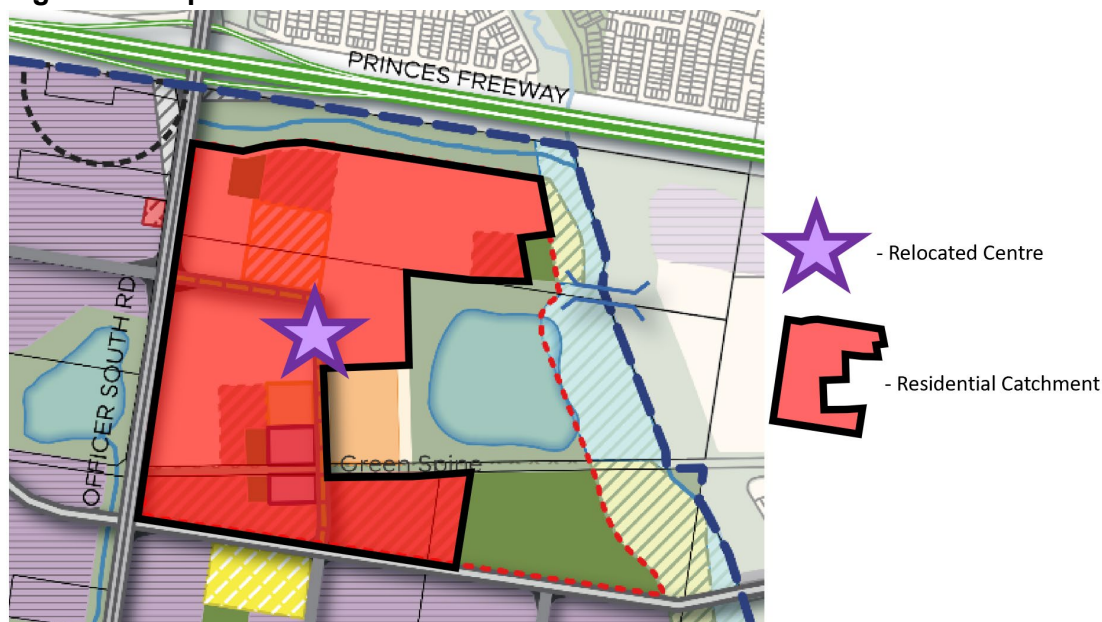
YourLand is undertaking urban design and technical investigations with a view to commencing early development of the land.

B. SUBMISSION B - FUTURE URBAN STRUCTURE CHANGES

SUBMISSION B1 – Move the local town centre north, so it is more central to its residential catchment and so that it is entirely within one land title.

YourLand proposes that the local activity centre be relocated north as shown in Figure 2. This ensures an integrated development by a single developer.

Figure 2: Proposed Centre Relocation



The Draft PSP locates the town centre centred on the Green Spine and evenly straddling the YourLand and Development Victoria (DV) land. It is rare for a town centre to be located across property ownership in growth areas, and for good reason. It is not practical to design and deliver a centre across two property titles. Some of the reasons for this include:

- The two landowners will have different commercial objectives, funding and financing arrangements and development models, timing, and staging. Co-ordination of the development of the centre as a single undertaking would require a high level of partnership and commercial integration.
- The PSP design is seeking to use the redundant road reserve as a green space and active transport spine that would act as the 'green heart' of the centre. Developing a balanced centre that focuses on the green heart would require the retail core to be split either side. Commercial models require co-ordinated architecture and design so that pedestrian traffic from its catchment can be funnelled past small tenancies to the retail anchor to drive foot traffic to support commercially viable rents. There is often cross subsidy of the two components to make the centre work. Separating the commercial core would create fundamental delivery problems that would likely see the centre delayed or otherwise spoilt.
- Splitting the retail to achieve a higher urban design purpose, can work in large retail centres as there is sufficient critical mass and drawing power to drive the commercial rents on either side. However, this centre is small, and the weakest form of centre in the retail hierarchy. This centre does not have scale to be splintered. The centre is not proposed to be a full line supermarket, but rather a small centre, anchored by an operator such as an IGA.
- The existing Lecky Road reserve, which would be discontinued, has legal constraints, being Crown Land, around the type of infrastructure and management and maintenance arrangements that it can hold. This creates a further level of complexity in an already tenuous scheme.
- There is a risk that the centre is created with a relatively large void at its centre, reducing its potential vibrancy and intensity to the detriment of the local community.
- YourLand would like to avoid investing significant urban design resources towards an uncertain process and outcome. It may take many years to settle a centre design, or worse, to enter a potential 'beauty contest' between YourLand and DV around the centre's design and competition for tenancies. There is potential for any dispute to create further delays through a contested permit process via VCAT at considerable expense.

In discussion of options with the VPA we understand that it is critical that the centre be as central to its catchment as possible to maximise walkability in line with the relevant PSP 2.0 Guidelines. On that basis, YourLand submits that the centre should be moved north and to a more central location.

YourLand is confident that it can activate and drive the mixed-use development proposed by the PSP and the residential densities achieved with the centre moved north as proposed in Figure 2. The mixed-use space can provide a good opportunity for higher density housing to bleed into commercial and other uses in mixed use building and sub-precincts.

The northern centre location has the advantage of being central to its catchment but can also be co-located / or closely juxtaposed with the Non-Government School and the State School and community without significant changes to the PSP design. In fact, it can be lifted and dropped without an extensive design investigation. There is space around the centre for medium and high-density housing with direct access to the centre.

SUBMISSION B2 –Remove the proposed State Government Facility from the PSP and locate it close to rail services. If the facility must be within the PSP, given there is no funding or Public Acquisition Overlay (PAO) proposed, relocate it further east and ensure there is flexibility for its final location.

We understand from discussions with the VPA and with the Department of Health together with the PSP wording, that the proposed State Government Facility (SGF) would be at least 15 years away and perhaps longer. The concept is an idea or concept and does not have budget support for forward land acquisition. Therefore, the Department of Health, we understand, would not support the application of a Public Acquisition Overlay (PAO) on the land.

Equally, Treasury would not support a GAIC WIK land transfer.

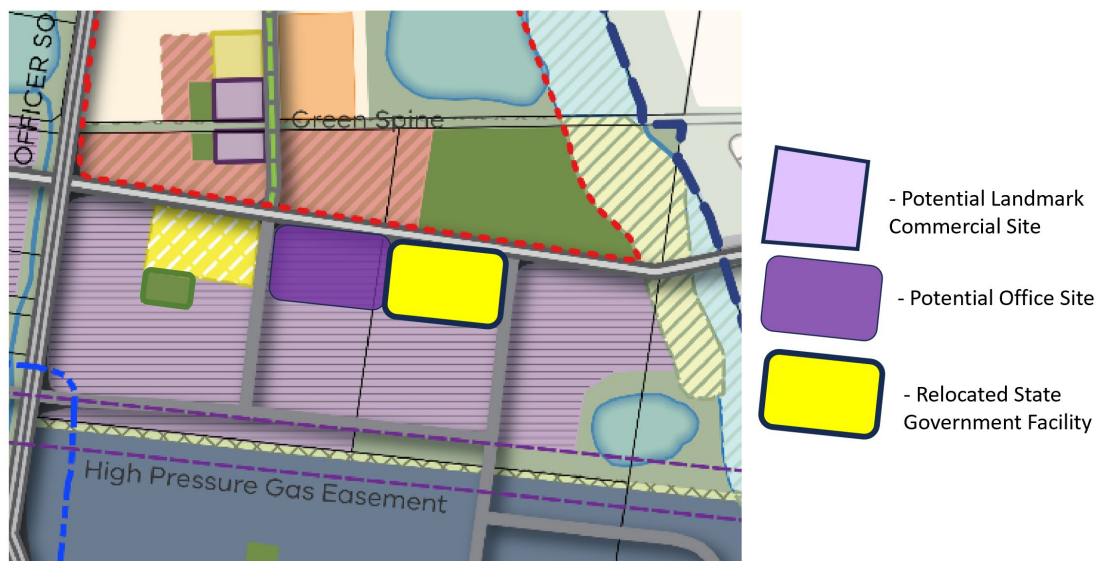
Page 17 of the Draft PSP offers the following description of the “State Government Facility”:

The precinct accommodates land for a proposed emergency services site and future proposed state government facility that may provide a health campus and mental health services to the broader catchment and is envisaged to evolve over time. A work hub or industry training institute (centre of excellence) delivered as part of the local neighbourhood centre with potential links to a proposed state government facility and surrounding commercial uses, may provide an economic and community enabler with space for business leaders, educators, and residents to meet and share ideas, work, learn and conduct business.

YourLand expects to develop its land from Officer South Road (OSR) or from the west to Gum Scrub Creek in the east. The proposed location of the SGF is highly problematic for YourLand. It is located at the very first stage of the development. It is also located on the highest value, most strategic part of the land. Its shape would disrupt and reduce the options available for an integrated development on this landmark commercial site. The land would simply lay idle imposing a maintenance burden for an unknown period.

Our first stage would require construction of OSR and the first section of the extension of Centennial Boulevard to access the commercial land to its south. This means that YourLand would be creating a serviced super lot for the land, paying the GAIC, ICP charges, open space levies and annual holding costs for at least one and perhaps two decades. The State may require one sided roads to give it flexibility with its development. YourLand strongly opposes Requirement 52 of the Draft PSP. All for the benefit of the State. Instead, YourLand submits that, if the SGF is strategically justified, which we do not believe it is, it should be moved east as shown in Figure 3, or preferably, moved to the Major State Controlled Vacant Land at Officer Rail Station, as shown in Figure 4.

Figure 3: Proposed Relocation of the SGF to the East

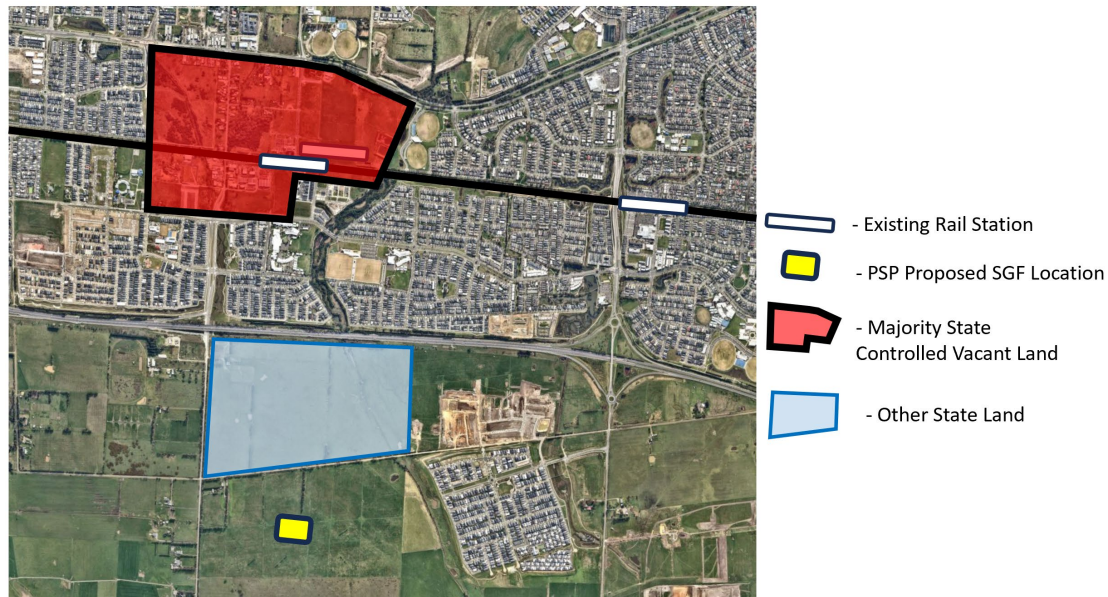


The State would have no obligation to discuss the acquisition of the land with YourLand, while imposing annual holding costs. While the proposal may reflect the current thinking within the State bureaucracy, we are concerned that such policies can be fleeting and are prone to major departures if there were a change of Government, or even a change of Minister. At some 3 hectares, the value of the land would be expected to increase over time, with values reaching over \$10m and growing. This is a significant burden.

YourLand submits that the location of the SGF is fundamentally misconceived. We strongly believe that such a significant facility should be located, in accordance with State planning policy, on high-capacity public transport, central to its catchment. Such a location is suitable for the elderly, who may be more prone to chronic mental health concerns and for others with less financial resources. This is particularly important for those without access to a car or otherwise challenged and seems to be an ill-considered proposal.

Our view is that the facility has been placed on the land, as its convenient to do so, at no cost to Government, simply because the PSP is underway. We have seen no evidence of comprehensive catchment planning, business case or location analysis exploring alternatives. Indeed, as shown in Figure 4, the State controls land in the PSP and surrounding the existing Officer Rail Station within the Town Centre. They would seem to be better locations.

Figure 4: Large Vacant Land at Officer Rail Station, Including DV Land



We understand that the facility may provide a health campus and mental health services. A hospital, child care and accommodation and related services are prohibited in a Commercial 2 Zone, and as such we query whether this is an appropriate location for the facility from a zoning perspective.

Contrast this to other State Health facilities at Arden, Footscray or the community hospitals or super clinics in the growth zones. They are located on high-capacity public transport. Often people suffering mental health challenges get allocated to public facilities based on proximity or zoning. That forces people to travel to the facility as best they can, and often frequently in a high needs phase. Compare this to the nearby Berwick Hospital in Figure 5. A 3-hectare size is indicated in the blue circle – this would be a large facility.

These uses have inelastic demand and do not require exposure to OSR. Moving the facility to the east as shown in Figure 3, can create a second anchor for this part of the precinct to complement what should ideally be commercial and non-town centre uses. This location would at least be developed further into the future and therefore is less of a risk of sterilising land within Stage 1.

Figure 5: Casey Hospital, Located Near the Berwick Rail Station (3ha circle shown from NearMap)



The planning policy framework and the new PSP Guidelines include policy and guidance around planning for health as follows (our **highlight**):

“19.02-1S Health facilities

Objective

To assist the integration of health facilities with local and regional communities.

Strategies

Facilitate the location of health and health-related facilities (including acute health, aged care, disability services and community care facilities) taking into account demographic trends, the existing and future demand requirements and the integration of services into communities.

Plan public and private developments together, where possible, including some degree of flexibility in use.

*Locate hospitals and other large health facilities in designated health precincts and areas **highly accessible to public and private transport**.*

Provide adequate car parking for staff and visitors of health facilities.”

And:

“19.02-1R Health Precincts - Metropolitan Melbourne

Strategies

Facilitate health and community wellbeing precincts through the co-location of:

- *Hospitals, allied health services and not-for-profit health providers at the regional level.*

- *General practitioners, community health facilities, allied health services and not-for-profit health providers at the neighbourhood level.*
- *Create health precincts in new suburbs in or close to town centres.*
- *Ensure health precincts are well serviced by community services.”*

The PSP Guidelines include a range of reference to planning for health facilities, including:

GENERAL PRINCIPLES

- F 14.1** Education and community facilities (i.e. primary, secondary and specialist schools, kindergartens, community centres, **health** facilities and sport reserves) should:
- » be co-located within community hubs
 - » have good visual and physical links to a local centre
 - » be located on connector streets, linked by walking and cycling paths
 - » be located in proximity to high-quality public transport where possible
 - » be located away from potential hazards.

Relevant VPP: [Clause 56.03-3](#)

Consultation with higher order **health** and education providers should be undertaken early in the PSP process to explore any opportunities for these sites to be nominated and for partnerships to be forged.

A Community Infrastructure Plan should identify any facilities (where known) and identify any catalyst impacts of these facilities.



SEE EXAMPLE HIGHER ORDER **HEALTH AND EDUCATION AS A CATALYST FOR LAND USE INNOVATION**

- F 17.3** Land should be set aside and reserved to allow for all public land uses, including schools, community centres, health, emergency and justice facilities, road widening and grade separation of rail from all transport corridors (includes roads, pedestrian and bicycle paths) where a delivery agency has agreed to the commitment.

The PSP Guidelines seek to provide for health facilities in activity centres to improve land use and transport planning integration and to create stronger nodes of activity with higher

density housing located in the walkable catchment. Location on high-capacity public transport is a fundamental planning policy for such facilities.

There is little doubt that State policy supports the VPA to undertake strategic planning for health facilities in new outer urban areas. The problem we face here is that this does not appear to be a reasonable or strategically justified location. We would have less concern if the facility was funded or if a PAO was applied through this Amendment. The fact that the PAO is not proposed demonstrates that the concept is not committed or confirmed.

SUBMISSION B3 - Ensure there is flexibility for the final location of the Centre of Excellence.

YourLand is a proactive developer who values a collaborative approach with Local Authorities to deliver leading outcomes. We have executed a Memorandum of Understanding (MoU) with Council to work together to deliver a Centre of Excellence in the PSP area on YourLand controlled land. The MoU provides for:

- Yourland and Council will advocate to the Victorian Planning Authority and other State government agencies for the Centre of Excellence (industry/education training facility) to be shown in the Officer South Employment Precinct Structure Plan, during the development of the precinct structure plan and Planning Scheme Amendment process.
- Yourland agrees for the proposed Centre of Excellence (industry/education training facility) to be indicatively shown in the precinct structure plan on Yourland's land holding.

Delivery of this Council proposed facility is likely to be affected by yet to be determined public funding opportunities. The scope and size of the centre is not settled although such a facility is likely to be smaller in scale than the surrounding industrial or commercial uses. It is possible the centre could manifest in a free-standing form or in a longer-term lease arrangement within a broader building or development. Flexibility is therefore desirable to ensure the design can be adapted as the proposal is refined.

The PSP should be amended to provide wording to the effect that the Centre can locate flexibly within the YourLand holding, subject to normal planning and urban design considerations. The final location will be agreed and planned with Council. The PSP presently shows a specific location on Figure 1. That spatial location should be deleted. Wording in the PSP can provide a description of the planning intent. We will work with Council to confirm wording and provide that to the VPA to be included in the PSP.

SUBMISSION B4 - Adjust the Recreation Reserve to reflect available Council funding.

YourLand understands that the ASR analysis supports an 8-hectare, dual oval active recreation reserve being provided to service both this PSP and the adjacent Cardinia Road Employment Precinct (CREP) to the east. The CREP PSP was devoid of recreation services or schools and this PSP provides the potential opportunity to complete the provision of local services.

However, our concern is that although the PSP allocates 8.11 hectares of land, it only provides the acquisition of 34% of the 8.11 hectares or 2.75 hectares. The balance of the land 5.36 hectares is not funded. That unfunded liability for Council is likely valued at more than \$15m. The VPAs reliance on 'other' funding and vague timing for purchase would impose an unreasonable burden on YourLand to hold the land on Council's behalf. Taxes and holding costs would be paid and the land held for an indefinite period.

YourLand makes this submission reluctantly, but we do not want Council to be left with a significant financial liability. The VPA should consider other options available to provide recreation services. Such options include:

- YourLand submits that the PSP allocation could instead be for a single oval, or about 4 hectares, as that would provide either for a senior or junior football oval with cricket, netball, and such as ancillary facilities. The remaining land would then be designated for mixed use development.
- Figure 6 shows that there are two large recreation reserves within 1km of the CREP residential area. These are within walking or cycling distance of many residents, including via a trail along the creek under the freeway.
- There are options to co-locate open space in smaller segments adjacent to schools and upgrade school oval shaped play areas to a formal sports oval. There are examples of this throughout Melbourne. One example is at Berwick Primary School where 1.2 hectares of Council open space was co-located with a State primary school to provide space for a full junior oval and a joint use pavilion has been constructed. Another is at Berwick Fields. Weekend Junior sport is played at Berwick Fields.

There are options available, including in this PSP through co-location of 1 hectare on the DV land in lieu of some of the passive open space there.

Figure 6: Supplementary Recreation Services Within 1km of CREP

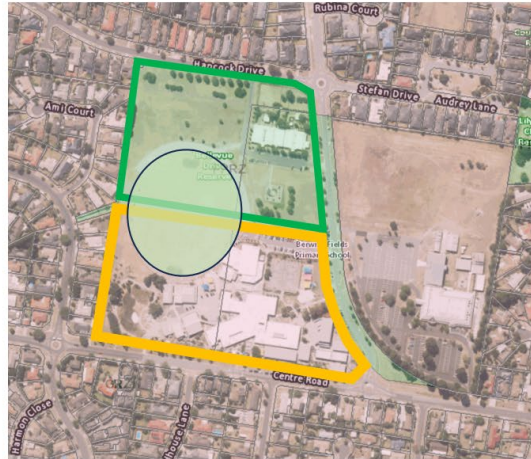


Figure 7: Example of Local Co-Location Opportunities

Berwick Primary School



Berwick Fields Primary School



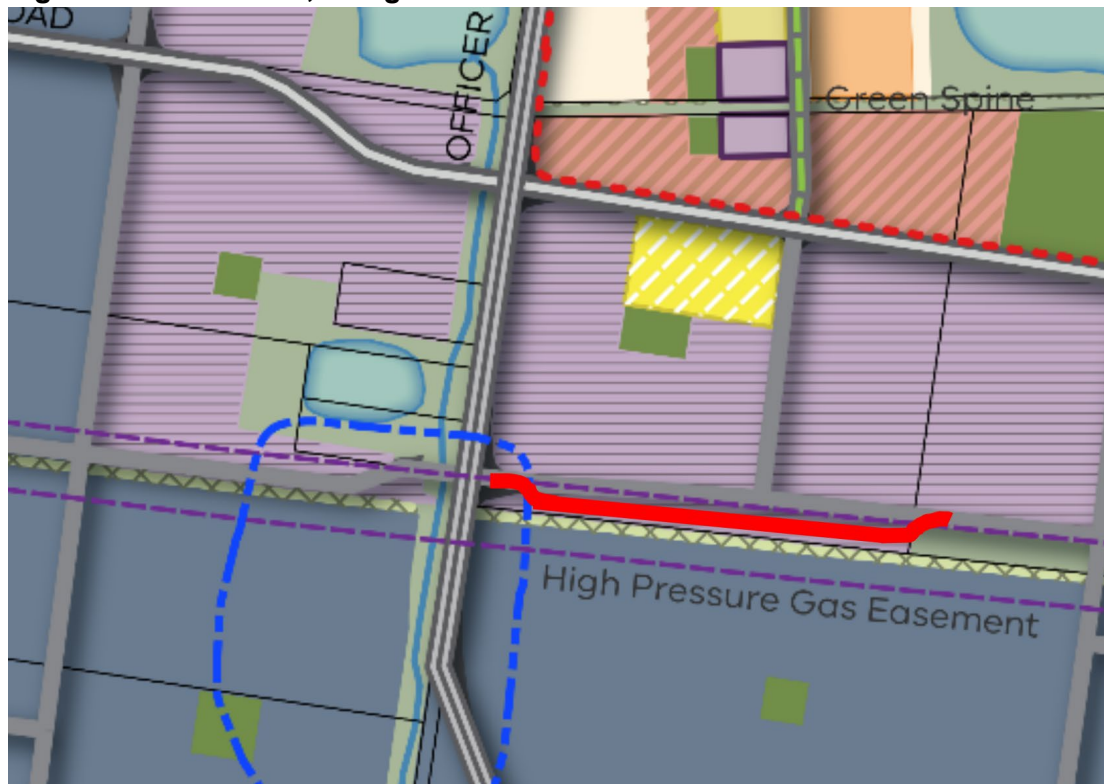
SUBMISSION B5 - Adjust the YourLand southern East-West Connector Street alignment to ensure undevelopable land is not unnecessarily created.

The PSP design creates a long narrow, low value commercial land between the gas easement and the connector as shown in Figure 8 below. We understand that the intersection of OSR must be located north of the gas easement so that it can be constructed, given the constraints associated with the high-pressure gas pipeline.

YourLand submits that the road alignment should be adjusted as shown in red in Figure 8 to create a more flexible and developable parcel. Relocation south is preferred as it maximises development options on the landmark commercial site.

This would then be the same as the treatment of the land to the west of OSR where the road deviates south. It is also consistent with Figure 8 in the PSP and avoids rear of commercial properties addressing the gas linear park.

Figure 8: Submission, realignment of the East – West Connector Street



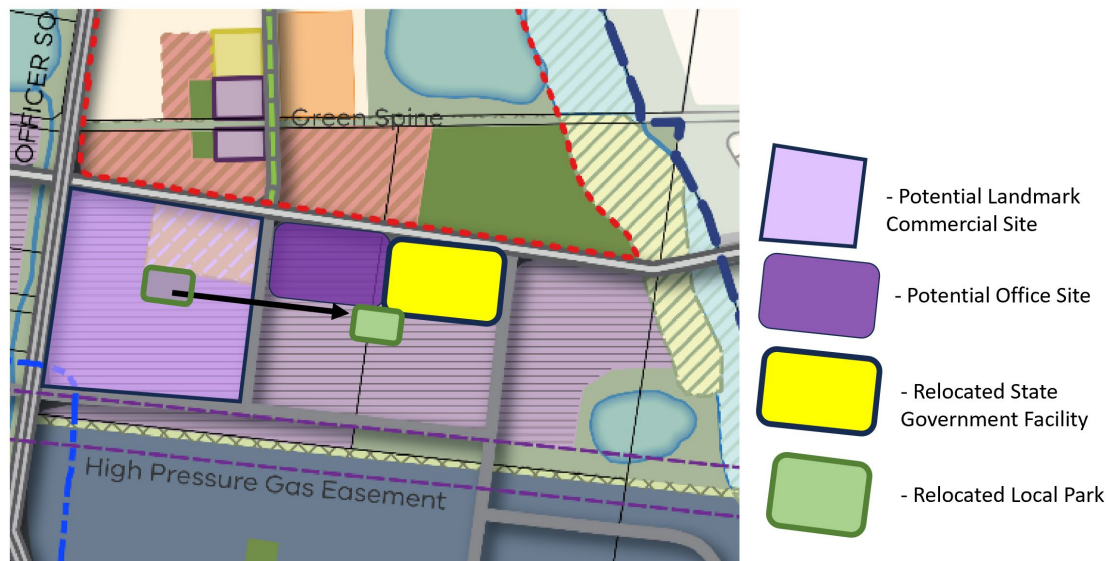
SUBMISSION B6 - Relocate and make the local park locations more flexible.

Given our submission B2 to relocate the SGF either to a location outside the PSP with high-capacity public transport access or to the east along Centennial Boulevard, a consequential submission is that the local passive park shown on Figure 9 should also be relocated east.

Such a relocation would provide maximum flexibility for the landmark and strategic commercial site shown on Figure 8. If the SGF moves east, then the role and purpose of the park would change, and it would be best located with a potential commercial office area and the potential SGF.

The location of local parks in residential areas are more highly regulated to ensure that residents are equitably serviced and to make parks walkable for most. Greater flexibility is required in a commercial zone. The best location for a local park will relate to the detail of future tenants and urban design processes. YourLand submits that the PSP should include a new paragraph to allow flexibility for a local passive park to move within a land title to best suite the final urban design to the satisfaction of the responsible authority.

Figure 9: Relocation of Local Park



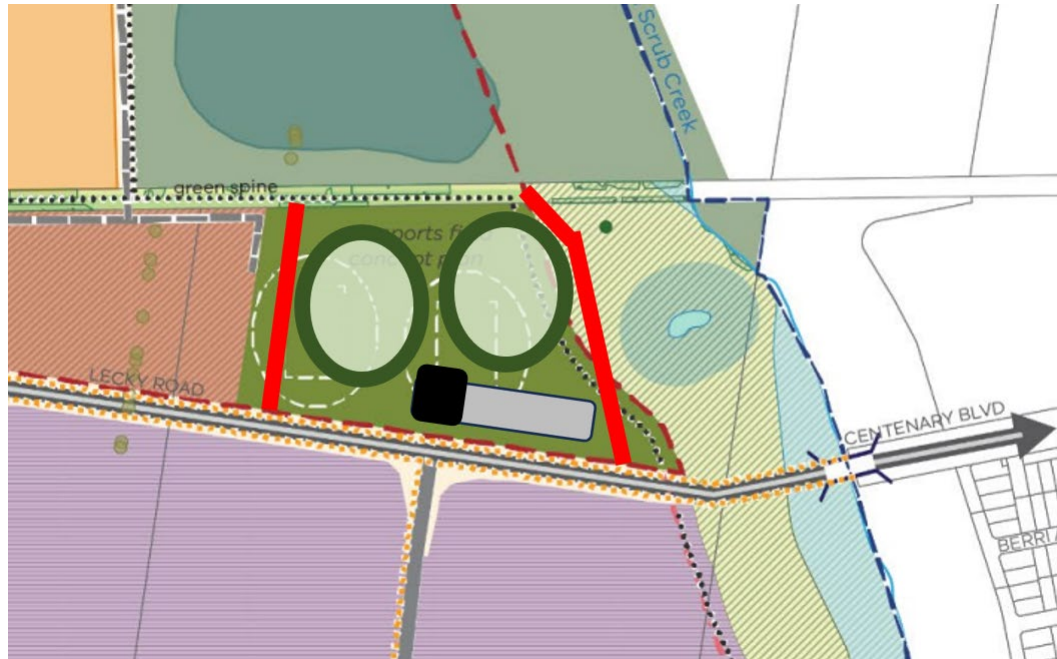
SUBMISSION B7 - Adjust the BCS Conservation Area, the associated Rural Conservation Zone (RCZ) and improve the shape of the recreation reserve.

The plan below shows a concept for an amended BCS Conservation Boundary. YourLand is preparing a separate application to the Department of Environment, Energy and Climate Action (DEECA) as they need to approve the Boundary Change. The plan maintains a buffer around the existing dam shown and so should produce a similar conservation outcome and should meet relevant guidelines for boundary changes regulated by DEECA.

The diagram in Figure 10 provides for an improved shape for the recreation reserve. Based on the improved shape, it may be possible to reduce the recreation reserve as shown, either as a single or double oval facility, and gain developable area. YourLand seeks VPA support for the application.

Under the proposal, there would be no net change in the Conservation Area and the revision would maintain key ecological design responses such as protection of a scattered tree and a buffer around an existing dam. The proposal reduces superfluous triangle of land at the southeast of the recreation reserve which currently adds to public funding requirements with no clear need/benefit.

Figure 10: Proposed Conservation Area Boundary Realignment



C. INFRASTRUCTURE AND ICP RELATED CHANGES

SUBMISSION C1 - Make changes to the PSP text and plans to ensure there is flexibility for drainage and services to be in locations approved by the relevant authority.

As presently drafted, the PSP could be interpreted as designating location of major physical services and drainage assets. However, the service planning will be developed through more detailed designs, and through staging investigations over the next few decades. Detailed service lines cannot be determined at this point in the development process. The PSP provides concept plans to show overall intent of servicing strategies. Guideline 57 is the only way that services are considered, and the PSP does not reference or explain the role of Plan 13. To avoid unnecessary disputes at the permit and delivery stage of the PSP plans a new paragraph should be included in the PSP to make it clear that flexibility exists.

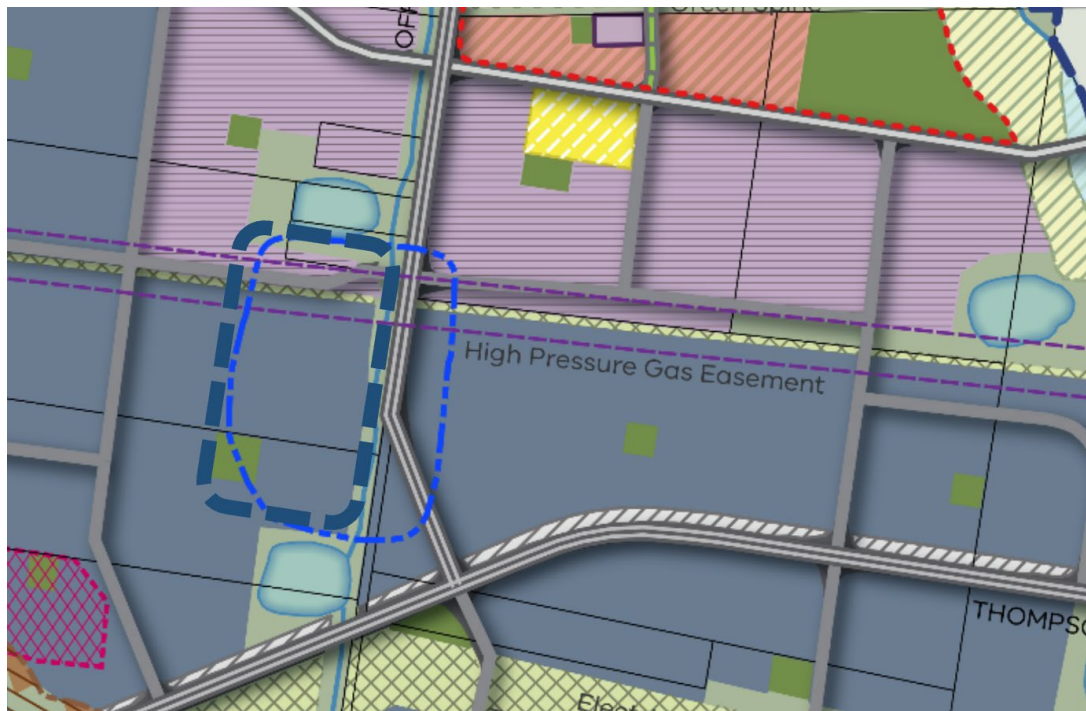
SUBMISSION C2 - Remove the “DSS Investigation Area” from the YourLand site.

Figure 12 shows that the DSS Investigation area intrudes into the southwest corner of the site adjacent to a proposed arterial/connector intersection. YourLand submits that the investigation zone should remain on the west side of OSR as shown on Figure 12.

YourLand appreciates and supports the notion that some flexibility is necessary for drainage asset design to be resolved after the PSP is approved. However, the flexibility shown is understood to relate to the north south constructed waterway. OSR will be a primary arterial and a significant piece of infrastructure. Re-routing the drainage line to either side of the road would be a major engineering undertaking and require two sets of major culverts. A decision is required now on the location of the waterway so the cost of such works can be identified in the relevant ICP and DSS projects.

Our investigations have not revealed a rationale for the PSP to consider an option to relocate the drainage facilities to the east side of OSR.

Figure 12: Remove the DSS Investigation Area from the YourLand parcel



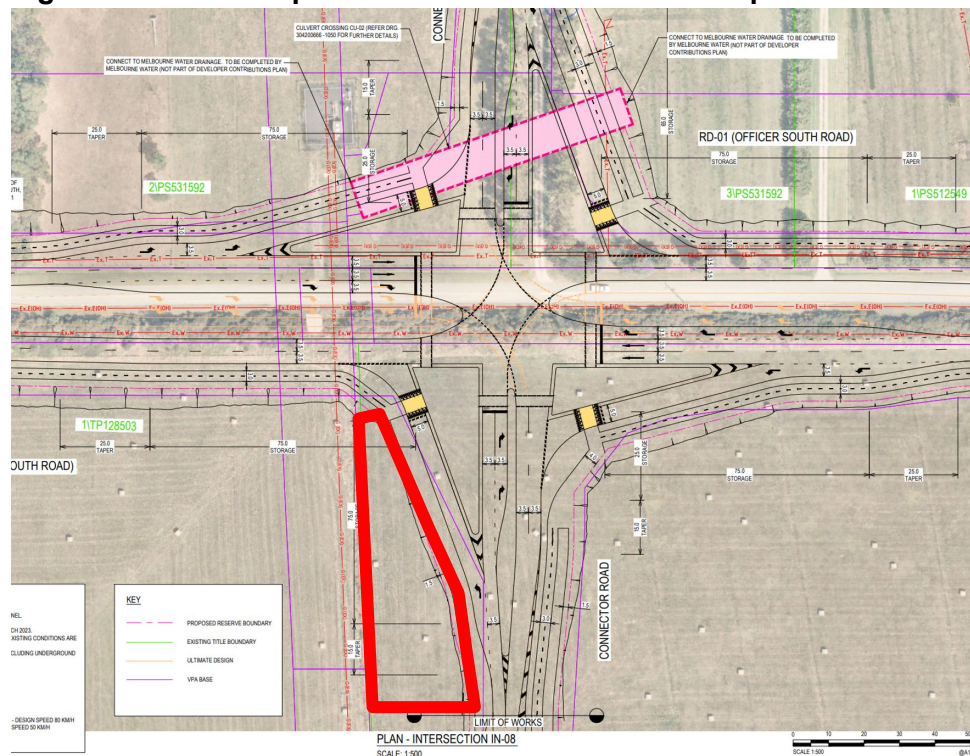
SUBMISSION C3 - Make a provision for a new electricity sub-station site as required by AusNet.

Discussions with AusNet have confirmed that there is a known requirement of 1 hectare for a new electricity sub-station site within the PSP. The sub-station is required early in the life of the PSP development to deliver sufficient electricity supply to the district. We understand that the sub-station should be co-located with the major electricity easement traversing through the southern sector of the PSP. YourLand submits that the VPA should liaise with Ausnet and landowners to facilitate site identification in the PSP.

SUBMISSION C4 - Adjust the land required for Intersection 08 to include additional land rendered undevelopable by the intersection.

Figure 14 demonstrates that Intersection 08 renders the slither of land on its south side undevelopable and should therefore be included in the PSP and ICP land budget and maps as road widening land and compensated.

Figure 14: Undevelopable land due to Intersection Impact





SUBMISSION C5 – Apply Public Acquisition Overlays (PAOs) to assist in the timely delivery of key road bridge infrastructure.

YourLand submits that the VPA should consult with affected landowners and include land required for critical bridge and road infrastructure in a PAO to facilitate its construction. Given the approach in the SCO to require certain bridges to be delivered prior to development occurring in some areas, and as bridge designs have been completed, a PAO can be applied now. The PAO will facilitate delivery of these important road assets.

YourLand supports the proposed Public Acquisition Overlay (PAO) that will facilitate the delivery of the Gippsland facing ramps on the Princes Freeway at Officer South Road (OSR). We have been exploring potential funding and delivery models for future discussion with the VPA and Council outside of the PSP process.

SUBMISSION C6 – Hold stakeholder discussions around how to address Council funding shortfalls for BR-01 and consideration of options for delivery of the bridge.

YourLand is concerned that there are funding shortfalls for key road bridges, including BR-01 which will provide transport links to CREP. YourLand requests discussions and workshops with Council and the VPA regarding methods to bridge the funding gap so the bridge can be delivered prior to Stage 2 of the development as anticipated in the SCO.

YourLand also notes that the pedestrian bridge PB-01 is costed at some \$24m, where the road bridge BR-01 is only costed at \$18m. It is suggested that the VPA review the costs to ensure they reflect likely project scope.

SUBMISSION C7 – Introduce provisions, like those for Non-Government Schools for the State Government Facility, if it does not proceed at this location.

YourLand submits that if the SGF is retained in the PSP, then a provision similar to that for Non-Government Schools should be drafted and included in the PSP. This will provide a mechanism for the issue of the land tenure to be resolved should the State refuse to pursue the acquisition and avoids the need for a planning scheme amendment to be required to remove the SGF from the PSP before the area can be resumed for commercial development.

YourLand opposes Requirement 52 as it gives unreasonable power to the State to direct requirements while no corresponding commitment to acquire the land is provided. R52 should be deleted, or revised as a suitable Guideline such that the responsible authority should seek the views of the Minister for Health before determining a planning permit for the SGF land.

R52	Any lot created for a proposed state government facility must be designed and serviced to the satisfaction of Department of Health as identified in Plan 3 Place-based Plan.
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YourLand also opposes G43 and requests that it be removed from the PSP.

G43	The land identified as a proposed state government facility may be used for an alternative purpose such as a local pop-up park, which is generally in accordance with the PSP and consistent with the provision of the applied zone, until such time the Department of Health requires the land. Any use must be consistent with the priorities of the <i>Victorian Public Health and Well-being Plan</i> . When the land is required by the Department of Health, the land must
	be finished to a standard that satisfies the requirements of the Department of Health prior to the transfer of the land back to the Department of Health.

If the Department of Health agrees to include a PAO over the SGF, then YourLand would not oppose G43.

YourLand submits that a new Guideline, modelled on G44, should apply to the State Health Facility using the model applied to Non_Government school sites. The references to Non-Government School would be replaced by the words State Government Facility. A benchmark of 80% of the YourLand title being developed would be supported by YourLand.

G44	<p>Where the responsible authority is satisfied that land shown as a potential non-government school site is unlikely to be used for a non-government school, the land may be used for an alternative purpose which is generally in accordance with the PSP and consistent with the provisions of the applied zone. The development/subdivision of the PSP must be 80 per cent complete and the responsible authority must be in receipt of a letter from the proposed education provider stating that the land is no longer required.</p> <p>The responsible authority must verify the need for the potential school with the education provider by referring to the Background Report and Community Infrastructure Assessment of the subject PSP area.</p> <p>Further guidance on this can be found in the VPA's 'Non-government School Planning Guidance Note'.</p>
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SUBMISSION C8 – Introduce provisions, like those for Non-Government Schools, to address underfunding of the Recreation Reserve land acquisition.

In a similar way to the previous submission in relation to Non-Government schools, a similar provision in the PSP should be drafted to address the Recreation Reserve site to allow for its development if Council is not able to secure funding to acquire the land within a reasonable period. YourLand would like to work with the VPA to create suitable drafting. In the event that the open space cannot be reduced, in area, then the site should be of a size that is in the ICP or else that Council is prepared to commit resources to acquire.

SUBMISSION C9 – Remove the potential State Government Facility from NDA and ICP charge.

The SGF should be exempt like other proposed public land, like a school site. The Draft PSP includes the SGF in the PSP and ICP NDA land budget. This requires ICP and open space contributions to be made for this land.

YourLand submits that if the SGF remains in the PSP design, then it should be excluded from the NDA as it would be acquired by the State for a health facility.

The ICP currently provides the following which should be amended to include reference to the SGF:

5.9 Development exempt from contributions

Some classes of development are exempt from infrastructure contributions. Where land is subdivided or developed for an exempt purpose, as listed below, and the land is subsequently used for a purpose other than as one of those exempt uses, the owner of that land must pay to the collecting agency infrastructure contributions in accordance with the provisions of this ICP. The levy must be paid within 28 days of the date of the commencement of the construction of any buildings or works for that alternative use.

5.9.1 Schools

The development of land for government and non-government schools are exempt from the requirement to pay an infrastructure contribution levy in accordance with the *Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans (February 2021)*.

5.9.2 Housing

Any housing to be provided by or on behalf of the Department of Health & Human Services (DHHS) is exempt from the requirement to pay an infrastructure contributions levy in accordance with the *Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans (February 2021)*.

Similarly, the provision below in the ICPO should be amended to exempt contributions of the SGF:

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Land or development exempt from payment of an infrastructure contribution

- Use and development for a non government school.
- Use and development associated with a dwelling that is existing or approved at the approval date of this provision.
- Use and development for accommodation provided by or on behalf of the Department of Health and Human Services.

SUBMISSION C10 – Include all PSP Plan preparation costs in the ICP.

The VPA propose to include some of the PSP preparation costs in the ICP. YourLand supports this approach. However, YourLand and DV have made significant financial contributions to the PSP funding under the standard VPA funding agreement approach. YourLand submits that the value of the planning costs to be included in the ICP should match all contributions made so that arrangements for reimbursement to YourLand can be made.

SUBMISSION C11 – Adjust the Fast Cycle, alternative transport route to include a link to Officer Rail Station.

The PSP designates a potential fast-cycle, alternative transit route. YourLand submits that this link should be extended to add a link to the Officer Rail Station via Officer South Road.

D. SUBMISSION D PSP REQUIREMENTS

SUBMISSION D1 – The affordable housing requirement should make it clear that it is voluntary.

The affordable housing requirement within the PSP is vague and difficult to deliver. YourLand submits that the provisions should be revised to make it clear that any contribution to affordable housing is voluntary. This is consistent with findings from other Planning Panels and Advisory Committee processes, including recently with the Geelong Sale Yards and the Kingswood Golf Course redevelopment. The VPA should be encouraged to provide additional guidance around how private delivery of affordable housing, for example, by provision of one and two bedroom townhouses and apartments, can help deliver products that are affordable for purchase by people on low and moderate incomes as defined in the Planning and Environment Act. In the absence of these provisions, YourLand does not support the affordable housing provisions in the Draft PSP as they are unclear and could lead to protracted discussions during project delivery. Delivery of affordable housing, and in particular social housing, is equally a responsibility of the Commonwealth and the State and development proponents can not be expected to resolve such issues in isolation.

SUBMISSION D2 – The job density requirements should not be assessed at a permit level.

YourLand opposes the current drafting of the job density requirements as they could introduce unnecessary complications for project delivery.

The Guideline below would require YourLand to deliver at least 87.5 jobs per Net Developable Hectare of commercial land developed.

G2	<p>Job densities and commercial development within the RSCA and local town centre must be generally in accordance with:</p> <ul style="list-style-type: none"> • Table 1: Anticipated employment creation in the precinct • Table 2: Local town centre composition and delivery guide • Table 10: Local town centre performance requirements and guidelines <p>and demonstrate how it contributes to the achievement of the minimum job density and the local town centre Design Principles in Appendix 6 Local town centre design criteria</p>
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Table 1: Estimated employment generation

LAND USE	NDA (HA)	ESTIMATED JOBS
State Significant Industrial Precinct (SSIP)	502.6	10,236
Regionally Significant Commercial Area (RSCA)	125.7	11,008
Residential (includes local town centre 1.5 ha & Mixed Use 13.7 ha)	43.9	769
TOTAL	672.2	22,013

The guideline will delay delivery of commercial development and would see valuable commercial tenants turned away if they don't deliver enough employment.

Given some uses are as of right, YourLand queries the practical application of the Guideline.

SUBMISSION D3 – The drainage requirements and guidelines should be adjusted to reflect what is achievable by a developer.

The PSP includes a new surface water management and drainage requirement and guideline that have not been included in past PSPs. Our specific concern is that the stormwater volume reduction targets cannot be achieved at the development scale and require intervention by Melbourne Water and South East Water together with DEECA and Council to be delivered.

Requirement 30 and Guideline 31 should be redrafted to reflect a developer's reasonable role and to define the State's role to plan for major water reuse infrastructure through the Water Plans and other strategies. The two sections should be combined into a single Guideline. A section that explains the work the authorities are undertaking on larger scale actions can be included and would provide useful context. The developer guideline should only list actions that a developer can reasonably take and should not refer to regional infrastructure, for example.

Requirement 30 below raises too great an expectation that a developer can resolve volume reduction issues through subdivision and building works, which is not realistic. Expressed as a guideline and in more general terms this could be workable, and it should be revised by the VPA.

R30	<p>Planning permits must require the preparation of an IWM Plan which clearly identifies how development will contribute towards:</p> <ul style="list-style-type: none"> • Outcomes applicable to the development identified in the DEECA <i>Western Port Strategic Directions Statement</i> (September 2018) and <i>Western Port IWM Catchment Scale Plan</i> (September 2022) • Outcomes applicable to the development identified in the <i>Officer South Employment Precinct Integrated Water Management Strategy</i> (Spiire, April 2022) • Protection of downstream waterways via stormwater volume reduction and infiltration targets applicable to the development outlined in Melbourne Water's <i>Healthy Waterway Strategy</i> (2018) • Potable water reduction targets applicable to the development outlined in the <i>Greater Melbourne Urban Water and System Strategy</i> • Waterways and integrated water management outcomes which enable land to be used for multiple recreation and environmental purposes • Supply and use of recycled water for residential and public realm purposes, and if agreed by South East Water, for Industrial and commercial land <p>to the satisfaction of South East Water, Melbourne Water, and the responsible authority.</p>
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The regional or district scale options for volume reduction targets have not been stipulated by Government yet. Achievement of the draft targets are extremely challenging and would require major investment by the State.

Some of the initiatives identified within the IWM that are 'implementation ready' are likely not of sufficient scale to provide material volume reduction benefits.

YourLand expects that lot scale rainwater tanks may need to be plumbed to the household piping for toilets and gardens. This needs early resolution as it would compete with potential recycled water supply. However, if this is to be a requirement in IWMs submitted under R30 then it should be clearly stated and applied. Estimating impacts in commercial areas which can be more unpredictable and dynamic is problematic.

The PSP also provides the following list in G31 with further implications for development. Some of these are achievable and suitable, others should be addressed by the State and are not within the remit of a developer.

G31	<p>Applications should consider a range of IWM options as indicated in Plan 9: Integrated Water Management. Potential IWM options may include but are not limited to:</p> <ul style="list-style-type: none"> • Rainwater tanks on all industrial, commercial, and residential lots • Passive irrigation of trees in the public realm, include all streets and public open space • Local stormwater harvesting systems to service the watering needs of future open spaces • Regional scale rainwater tanks collecting roof water from all industrial, commercial and residential lots to be reticulated back within the precinct • Supplying stormwater of the right quality to existing and future Growling Grass Frog wetlands • Use of Melbourne Water stormwater management assets to provide green corridors and community amenity • Identifying designs to maximise opportunities for infiltration • Regional scale stormwater harvesting systems to service the watering needs of the precinct and beyond.
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Any concepts around stormwater harvesting for potable use has not been agreed to by the relevant authority and would be a matter for South East Water to regulate and manage, not a developer.

Stormwater harvesting to service Council sports ovals is likely a realistic option and a 1ML stormwater harvesting system is referenced in the PSP IWM Plan. However, this would deliver a very small reduction in stormwater runoff and would require agreement from Council to own and manage the infrastructure into the future. Given this uncertainty, it should not be a mandatory requirement.

Even though developers will be asked to design and deliver such proposals, it will have no impact of the scale of downstream drainage infrastructure as that will need to be sized for conventional run off in case the reduction methods are not permanent. Attempts by developers to deliver these types of outcomes elsewhere have not been successful to date, as the relevant authorities have not accepted the additional operational costs that they would be forced to bear.

Developers could demonstrate that end users are using best practice water efficiency in built form. However, again, this will only marginally reduce potable water use and would not reduce stormwater volume reduction. The extent of reduction possible should be explicitly acknowledged so that unrealistic expectations are not raised during project delivery.

SUBMISSION D4 – Introduce a new requirement for a Town Centre Urban Design Framework to be prepared to the satisfaction of the VPA and the responsible authority.

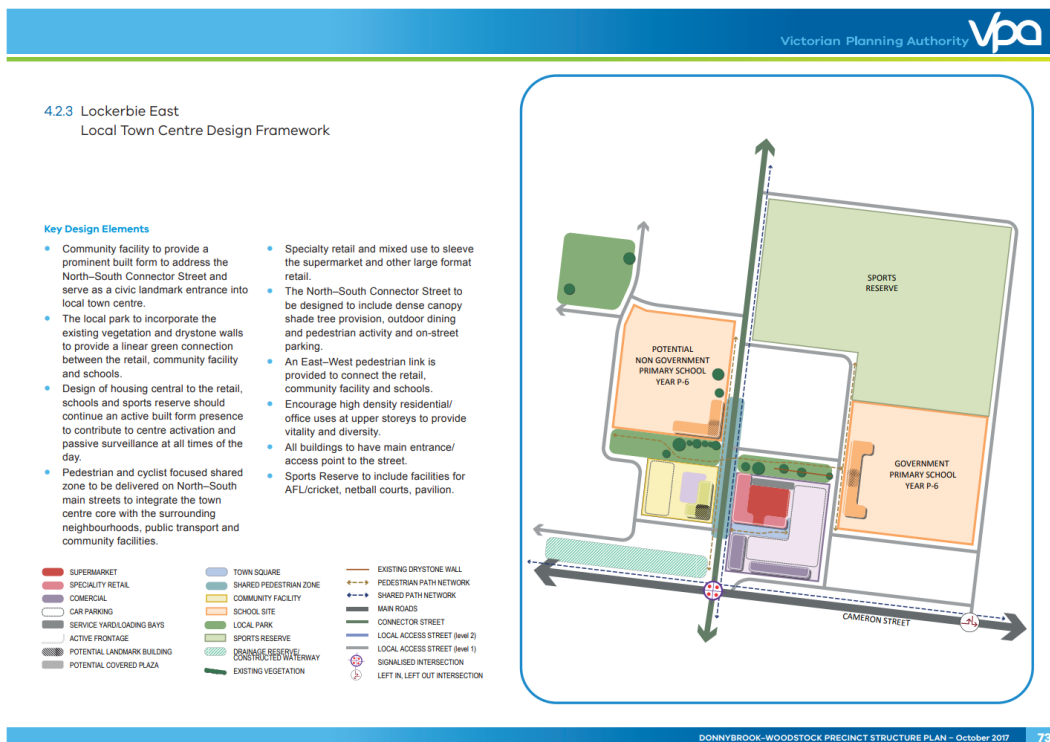
YourLand submits generally that the Urban Design Performance Area (UDPA) requirement is unnecessary and should be deleted. The PSP and Clause 56 already provide guidance.

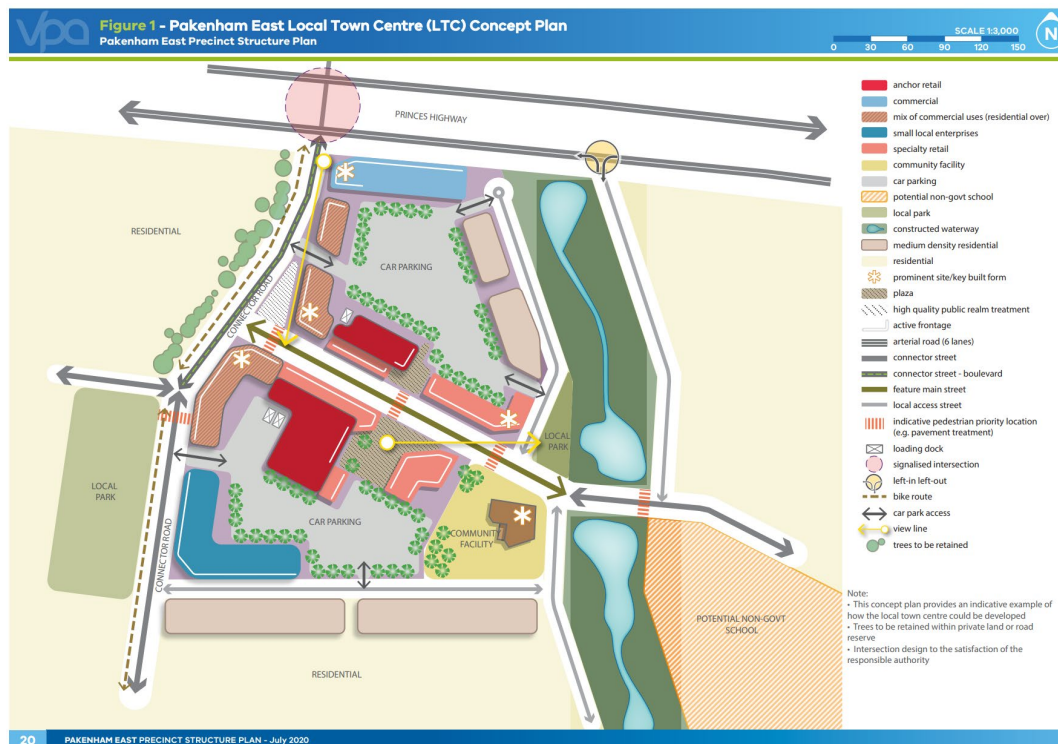
However, recognising that desire of the VPA to orchestrate a good outcome for the local town centre and the higher density residential area, YourLand requests that the VPA

prepare a Local Town Centre Concept Plan and that it be included in the final PSP. The Concept Plan should be finalised following discussion with Council and DV.

Most PSPs include Concept Plans for town centres. An example of such a plan is provided in Figure 15. A more detailed urban design plan is provided, together with key design elements. This plan can be supported by a vision, requirements, and guidelines. Most PSPs include a separate set of detailed urban design guidelines for local town centres. Permits must then be generally in accordance with, and implement these plans, requirements, and guidelines to achieve the vision for the centre.

Figure 15: Two Examples of a Local Town Centre Concept Plan





The main benefits of such a Concept Plan are:

- It provides vision and clear direction for the future development of the centre.
- It makes the key decision about the scale, structure, location, relationship between and configuration of the key design elements of the centre. For example, the location for a town square, key shared paths, tree retention or retail anchors.
- Co-ordinate design between Authorities and landowners. This is particularly useful when there is more than one owner or where a centre straddles several properties.
- Gives strong direction for future planning permit applications.

SUBMISSION D5 – Reduce the scope of the Urban Design Performance Area (UDPA) to focus on more detailed urban design outcomes as part of a planning permit process.

YourLand submits that, given the new requirement for an Urban Design Framework and Concept Plan for the town centre, the scope of the Urban Design Performance Area (UDPA) should be reduced to focus on more detailed urban design outcomes. Ensure that the UDPA requirement can be satisfied as part of the permit process for the land, rather than adding in an extra sequential step into an already lengthy and complex planning process. Ensure that the UDPA is separated so that Part A applies to land north of Lecky Road and Part B to the south of Lecky Road. Adjustments should be made to the PSP and to the Urban Growth Zone (UGZ) Schedule to address this submission.

SUBMISSION D6 – Make detailed PSP drafting changes to requirements and guidelines.

YourLand has identified the following changes to other PSP requirements and Guidelines and submits that the VPA should make these changes before the PSP is approved.

Change R2 to an ‘encourage’ Guideline. It is too restrictive as a requirement.

G1 refers to Centre of Excellence. It should be redrafted so that the Centre of Excellence has its own specific Guideline, and reference to the concept plan should be removed.

Yourland submits that the Concept Plan in Figure 1 should be deleted from the PSP and relocated to the PSP Background Report. It is useful to explain the intent of the PSP, however, it is not drafted so that it can be applied to planning permit applications.

Requirement 4 should be changes to a Guideline.

R4	Provide a diversity in lot sizes at subdivision to meet the needs of a range of commercial business and industries and ensure large lots are protected for large footprint economic and employment uses.
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Requirement 8 should be amended to delete reference to fast charging stations. Fast charging stations may be a future development requirement. However the VPA and Councils should address these through changes to the Engineering Design and Construction Manual (EDCM). Issues around density, distribution, design, payment for electricity and maintenance need to be addressed holistically by Government. Changes to these standards would then automatically impact all PSP development, including in this PSP.

R8	<p>Key destinations (active and public open space, local town centre, community facilities and commercial centres) must:</p> <ul style="list-style-type: none"> • be accessible by active and public transport routes • provide active street frontages • provide bicycle parking facilities • include fast charge charging stations for electric vehicles <p>to the satisfaction of the responsible authority.</p>
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Requirement 11 should be deleted or revised to a Guideline. The document is a draft and as such reference to it as a requirement is not appropriate. Parts of the document have been superseded by contemporary practise and thinking by Government.

R11	All signalised intersections must be designed having regard to the <i>Guidance for Planning Road Networks in Growth Areas November 2015</i> and be to the satisfaction of the Department of Transport and Planning (DTP).
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Requirement 57 should be changed to a Guideline. Staging of major road works can be addressed through site specific assessment of individual planning permits and staging plans.

R57	For development abutting Officer South Road arterial road, staging must prioritise the delivery of the road and drainage infrastructure, to the satisfaction of the responsible authority. Delivery of the arterial road must prioritise construction to property boundaries where an inter-parcel connection is intended or indicated by Plan 12, in accordance with the staging requirements of the permit.
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Guideline 53 is not workable as there is no definition for carbon neutrality. It should either be deleted or amended to require implementation of opportunities to reduce embedded and emitted carbon emissions.

G53	Development and subdivision should aim for carbon neutrality and implement opportunities for local renewable energy generation technology and infrastructure.
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E. SUBMISSION E The Special Controls Overlay (SCO) should be changed to provide greater flexibility and to consider enabling additional development.

YourLand submits that there should be greater flexibility within the SCO for some industrial land to be developed in the first stage. This should be achieved by expanding Stage 1 to include additional land for development. We propose to hold further discussions with the VPA around the basis of the SCO and we reserve our right to make further submissions on this matter when more information is available.