

20 October 2025



Victorian Planning Authority

Dear [REDACTED]

**DRAFT AMENDMENT C217WARR
EAST OF ABERLINE PSP
SUBMISSION ON BEHALF OF [REDACTED]
250 WANGOOM ROAD, WARRNAMBOOL (PSP PROPERTY ID: 03)**

Niche Planning Studio act on behalf of [REDACTED] the developer and landowners representative of 250 Wangoom Road, Warrnambool (**Subject Site**), otherwise known as Property 03 of the East of Aberline Precinct Structure Plan (**EoA PSP**).

On behalf of [REDACTED], we kindly thank the VPA and the Warrnambool City Council for its work in preparing the draft EoA PSP, and associated Planning Scheme Amendment documents, for the opportunity to provide this submission on the EoA PSP.

We have undertaken a thorough review of the EoA PSP and associated Planning Scheme Amendment documents, and have provided a detailed submission below, which focusses on several items which should be addressed.

To support our position, we have provided the following attachments to assist in outlining some of the minor changes we are requesting as part of this submission.:

- Attachment 1: Revised Plan 2 (Place Based Plan)
- Attachment 2: Revised Plan 6 (Water)

Please note that other changes will be required to the remaining plans, however we have not provided a full suite of updated plans.

KEY SUBMISSION ITEMS

Notwithstanding our support for the overall approach to the EoA PSP there are several key submission items which require resolution:

1. Affordable Housing Provisions

Issue:

[REDACTED] broadly supports the policy objective that encourages new communities to include affordable housing and considers that it has a strong role to play in facilitating housing diversity in regional areas.

Section 3 of the EoA PSP and the proposed Urban Growth Zone (**UGZ**) schedule requires as part of the subdivision and development approval process, a response to how development contributes to the delivery of affordable housing.

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We have identified some challenges with the approach taken regarding the provision of affordable Housing within the east of Aberline PSP:

- A planning permit must be "Generally in accordance" with the PSP. In this circumstance, the EoA PSP includes a clear objective (Objective 3) to deliver 11.3% affordable housing and through Table 3 a guideline-based direction around a percentage of social housing to low and moderate income households (e.g. 1 bedroom dwellings).
- Although affordable housing is considered voluntary, the PSP drafting makes it clear that a significant response is required at the planning permit stage for subdivision. A permit that does not provide a significant response may not be considered to be generally in accordance with the PSP, especially given the PSP objective in relation to affordable housing.
- Table 3 identifies "Housing Types" for guidance regarding the delivery of Affordable Housing. This is then enforced through G7, which requires consideration of Table 3 where affordable housing is provided. Noting that most planning permits within the EoA PSP will seek to subdivide the land, it remains to be seen how the delivery of dwellings with a certain number of bedrooms can be achieved through a subdivision permit.

In Planning Scheme Amendment C108moor concerning the rezoning of Rural Living Land to Neighbourhood Residential and the associated development plan for the residential development of land on the end of the Ballan township, the Panel set out in their Panel Report dated 10 September 2025, that the object/schedule should reflect the voluntary nature of social and affordable housing contributions, which the Panel reflected in the relevant schedule, as set out below:

Preparation of an Affordable and Social Housing Assessment that includes:

- o *An assessment of the demand for affordable and social housing in Ballan Precinct 5, proportionate to the demand for such housing in the existing township (if known).*
- o *Recommendations for an appropriate diversity of housing type, tenure and cost to meet the needs of households and to support diverse communities.*
- o *If any social or affordable housing is to be provided, identification of the potential locations and types of housing.*
- o *Recommendations for facilitating any proposed provision of affordable and social housing.*

- *Identification of a community housing provider willing to manage any proposed social housing.*

Mechanisms for implementing any proposed social and affordable housing contribution, such as a section 173 agreement or a restriction on the title to ensure affordable or social housing is used for the intended purpose in the longer term.

- Amend Objective 3 as follows:

To encourage the delivery of affordable housing through the private market and partnerships with social housing providers.

- Insert a Guideline for a voluntary Affordable and Social Housing Assessment to be prepared in accordance with the above referenced schedule.
- Delete Table 3 Affordable housing delivery guidance.
- Amend G7 as follows: where affordable housing is voluntarily provided, consideration should be given to meeting the needs of different income ranges and household sizes, where practicable (and as guided by the relevant social housing provider).
- Amend R2 to consider the above schedule.
- Delete Clause 37.07-1 Decision Guideline: Affordable Housing.

2. Density & Flexibility

Issue(s):

are generally supportive of the density provisions for the EoA PSP, particularly with regard to the density requirements for the subject site.

However, in relation to the Low Density/Transitional Density areas density (as set out in Table 1) it is submitted that setting a minimum lot size of 800m² will have implications for the future design and layout of the subdivision.

therefore respectfully requests that this be amended to provide more flexibility to ensure that there is the ability to respond to market demand (on a stage by stage basis), by providing a range of lot sizes (particularly with regards to the 'Transitional Density area along the eastern boundary of the Subject Site).

Resolution(s):

- Amend Table 1 Low Density/Transitional area to remove reference to "with no lot size less than 800m²."

3. Wangoom Road

Issue(s):

that Wangoom Road will need to be upgraded:

R11: New developments and road network designs must provide:

Upgrades to existing road network, including Aberline Road, **Wangoom Road**, Horne Road and Road in accordance with Plan 4 and Table 4 'Local Road Upgrade', which set out the process for delivering upgrades for the precinct traffic. The will be implemented through subdivision permit conditions as determined by the authority

ded

However, we note that Wangoom Road is not listed in Table 4, nor is there a reference to this road typology in Table 4, nor does the PSP provide a cross section for Wangoom Road. Furthermore, the Integrated Traffic Assessment to support the PSP prepared by Obrien Traffic states:

"Accordingly, the traffic generated by the EoA PSP will not, on its own, justify the duplication or any upgrades of Wangoom Road" (p. 48)

We do note that there is a requirement (R9) to provide a Shared Path within the Wangoom Road reservation (outside of the PSP boundary) and we submit this is the extent of 'upgrade' works required for Wangoom Road.

Resolution(s):

- Amend R11 to remove reference to Wangoom Road.

4. Road Cross Sections

Issue(s):

We have reviewed the Road Cross Sections provided in the PSP and submit the following:

- Cross Section 3: We note that Cross Section, which is located adjacent to Russell Creek, requires a "Vegetation Buffer" of 5m adjacent to the creek. However, we note that the subject site has a local park (LP-06) adjacent to the Creek, which provide for this "Vegetation Buffer", Further, we submit that the 3.0m Shared Path is be included in the Local Park
- Cross Section 5: The provision of a parking lane along Tozer's Reserve is considered unnecessary. Retaining parking only on the western residential side is sufficient. Any additional bushfire setback requirement can be included within the 'Vegetation Management Buffer' shown on the cross section, or alternatively within the required lot setbacks. (Please note, Submission item 5 seeks to change the 'Vegetation Management Buffer' to a Local Park, which would further change the cross section, and this has been outlined in the proposed resolution).
- Cross Section 4 & Cross Section 11: The road nominated running East-West through [REDACTED] land holding does not require a Cross Section 4 nomination. We understand that this is shown as Cross Section 4 to allow for an overland flow path through this road. However, we contend that the overland flow path should continue south (via the north south road in Cross [REDACTED] [REDACTED] into Russell Creek.

Resolution(s):

- Remove reference to Cross Section 3 or, alternatively, create a new cross section, for the road [REDACTED] -06, and include the Shared path within LP-06.
- Cross Section 5 to remove on street parking bays adjacent to Tozer Reserve and [REDACTED] Vegetation Management Buffer with the Local Park (LP-12) and include the [REDACTED] within the Local Park.
- Change reference from 'Cross Section 4' to 'Cross Section 11' for the East-West local road.
- Cross Section 15: Remove reference to Cross Section 15 and replace with Cross Section 5.

5. Tozer Reserve "Vegetation Management Buffer"

Issue(s):

Following the EoA PSP, we note that Cross Section 5 requires a 'Vegetation Management Buffer' (VMB) adjacent to Tozer Reserve (see Figure 1 below). We understand this buffer is proposed to both provide a separation between future development and Tozer Reserve conservation land, as well as provide for a managed 'open space' for Bushfire setback purposes.

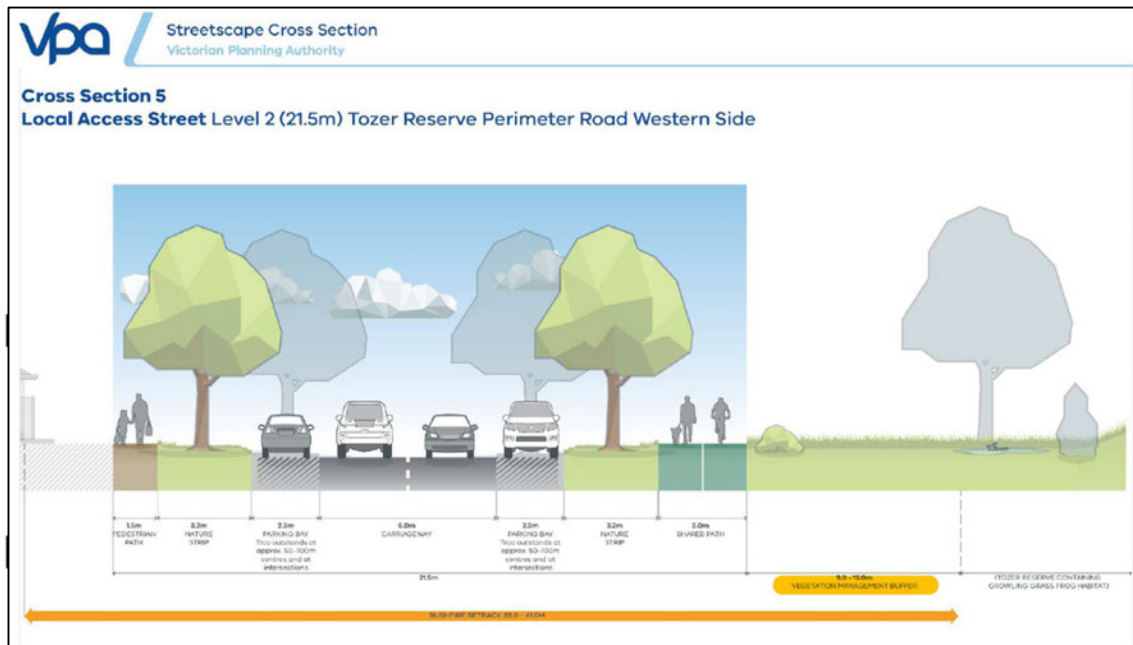


Figure 1: Cross Section 5 (highlighted reference to "Vegetation Management Buffer")

In considering this cross section, we submit that this "Vegetation Management Buffer" should be redefined and included in the EoA PSP as a Local Park. The justification for including this as a Local Park is outlined below:

- Including the VMB as a defined Local Park provides for additional opportunities for active transport opportunities, via a linear park which links LP-01 in the north with LP-02 to the south
- The proposed Local Park provides additional amenity for surrounding residents, whilst ensuring a buffer between future development and the Conservation Area (Tozers Reserve)

that the land as a Local Park, this will ensure long term management of the ensure that the land is managed in a low threat state (spaced vegetation, regularly maintained) to minimise bushfire risk and ensure that the buffer is not consider a Bushfire perspective.

mit that by leaving the VMB as a 'buffer' and not an identified Local Park, creates where the land is not managed to a low threat state, and therefore Bushfire Setback requirements will essentially be extended 33-41m from the western edge of the VMB, as opposed to the Conservation Area.

Whilst we understand this is not the intention of Cross Section 5 (which shows the Bushfire Setback beginning at the western edge of Tozers Reserve) a Bushfire Practitioner must be able to satisfy themselves that the land (in this case the VMB) is being maintained to a low threat state. If not, then [REDACTED] 41m setbacks would be determined (at permit stage) to be from the edge of the road reserve, as opposed to the edge of the Conservation Reserve. By identifying the VMB as a Local Park, this removes any doubt regarding the ongoing maintenance of the buffer, and as such ensures that any bushfire setbacks are measured from the edge of Tozers Reserve as intended.

Resolution(s):

- Amend Plan 2 Place Based Plan (and other associated plans) to identify a 9m wide Local Park (LP-12) between the North-South Local Access Street, and Tozer reserve (which is currently identified in Cross Section 5 as "Vegetation Management Buffer").

(Revised PSP Plan 2 is provided at Attachment 1.)

- Include LP-12 to Table 5 Open Space.

[REDACTED] Amend Cross Section 5 to replace the "Vegetation Management Buffer with the Local Park (LP-12) and include the Shared Path within the Local Park.

- Amend Cross Section 5 to change the dimensions of the 'Vegetation Management Buffer' to 3-15m.
- Amend the Land Use Budget table accordingly.

[REDACTED] Canopy Tree Requirements

Issue(s):

We have identified Requirement 19 which seeks to ensure that all development makes provision for 30% tree canopy cover within the public realm. It sets out that:

Canopy tree coverage within the public realm must achieve a minimum of 30% coverage (excluding areas dedicated to biodiversity or native vegetation conservation, or drainage assets, or affected by the BMO). [REDACTED]

Whilst we are supportive of the general objectives around tree canopy coverage, it is necessary to ensure that the requirement also facilitates the need to provide a low fuel bushfire setback as [REDACTED]

[REDACTED]
Our understanding is that work is being undertaken to remove the BMO and also note that not all areas which are subject to a bushfire setback requirement are located within the BMO. Therefore, we [REDACTED] requirement is clarified to reference bushfire setbacks (as per Plan 7) to ensure [REDACTED] age requirements do not impact the bushfire setback requirements.

[REDACTED] important in respect to the subject site, as there is a 33-41m bushfire setback [REDACTED] Bushfire). Any vegetation within this setback will need to be managed to ensure [REDACTED] erated, which may not be able to facilitate the delivery of the 30% canopy

Further, it is submitted that active recreation/playing fields should be excluded for the purposes of the 30% calculation (as was the Panel's findings in relation to Amendment C108moor).

Resolution(s):

- Amend R19 to state:

██████████ Canopy tree coverage within the public realm must achieve a minimum of 30% coverage (excluding areas dedicated to biodiversity or native vegetation conservation, or drainage assets, or affected by the BMO required bushfire setbacks as shown on Plan 7, and active open space playing fields and courts).

7. Conservation Management Plan Requirements

Issue(s):

Requirement 26 of the EoA PSP sets out that development on land within and abutting Russells Creek corridor and Tozer Reserve Conservation Corridor must prepare a Conservation Area Masterplan (CAM) for the section on the same ownership in accordance with the Growling Grass Frog Habitat Design Standards.

We submit that R26 does not provide enough guidance as to whether a landowner who prepares a ██████████ can be reimbursed by other landowners. Further, it is neither fair nor equitable to have only those landowners abutting Russells Creek corridor and Tozer Reserve Conservation Corridor prepare the CMP at their cost, but rather, this should be fairly distributed between all landowners within the PSP.

It is submitted that either VPA prepare the CAM, or include the preparation of the CAM's in the ██████████ Development Contributions Plan (DCP) which would allow for a CAM to be prepared once, for the whole precinct, with the costs shared by the precinct. In addition, these additional costs would likely have minimal impact on the DCP rates.

Resolution(s):

- VPA to prepare CAM, or alternatively include the costs associated with the preparation of the Conservation Management Plans within the DCP.
- Amend R26 to state: ██████████

Prior to Development occurring on land within and/or abutting Russell Creek corridor and Tozer Reserve Conservation Corridor, a landowner must prepare a Conservation Area Masterplan for the entirety of the Conservation Areas in accordance with Growling Grass Frog Habitat Design Standards MSA (DELWP, 2017) to the satisfaction of the responsible authority.

8. Drainage & Water Management

██████████ EoA PSP with regards to drainage and water management and note that there are items which are required to be addressed. One of the key items we wish to raise is shown on Plan 6 (Water). This plan shows the overland flow path heading south from ██████████ Street and then turning west and heading along the east-west local access (see snapshot below).

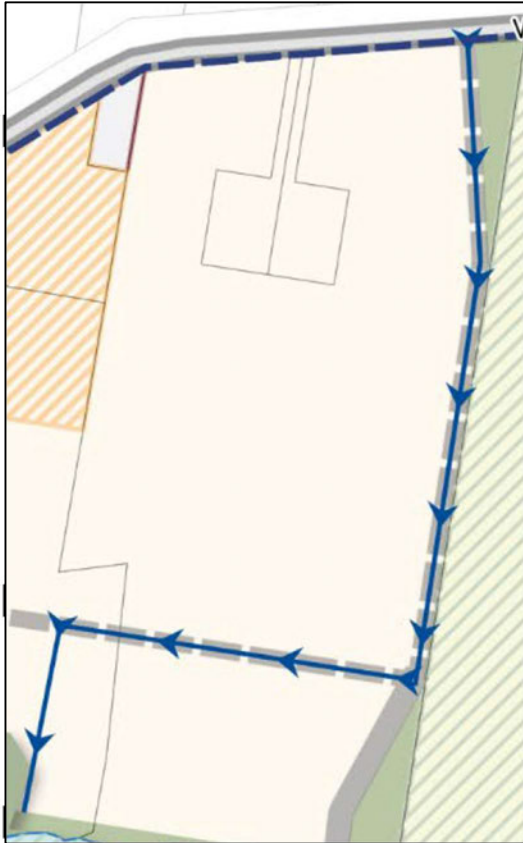


Figure 3: EoA PSP Overland Flow Path (Plan 6 – Water)

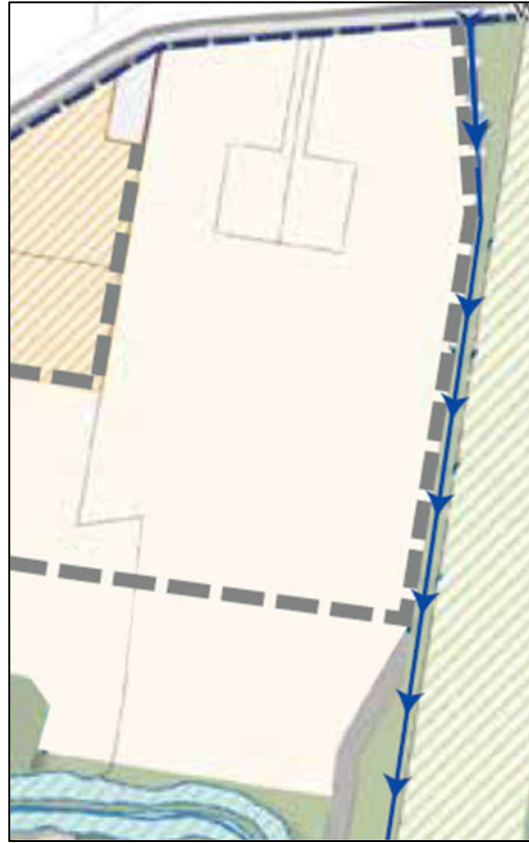


Figure 2: Revised Overland Flow path as submitted (as per Attachment 2)

We submit, as per Figure 3, that the overland flow path should be redirected to head directly south, discharging into Russels Creek. Our understanding is that the overland flow path will direct 'clean' surface water (so as to not require treatment) from land to the North of the PSP through to Russell Creek and therefore does not need to be redirected to RBWL-01.

Furthermore, we have reviewed the associated Requirements and Guidelines with the Water and submit that these require further consideration, in particular the following Guidelines:

provide a rainwater tank as part of the development. Whilst this can be achieved through a condition on the titles, which in our view is not strategically justified.

provides that rainwater capture/harvesting network should be provided. Whilst fully supportive of this as an opportunity, we do not believe that sufficient require this, given that there is no commitment (as far as we know) from the to implement such a network, and therefore this Guideline should be removed.

there does not seem to be any detail provided in the PSP or supporting the

In fact, the Stormwater Drainage report prepared for the EoA PSP (SMEC, 2025) states:

Whilst we note that it further states that this opportunity may be further investigated by Council & Warran Water, at this stage there has not been any sufficient work undertaken to include these Guidelines. Therefore we submit that G29 & G30 should be removed from the PSP.

- *Revised Plan 6 (Water) to redirect the overland flow path*
- *Remove G29*
- *Remove G30*

Issue(s):

Figure 4: Revised PSP showing the proposed local roads around the school (in accordance with R39)

particularly pertinent, as there is likely to be reduced access requirements to the & Wangoom Road.

school should have a minor adjustment, to allow for the delivery of a local road boundary, within the adjoining Properties 01. & 13, as per Figure 5 (above)

Resolution(s):

- Amend Plan 2 (Place Based Plan) to show a north-south local road within the eastern property boundary of Properties 1 & 13 adjacent to the non-government school. (see Attachment 1 for further detail).

10. Pedestrian Crossings

Issue(s):

We note that R7 requires that a pedestrian crossing should be provided every 400-800m along Russell Creek. We also note that Plan 4 Movement Network shows the Subject Site and Property 24 include a Bridge (BR-01 in the DCP), as well as a potential pedestrian bridge, further to the west (close to our western boundary. We submit that as a crossing (BR-01) is already shown near the western boundary of the Subject Site, the additional pedestrian crossing should be relocated slightly to the adjoining land to the west.

Further Plan 4 refers to the Pedestrian Crossings as Bridges, we suggest that these should be referred to as crossings to support the delivery of the most appropriate infrastructure.

Resolution(s):

- Relocate the pedestrian crossing (shown on Plan 4) to the west, outside of Property-03.
- Amend the DCP to include all pedestrian crossings as a DCP item
- Amend documents to reference 'Pedestrian Crossing' rather than 'Pedestrian Bridge'.
- In the instance where the pedestrian crossings are not supported as a DCP item, the PSP should be updated to provide guidance that the pedestrian crossings should be delivered by the affected landowner who delivers latest (to avoid providing unconnected access to private property in the short term).

11. Staging /Infrastructure Coordination

Issue(s):

As part of our review into the EoA PSP, we have identified a need for the PSP to present that opportunities to utilise interim development infrastructure can be supported. Whilst this is identified in the drainage & water management section, particularly in R30, we submit that this also needs to be reflected in the infrastructure coordination section of the PSP, to identify that the PSP can and should consider temporary solutions for drainage and waste water to allow for projects (particularly in Stage 1) to commence without requiring full access to drainage assets which are outside of a landowners

[REDACTED] to state:

[REDACTED] must give effect to relevant policies and strategies being implemented by the [REDACTED] authority and utility service providers in accordance with the relevant legislations.

Applications which seek to utilise interim arrangements may be supported to the satisfaction of the Responsible Authority.

12. Development Contribution Plan – Infrastructure & Costings

Issues:

██████ have undertaken a detailed review of the East of Aberline PSP DCP, and subsequently raise the following concerns/queries regarding the following DCP items:

BR-01 - Proposed Bridge Crossing Russell Creek

As part of our review, we question the overall cost associated with BR-01 and would seek that the costs and design associated be reviewed. BR-01 is listed as a \$15 million infrastructure item, which makes up 13% of the DCP for which the benefit does not align with the cost. Based on the parameters of Russell Creek, it is our view that BR-01 should be changed to a Culvert (similar to that along Hornes Road – CU-01, Aberline Road, Whites Road and Garden Street) which we anticipate will reduce the cost of the item by over half. We are currently undertaking additional costing and design work, which we share with the VPA at the appropriate time once complete.

Drainage Projects

██████, we have some concerns regarding the costed drainage projects included as part of the DCP. These concerns are general in nature, and relate to how the overall drainage strategy has been costed:

- Inflated Rates: The drainage asset estimates have been prepared utilising the Victorian Metro rates, which are significantly higher than local Warrnambool benchmarks.
- Contingency Allowance: We submit that a 25% contingency on drainage assets is excessive and should be reviewed with 10% generally being considered reasonable.
- Delivery Fees: We submit that the 5% traffic management fee is questionable, particularly where this is included for items not associated with existing roads.

Trunk Infrastructure

Further clarity is required to confirm that the costs associated with provision of the required trunk infrastructure will be funded by the relevant Authorities under their capital works programs including the associated timeframes.

- Capacity assessment and any required augmentation of the existing sewer network to cater for the entire PSP area including any new trunk mains, pumping stations and rising mains.

████████████████████ capacity assessment and any required augmentation of the existing electrical network required to cater for the entire PSP area.

Intersections

██████ have taken a review of the intersections proposed as part of the EoA PSP/DCP, and have a number of queries to make regarding these:

██████ We submit that further analysis is required to determine whether signalisation is required at this stage. This notwithstanding, we note that this intersection is a Connector-to-Connector intersection, which typically are not funded via a DCP (for either signalisation or roundabouts). Therefore, we argue this intersection should be removed from the DCP and funded as Developer Works.

- IN-02 & IN-03: Similar to IN-01, we submit that both IN-02 & IN-03, which are Connector -to- Connector Road intersections, albeit proposed as roundabout projects. Again, we submit that this intersection are typically not funded by DCP's, and therefore should not be included as [REDACTED] DCP projects.

Resolution(s)

- Remove BR-01 from the PSP and DCP and realign the road network accordingly.
- Alternatively, review the design & costings associated with BR-01 and update accordingly.
- Review and re-cost the Drainage Projects, utilising local benchmarks (not metro Vic) and update the DCP accordingly.
- Remove G29 & G30.
- Review trunk infrastructure requirements and timeframes for delivery by the relevant authorities.

[REDACTED] Remove BR-01, IN-01, IN, 02 & IN-03 from Plan 11 (PIP Plan) Plan 12 (Infrastructure & Staging Plan) and Table 8 (Precinct Infrastructure).

13. Surrounding Landowner Submissions

Issue(s):

Noting other landholder/developer submissions may impact our client's landholding, we respectfully [REDACTED] the VPA keep us informed of submissions that may have implications on our client's landholding or the DCP items/rates and reserve the right for further submission/s during VPA and Council's submissions consideration process.

Resolution(s):

- Advise of submissions which seek to impact the property at the Subject Site (Property 3).
- Advise of any changes to the DCP items/rates if/when they are updated.

Once again, we thank the VPA for the opportunity to provide this submission and look forward to meeting to discuss and resolve the items raised in this submission.

Should you have any queries or wish to discuss please contact myself or the undersigned on [REDACTED]
[REDACTED]

Kind regards,

[REDACTED]

ATTACHMENT 1

REVIS

REVISED PLAN 2 (PLACE BASED PLAN)

[REDACTED]

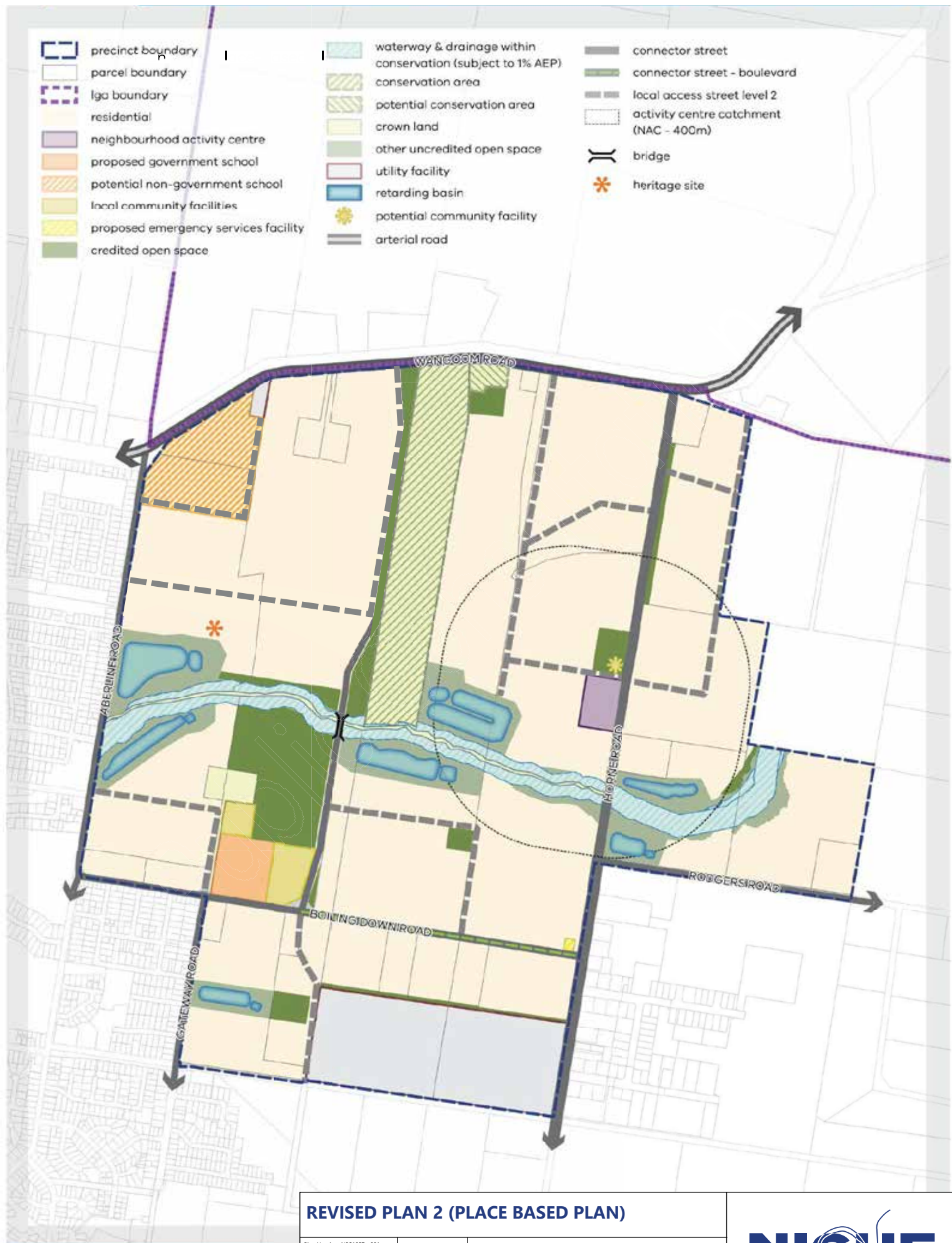
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[REDACTED]

[REDACTED]



REVISED PLAN 2 (PLACE BASED PLAN)

Plan Number: NPS1657 - 001
Revision Number: A
Drawn By: Rupak Ravichandran
Client: [REDACTED]



Scale: Not To Scale

Date Issued: 20.10.2025

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ATTACHMENT 2

REVIS

REVISED PLAN 6 (WATER)

[REDACTED]

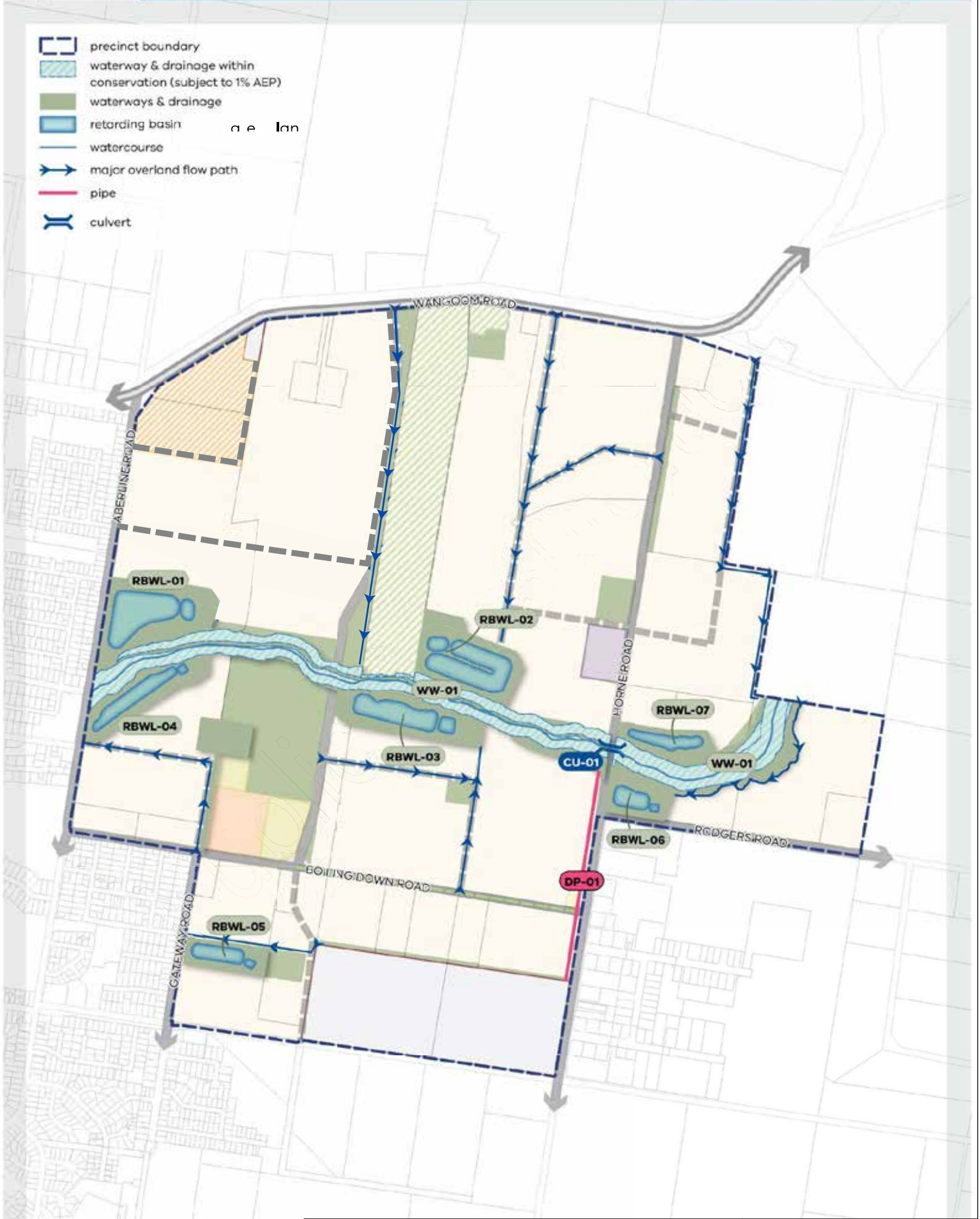
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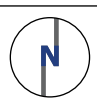
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[REDACTED]



REVISED PLAN 6 (WATER)

Plan Number: NPS1657 - 002
Revision Number: A
Drawn By: Rupak Ravichandran
Client: [Redacted]



Scale: Not To Scale	Date Issued: 20.10.2025	©Niche Studio
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DISCLAIMER: This Water Management Plan has been prepared based on the data of Abernethy Twp. Town Planning compliance is subject to approval from the Warrumbidgee Council and a suitable town planner will need to be appointed. All Dimensions, Areas and Calculations are subject to Detailed Survey and Design before Town Planning Permit application. This plan has been prepared for illustrative purposes only and should not be used as a means to judge any properties value or yield potential.

