

16 May 2024

Manager City Strategy
Melton City Council
PO Box 21
Melton VIC 3337

Sent via email: citysupport@melton.vic.gov.au

RE: Amendment C232melt – Toolern PSP and DCP Review

Thank you for the opportunity to make a submission in relation to Amendment C232melt (the **Amendment**) to the Melton Planning Scheme, and specifically the proposed changes to the Toolern Precinct Structure Plan (**PSP**) and Development Contributions Plan (**DCP**) and accompanying planning scheme provisions.

Insight Planning Consultants, on behalf of the Miravor Property Group (**Miravor**), who have various sites within the Toolern PSP area, are pleased to provide the following submission in response to the Amendment.

Miravor have been a major developer within the Toolern PSP for a number of years, and will continue to play an important role in the development of the area for both residential and employment uses into the future.

In general terms, our clients support the progression and approval of the Amendment, however there are some concerns regarding specific matters that are outlined in this submission that we seek to be addressed.

I trust the contents of this submission are clear, however we welcome to opportunity to discuss these matters further with the City of Melton ahead of the approval of the Amendment.

Subject Sites

As previously mentioned, our client owns a number of sites within the Toolern PSP area, as follows:

- 80-106 Alfred Road, Cobblebank (Robinsons Rise) (Property 36);
- 1008-1046 Mount Cottrell Road, Cobblebank (Properties 40 & 41); and
- **766-784 Mount Cottrell Road, Cobblebank (Property 126).**

We note that this submission only relates to 766-784 Mount Cottrell Road. A separate submission will be provided which addresses the specific matters relating to 80-106 Alfred Road and 1008-1046 Mount Cottrell Road.



FIGURE 1: SUBJECT SITE (GOOGLE EARTH 2024)

Our submission is provided to assist in enhancing the implementation of the Toolern DCP to ensure that the vision for the precinct can be delivered.

Indexation of the proposed Levy Rate

The site is located within Charge Area 4 (employment). The total Levy Rate specified in the existing DCPO3 and the Toolern DCP for Charge Area 4 is \$84,016 per NDHa. The current indexed rate listed on the Melton City Council website for 2023/2024 is \$161,117.26. The exhibited DCPO3 sets out a proposed levy rate of \$228,563 per NDHa, however this is identified as the 2021/2022 rate. If this proposed rate is anticipated to be subject to further indexation, it is unclear as to the actual increase in this rate. This means that it is impossible to fully determine the impact that the increased rate will have on the development contribution liability for the sites.

Infrastructure Projects

In relation to Property 126, the transport infrastructure projects adjacent to the site are proposed to be amended as part of the Amendment. Specifically, RD12 (Mount Cottrell Road: Western Freeway to Melbourne Ballarat Rail Line) is proposed to increase the amount of land required on the site for the widening of Mount Cottrell Road from 0.08ha to 0.13ha. This is inconsistent with the approved permits for the site, which are in accordance with the existing land use budget for the site which identifies 0.08ha for road widening.

Additionally, the Amendment seeks to introduce a new project into the DCP for BD19 (Mount Cottrell Road Freeway Interchange), for the 'purchase of land for the construction of a half diamond interchange at the intersection of Mount Cottrell Road and the Western Freeway corridor (ultimate

standard, southern approach only). The land requirement for this project, at 3203m², has not been considered as part of the existing permits for the site, and would result in substantial changes required to the approved subdivision layout and development plans prepared for the site.

The proposed changes will have significant implications on what is a live development site. The subdivision of the site was approved in 2020 under PA2020/6946, and site works associated with this subdivision are well progressed. A copy of the certified Plan of Subdivision is shown below for reference.

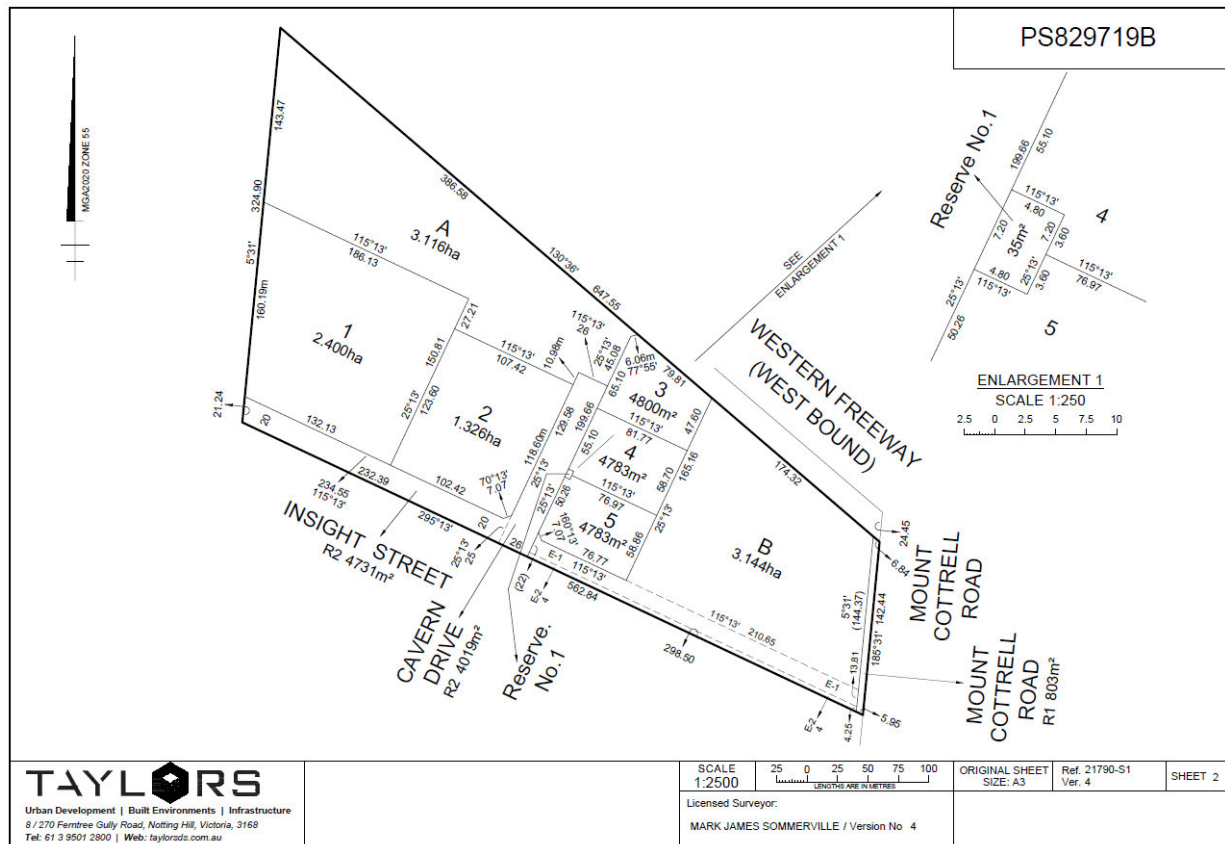


FIGURE 2: CERTIFIED PLAN OF SUBDIVISION (PS829719B)

We have undertaken extensive master planning for the overall site, in particular for Lot B adjacent to the Mount Cottrell Road frontage, see masterplan below. As part of this, we have had a number of pre-application meeting with Council in relation to this site and the area for the interchange has not been discussed in any of them.



FIGURE 3: LOT B MASTERPLAN

There have been multiple other applications lodged with Council since the original subdivision approval, including PA2024/8666 which proposes the development of warehouses on approved Lot B. This development application is for the first two stages of the overall masterplan for Lot B. A copy of the development plan submitted to Council with this application is shown below.



FIGURE 4: LOT B WAREHOUSE DEVELOPMENT, GROUND FLOOR PLAN

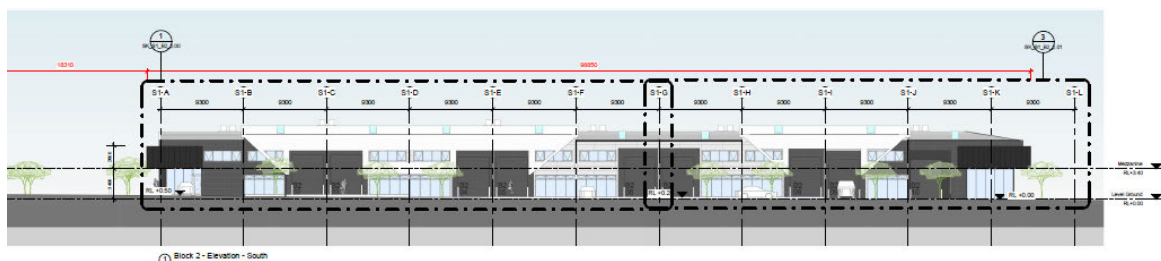


FIGURE 5: LOT B WAREHOUSE DEVELOPMENT, SOUTHERN ELEVATION

Given that the subdivision of the site is well progressed, including site works, and that extensive work has been undertaken on planning approvals to date for the development of these new lots, we request that the no additional land take for either the widening of Mount Cottrell Road or for the interchange works be included in the approved DCP.

Further, Table 3 – Strategic Justification of the DCP specifies the land value for BD19 is \$750,000. Based on the total land area required for its construction at 4,446 square metres between properties 126 and 127, the land value attributed to the 3,203 square metres on Property 126 would be \$540,317 or \$169 per square metre.

Based on the pre-sales for the subdivided lots within the site (shown in the table below), the lots are generally achieving land rates between \$775-900 per square metre. Based on a figure of \$850 per square metre, the cost of land required for BD19 would need to be increased from the exhibited \$750,000 to \$3.78 million. This is a substantial increase, and would have significant implications on the overall levy rate, however is reflective of true market value for the site.

Lot	Stage	Contract Price	Site Area
4	1	\$1,860,000	2,400
5	1	\$1,846,825	2,383
6	1	\$1,851,475	2,389
7	1	\$1,855,350	2,394
8	1	\$1,705,000	2,200
9	1	\$1,705,000	2,200
10	1	\$1,705,000	2,200
12	1	\$1,429,200	1,588
13	1	\$1,424,000	1,600
14	1	\$1,424,000	1,600
15	1	\$1,424,000	1,600
16	1	\$1,289,450	1,517
17	1	\$1,322,400	1,520
18	1	\$2,356,000	2,945
19	1	\$2,374,910	2,914
20	1	\$2,030,400	2,538
21	1	\$1,445,070	1,661
22	1	\$1,352,350	1,591

While we do not agree with the inclusion of BD19 in principle, we submit that if this project was to proceed, that it should be considered a state project and would therefore be more appropriately funded through the GAIC collected for the precinct. Alternatively, a PAO could be applied to the land at the time that it is required in the future. We therefore request that this project be removed from the DCP and that it be funded via other mechanisms. Similarly, if additional land take is required for RD12, a PAO could be applied to this land at the time when it is required. If the above submission on the

deletion of BD19 from the DCP is not accepted, the cost of land associated with this project should be updated to reflect market value for the land.

Clerical Errors

The Functional Layout Plan for the Mount Cottrell Road / Western Freeway interchange at Appendix 1 of the exhibited Toolern DCP (pg 81) shows the required land takes for both RD-12 and BD-19. For Property 126, these areas are shown as 0.13ha for RD-12 and 0.32ha for BD-19, however the plan identifies the property as being 'outside Toolern PSP'. These land takes are also not identified within the property specific land use budget for the site. We understand this to be a clerical error, and one that should be corrected both within the plans and land budget for the site prior to approval.

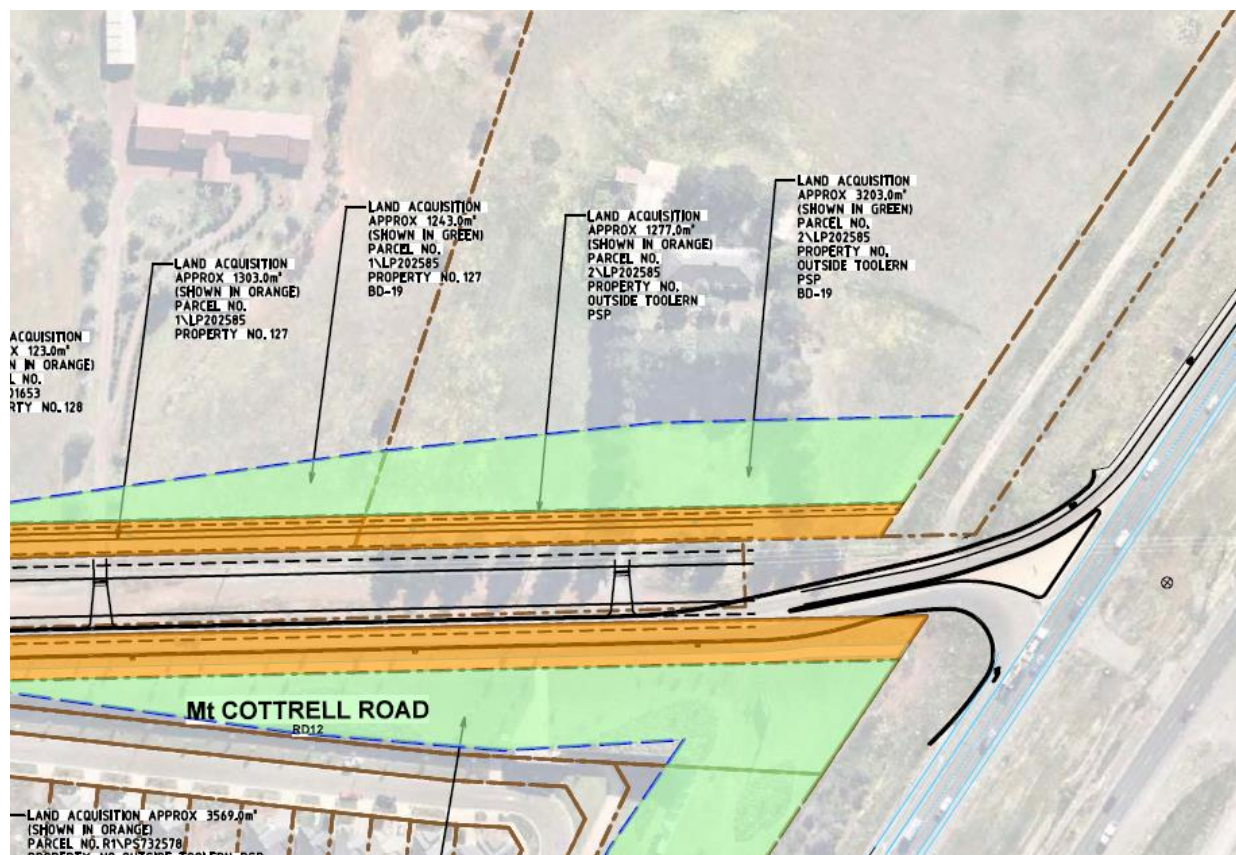


FIGURE 6: EXTRACT OF BD19 FLP (TOOLERN DCP, APPENDIX 1, Pg 81)

Requested Changes

The following is a summary of the requested changes throughout this submission:

- We request that the levy rates in the DCP and DCPO3 be amended to reflect the indexed rate at the time of approval (ie 2024/2025).
- We request that the existing land take for RD12 be retained (ie 0.08ha on Property 126).
- We request deletion of BD16 and BD19 from the PSP and DCP.
- We request that Property 126 be correctly reflected as being within the Toolern PSP on any relevant functional layout plans in Appendix 1 of the DCP, including for BD19 if retained.

We trust the above information is sufficient for the Council's review of the submission. Once Council has had a chance to review, we welcome the opportunity to discuss our submission with Council and continuing to be involved in discussions to resolve the matters raised.

Please do not hesitate to contact me on [REDACTED] or [REDACTED] if you have any queries.

Yours sincerely

[REDACTED]
Managing Director
Insight Planning Consultants