

14 May 2024

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

To Melton City Council Planning Department

### Re: Toolern Development Contributions Plan Review and Precinct Structure Plan Refresh

As a landowner in the Toolern Precinct Structure Plan area (*refer Property Details Table as attached*), I am writing to provide a submission regarding Amendment C232MELT (Proposed PSP) to the Melton Planning Scheme as the amendment introduces changes that directly affect my property, its land uses, areas and potential values.

As per the Toolern Precinct Structure Plan, my property has been primarily designated as part of a Non-Government school site and active open space, which is to be acquired by relevant Government agencies at its market value, based on its highest and best use at the time of acquisition. Therefore, my primary concerns relate to the proposed changes insofar as they unreasonably and unfairly reduce the value of the land or Council negating to collect the correct funds from the Developer Contributions to adequately compensate me at the time of acquisition.

The below table identifies all proposed land uses on my property as nominated within the proposed Toolern Precinct Structure Plan. I provide the following for consideration:

Item	Land Use	Comments
Item 1	Road Widening	The Minister for the Crown administering the Education and Training Reform Act 2006 has compulsorily acquired land identified as Lots R1 on proposed Plan of Subdivision 835812C (the acquisition occurred on 11 January 2024). <ul style="list-style-type: none"><li>- R1 comprises 0.2927 Ha, being part Ferris Road to the intersection.</li></ul>
Item 2	Government School	The Minister for the Crown administering the Education and Training Reform Act 2006 has compulsorily acquired land identified as Lot 1 and R2 on proposed Plan of Subdivision 835812C (the acquisition occurred on 11 January 2024). <ul style="list-style-type: none"><li>- Lot 1 comprises 5.093 Ha, being the area nominated for the Government School site.</li><li>- R2 comprises 0.0254 Ha, being the portion of Alfred Road widening from the Government School site.</li><li>- Nominated area totals 5.1184 Ha</li></ul>
Item 3	Active Open Space	The Proposed PSP intends to expand the size of the Non-Government school site from 5.98 hectares to 9.93 hectares within Community Hub 7. This increase involves the removal of land designated for this school site on properties 33 and 34, repurposing it as active open space (0.29 hectares), of which 0.21 hectares falls within my property 34. This is consistent with correspondence from Melton City Council on 1 March 2021.  The practicalities of this change will result in a disjointed Active Open Space, with the 0.29Ha repurposed land being separated by a north-south road.

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Alternatively, the relocation of the north-south road could be relocated east, potentially outside my property boundary, which would address concerns within Item 5 below. This would result in additional land for Active Open Space. In any event, the impact would result in the change of the acquiring party from the Melbourne Archdiocese Catholic Schools to the Melton City Council. Both entities would be required to appraise the acquired land at current market value, based on its highest and best use, and cover all acquisition-related costs.

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Item 4	Non Government School Site	Item 4 Non Government School Site is addressed in Item 3 Active Open Space.
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Item 5	Developable Area	<p>Accounting for Item 1 to Item 4 as above, as per the proposed Toolern Precinct Structure Plan, the remaining Developable Area is two proposed north-south roads that connect the future Metropolitan Activity Centre to Alfred Road.</p> <p>Typically, Developable Area nominated as road infrastructure is developed in conjunction with the land's development to the benefit of the party who is subdividing the land. As others will trigger the acquisition and subdivision of the balance land, the responsibility of acquisition, development and construction for the Developable Area nominated as road infrastructure should carry with those acquiring parties.</p> <p>As I cannot develop the land like a typical developer, it is unreasonable for the responsibility to fall on me to develop and construct these two roads.</p>
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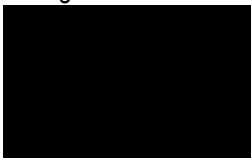
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The 58% increase in Developer Contribution payments for Toolern Area 2, indexed to 2021-22 values, is substantial. Although the Proposed PSP acknowledges that this increase will impact house and land prices, it will also adversely affect the acquisition of englobed land.

Since the Melton City Council will be the acquiring authority for the open space, I am concerned that Council-imposed fees will negatively impact land values. This will be evident through a hypothetical development valuation methodology that assesses revenue and costs based on the highest and best use.

I urge the Council to consider these concerns regarding Amendment C232MELT and its impact on my property. Ensuring equitable and fair treatment in the assessment processes will be crucial to support sustainable development in the Toolern precinct. I am willing to cooperate in any discussions and provide further information as required.

Regards



Attachments (Tables)

- Property Detail
- Land Use and Budget

## Attachments

Property Details			
Street Address	305-329 Ferris Road COBBLEBANK 3338		
Lot and Plan Number:	Lot 4 LP111799		
PSP Property Number	34	DCP Area	2

PSP Land Budget comparison	Original PSP (Ha)	Proposed PSP (Ha)	Variance (Ha)
<b>PSP Total Area</b>	<b>12.15</b>	<b>12.15</b>	<b>-</b>
1. Road Widening*	0.32	0.14 0.22	-0.04
2. Govt Education*	5.04	5.04	0
3. Active Open Space	5.18	5.39	-0.21
4. Non Govt School	0.21	0	0.21
5. Developable Area	1.4	1.36	0.04
* subject to current dealings			