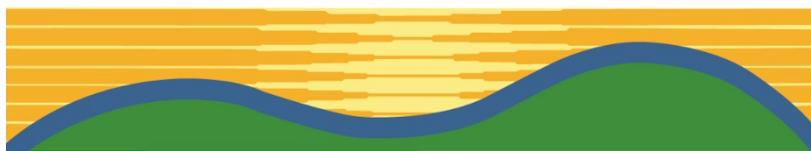


MITCHELL SHIRE COUNCIL



COMMUNITY QUESTIONS AND HEARINGS COMMITTEE

AGENDA

MONDAY 10 FEBRUARY 2020

7.00pm

NOTICE IS HEREBY GIVEN that **Community Questions and Hearings Committee** of the Mitchell Shire Council will be held at **Mitchell Civic Centre, 113 High St, Broadford**, on **Monday 10 February 2020** commencing at **7.00pm**.

MARY AGOSTINO
ACTING CHIEF EXECUTIVE OFFICER

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1 WELCOME AND GOVERNANCE DECLARATION

The Mayor formally opens the meeting with an acknowledgement of country and welcomes all present.

2 APOLOGIES AND LEAVE OF ABSENCE**3 DISCLOSURE OF CONFLICTS OF INTEREST**

In accordance with section 79 of the Local Government Act 1989.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

In accordance with Clause 66 of Local Law No. 4 – Meeting Procedures.

RECOMMENDATION

THAT the Minutes of the Community Questions and Hearings Committee held 9 December 2019, as circulated, be confirmed.

5 DEVELOPMENT AND INFRASTRUCTURE

5.1 KILMORE CREEK LANDSCAPE MASTERPLAN

Author: Paul Bezemer - Senior Strategic Planner

File No: PL/13/082

Attachments: 1. Kilmore Creek Consultation Report

SUMMARY

The purpose of the Kilmore Creek Precinct Landscape Master Plan (Master Plan) (circulated separately) is to highlight the importance of the Kilmore Creek precinct for the town and provide a vision to guide future landscape improvements and land management practices to improve the Creek's natural environment and activation.

The draft Master Plan was placed on exhibition between from 6 September until 7 October 2019. Fifteen (15) submissions and seven (7) online surveys were received in addition to approximately 45 people attending a drop-in session. Where appropriate, the feedback received has been used to inform the finalisation of the Master Plan.

If endorsed, Council officers will prepare an implementation strategy around the identified three (3) priority projects and other actions to inform the future capital works program and external funding applications.

RECOMMENDATION

THAT Council officers provide a report to Council in relation to the Kilmore Creek Landscape Masterplan.

BACKGROUND

Council obtained grant funding of \$50,000 from the Department of Economic Development, Jobs, Transport and Resources (DEDJTR) to prepare a landscape master plan for the Kilmore Creek precinct.

The preparation of this Master Plan follows extensive strategic planning work undertaken through the Kilmore Structure Plan, in which Council that envisages the peri-urban town of Kilmore growing to a population of over 20,000 people. The Kilmore Structure Plan identified the preparation of a landscape master plan for the Kilmore

KILMORE CREEK LANDSCAPE MASTERPLAN (CONT.)

Creek as an action and envisaged the Creek corridor being the primary linear open space corridor through the township.

ISSUES AND DISCUSSION

Kilmore Creek Precinct Landscape Master Plan

The Master Plan sets out the following vision to guide future landscape improvements and land management practices within the precinct:

“The Kilmore Creek Precinct will be the primary recreational open space and environmental corridor in Kilmore. It will improve amenity and accessibility and create an interconnected spine to support the heart of the town and form a vibrant community space for residents and regional visitors” (p. 39).

The implementation of this vision will be directed by actions and recommendations outlined under the following seven (7) guiding principles:

- Open Space Systems
- Access and Movement
- Cultural Heritage
- Drainage and Flooding
- Biodiversity and Environment
- Built Form
- Land Management

The actions and recommendations range from encouraging water sensitive urban design and integrated water management principles for surrounding land to the delivery of additional infrastructure such as new bridges and wayfinding signage. It is envisaged that these actions would be delivered over time as it will require significant funding and officer time.

The study area for the Master Plan commences at Willowmavin Road to the north extending south along the creek corridor to Green Street, then extending across the eastern tributary to Wandong Road and along the western tributary to Gehreys Lane. As the Kilmore Creek is approximately 6.5 kilometres in length, the Master Plan has divided the study area into different sections to spatially display the actions and recommendations.

Methodology

The Master Plan has been informed through a site analysis, landscape character assessment and high-level desktop environmental conditions assessment. Key

KILMORE CREEK LANDSCAPE MASTERPLAN (CONT.)

stakeholder engagement with agencies and community groups occurred early in the process to inform the draft Master Plan.

The draft Master Plan was placed on community consultation to help inform the document and identify the three (3) priority projects for implementation. This process is discussed in further detail under the Consultation subheading.

CONSULTATION

A Consultation Report has been prepared for this project, outlining the steps undertaken to inform the Landscape Master Plan and providing a detailed overview of the submissions and comments received. The consultation report can be found in Attachment 1.

Early consultation

Prior to community consultation of the draft Master Plan, targeted stakeholder engagement occurred with the Goulburn Broken Catchment Management Authority (GBCMA), Taungurung Land and Water Council Aboriginal Corporation (TLaWC), Kilmore and District Residents and Ratepayers Association (KADRRA), BEAM Mitchell Environment Group and the Kilmore Miniature Railway. Following these meetings, two joint site visits and walks along the Creek were undertaken with representatives from BEAM and the Mitchell Environment Advisory Committee, the Kilmore Miniature Railway, the TLaWC and Council officers.

Exhibition of the Draft Kilmore Creek Landscape Master Plan

The draft Master Plan was placed on exhibition from 6 September 2019 until 7 October 2019 in accordance with the *Mitchell Shire Community Engagement Framework 2018*. Exhibition comprised:

- Direct notification of relevant referral agencies, community groups (20) and affected landowners (30).
- An article in the North Central Review (3 September 2019).
- A project website was formed on Engaging Mitchell, recording 232 site visits and 181 document downloads during the exhibition period. 7 online surveys were completed.
- Hard copies of the documentation were made available at the Wallan Planning and Building Office and the Kilmore Library.
- Information sheet.
- A joint drop-in session with the Hudson Park Master Plan project was held on 19 September at the Kilmore Library. Approximately 45 people attended the session.

A focus of the exhibition process was to seek feedback on potential priority projects for Council implementation. The responses have been used to inform the three (3) identified priority projects discussed below.

Submission Review

A total of fifteen (15) submissions and seven (7) online surveys were received. Nine (9) of the submissions and all seven (7) online surveys are supportive of the plan, the other six (6) submissions sought changes or were unsupportive. The following key themes emerged from the submissions:

KILMORE CREEK LANDSCAPE MASTERPLAN (CONT.)

Trail – Better access to and along the Creek has been the main theme during consultation. Most people are supportive of the principle; however, people have different opinions on width of the trail and the preferred materials.

Weed eradication and rubbish removal – Many respondents have identified that the Creek needs “a clean-up”. Litter and rubbish from residents, but also non-native weeds or trees overgrowing the Creek should be removed to improve the “quality” of the Creek.

More trees should be planted – and they should be native – There is a lot of support for further tree planting in the Creek Corridor, to provide shade on hot summer days and improve the natural qualities of the Creek.

Taungurung Land and Waters Council

The TLWC have stated that the area should be protected from any development that would result in significant ground disturbance. In their submission they suggest to keep at least the public land areas of the creek untouched, with minimal ground disturbance, to preserve unique heritage that Taungurung Elders, as Traditional Owners, prefer to leave untouched, as they were left by their ancestors.

Kilmore Miniature Railway Extension

The Miniature Railway is well-established and forms part of the fabric of the community. Through the consultation process of the Landscape Master Plan, the volunteers of the Kilmore Miniature Railway have provided Council with a plan to extend their rail tracks north, into Hudson Park, and south, into Apex Park. The draft Master Plan displayed an extension into Hudson Park which only attracted a small amount of support and interest through the community consultation.

Additional information would be required prior to works commence to address matters of uncertainty surrounding the impact it might have on the ground disturbance, (native) vegetation, the stability of the Creek embankment, the ability to co-exist in a safe way with other users along the trail and within Hudson Park and the long term economic feasibility of the volunteer-run railway. Therefore, the extension of the Miniature Railway is no longer included in the Landscape Masterplan as it is proposed for endorsement.

Council is willing to further explore a viable option in partnership with both parties.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

Emerging from the Community Consultation, the following priority projects have been identified. These projects are proposed to be the first step into implementing the Landscape Masterplan.

A. Town Centre Creek Revegetation.

Council and the landscape architects have identified which weeds (Willow trees) should be removed in the Creek and identified opportunities for revegetation between Mitchell Street and Bourke Street. This section has been chosen as it can provide a boost to the existing Town Centre.

A cost estimate of \$300,000 has been prepared, allowing for the removal of weeds, replanting of full-grown trees and undergrowth and maintenance for the first two years to ensure survival. The Master Plan supports undertaking these works in a

KILMORE CREEK LANDSCAPE MASTERPLAN (CONT.)

partnership approach with the GBCMA, community groups and any other interested stakeholders.

B. Creek Trail

Constructing a creek trail between Rutledge Street (the start of Sam de Gabriele Reserve) and Tootle Street. The project consists of a 3.0-metre-wide concrete trail, 1,200 metres in length, two bridges and two boardwalks, road crossing treatments, wayfinding and interpretive signage, park furniture and lighting.

This area was chosen as it would address the lack of connectivity along the Creek south of Lumsden Street and would connect to residential areas in the south of Kilmore, including Natures Run and The Elms Estate.

A Cultural Heritage Management Plan (CHMP) will need to be prepared before works can commence. Council officers have prepared a funding application for this project at an estimated cost of \$2,500,000 for the 2019-2020 Growing Suburbs Fund process, which was unsuccessful.

C. White Street Upgrade & Forecourt

A re-design for the car park north of the Leisure Centre has been prepared to address functional issues. The design aims to create more amenity and allow for more space for the creek trail by widening existing narrow sections. The project can be linked to the realignment of the miniature railway, a cultural heritage interpretation place in cooperation with the TLaWC and the introduction of a wetland to implement best practice Integrated Water Management principles, while also having the ability to deliver this project in isolation. This design is estimated to cost approximately \$1,500,000.

Implementation Strategy

For the other projects and actions included in the Landscape Master Plan, an implementation strategy will be prepared after endorsement of the Master Plan. This document will include all the projects and the responsible Council departments for delivery. This implementation strategy will inform future Council budgets and external funding opportunities.

POLICY AND LEGISLATIVE IMPLICATIONS**Council Plan**

The proposed Master Plan is generally consistent with the strategic objective of responsible planning and the following key strategies within the Council Plan 2017-2021:

Strategic Objective: *To demand best practice outcomes when planning for future growth.*

Key Strategies: 3.1 – Plan for growth and change through best practice design of services, infrastructure, open space and recreation facilities.

3.3: Prioritise environmental and sustainability outcomes in planning decisions.

3.9: Improve the accessibility and connectivity of pedestrian and cycle paths within and between our towns.

KILMORE CREEK LANDSCAPE MASTERPLAN (CONT.)

3.10: Protect and enhance local ambience, amenity and character.

RISK IMPLICATIONS

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
Environment – Minor environmental damage restricted to immediate area.	Medium	Where it's proposed to use best practice methods, there is a risk remaining that works in and around the creek will cause minor environmental damage during construction.	Yes
Financial – effect on operating budget. Likely to impact on budget or funded activities.	Medium	The Master Plan is ambitious, and the actions proposed would need to be delivered over time given current operating budget.	No

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

The Landscape Master Plan proposes to enhance the Kilmore Creek precinct and improve the social and environmental impacts of this open space corridor. When delivered, it will provide an improved natural environment and more opportunities for residents and visitors to use and enjoy the area.

CHARTER OF HUMAN RIGHTS IMPLICATIONS

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

CHILDREN AND YOUNG PEOPLE IMPLICATIONS

The provision of an open space corridor and improved connectivity will positively impact children and young people as more opportunities for safe active transport within Kilmore are provided given the Creek's alignment being in close proximity to community facilities and other key destinations.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

Council officers provide a report to Council in relation to the Kilmore Creek Landscape Masterplan.

KILMORE CREEK LANDSCAPE MASTERPLAN (CONT.)

MITCHELL SHIRE COUNCIL

Community Questions and Hearings Committee Meeting Attachment

DEVELOPMENT AND INFRASTRUCTURE

10 FEBRUARY 2020

5.1

KILMORE CREEK LANDSCAPE MASTERPLAN

Attachment No: 1

Kilmore Creek Consultation Report

Kilmore Creek Landscape Master Plan Consultation Report

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Executive Summary

The purpose of the Kilmore Creek Precinct Landscape Master Plan project is to provide a plan for the future use of the Creek as open space for the community to enjoy and to improve the Creeks natural environment. The need to prepare a Landscape Master Plan is a key action identified within the Kilmore Structure Plan.

The Draft Landscape Masterplan involved a variety of consultation methods and approaches. This enabled Council to acquire a significant range of inputs, suggestions and comments from members of the Kilmore community.

The following key themes emerged during consultation:

- **Shared Path** – Better access to and along the Creek has been the main theme during consultation. Most people are supportive on the principle; however, people have different opinions on width of the path and the preferred materials.
- **Weed eradication and rubbish removal** – Many respondents have identified that the Creek need “a clean-up”. Litter and rubbish from residents, but also non-native weeds or trees overgrowing the Creek should be removed to improve the “quality” of the Creek. \
- **More trees should be planted – and they should be native!**

1. Introduction

Council has prepared a Draft Landscape Master Plan to highlight the importance of the Kilmore Creek. The Draft Plan outlines a vision for the creek to become the primary recreational open space for Kilmore. The Draft Plan aims to improve local shared path connections, guide public outdoor space improvements and manage the environment within land adjoining the creek.

Before the Draft Landscape Master Plan went out for community consultation, the following process has been undertaken to inform the Draft Plan: process involves the following stages:

May 2019 - Early consultation with GBCMA, Taungurung, KADDRA, BEAM, Miniature Railway.

June 2019 – Site visit with Environmental Groups (BEAM, MEAC) and Miniature Railway.

August 2019 – Site visit with Council Staff and Taungurung Clan representatives.

The draft Landscape Master Plan consists of three parts: A site Analysis and Assessment, Guiding Principles and General Actions and Recommendations. After that, the Creek is divided into seven sections, each with their own more detailed projects and descriptions.

2. Purpose

The purpose of this Consultation Report is to provide a summary of the community feedback received during the community consultation undertaken in September and October 2019. This community feedback was used to help shape the final Landscape Master Plan, helped with picking the Priority Projects and inform the (to be written) implementation plan.

3. Community Consultation on the Draft Landscape Master Plan

Consultation involved a variety of consultation methods and approaches. This enabled Council to acquire a significant range of inputs, suggestions and comments from all members of the local community. An extensive consultation exercise was undertaken to capture the view and opinions from a broad range of stakeholders and community groups.

Consultation Approaches:

Engaging Mitchell Project website

A project website (<https://engagingmitchellshire.com/kilmore-creek-masterplan>) was formed for interested stakeholders to be kept informed about the project, consultation and upcoming events. 232 site visits have been recorded and in total 181 documents have been downloaded by 94 of the visitors.

Online Surveys

The project website also provided the opportunity for interested stakeholders to complete a short survey. This primary research tool was easily accessible, and undertaken to explore the characteristics, behaviours, needs and expectations of the community.

The online surveys were not as popular as the website, only 7 people have filled in the survey and 2 people filled in their submission online.

Letters to stakeholders and landowners

Over twenty identified Community Stakeholders and over thirty potentially affected landowners received a letter and information sheet about the project, where they could get more information and how they could engage or submit to the proposed plans.

Most of these people have been in contact with Council, by visiting the drop-in session, putting in a submission or calling up the Council Officer for further information.

Drop in Session

On Thursday 19 September a joined drop in session was organised together with the Hudson Park Master Plan project, providing an opportunity for people to be informed and provide feedback on the Master Plan, and cast a vote on their preferred priority project.

It is estimated that approx. 45 community members have visited the Drop in Session that day.

Submissions

The Draft Landscape Masterplan has been on public exhibition at the Kilmore Library and the Wallan Planning and Building Office. People who have requested to see the documents, have been invited to put in a submission. 12 submissions have been received during the consultation period and 3 submissions have been received afterwards.

4. Key Findings

4.1 Drop in Session

At the drop-in session on Thursday 19 September, the Hudson Park Master Plan project recorded 31 names and contact details from Kilmore community members. With additional people who've only engaged for the Kilmore Creek project, it is estimated that we've engaged with approx. 45 community members.

Priority Projects votes

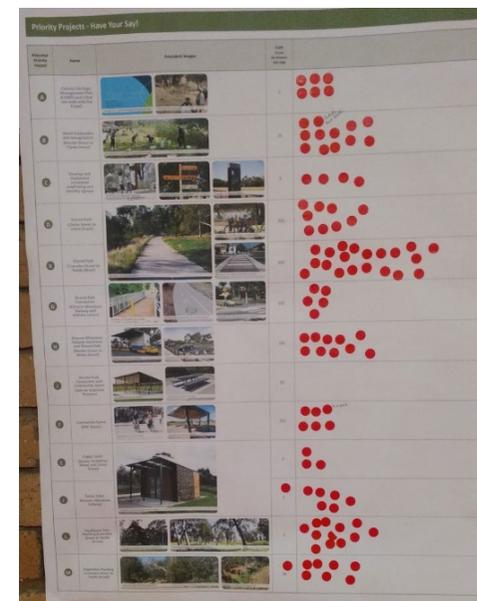
Visitors at the drop-in session have been invited to cast their vote on the proposed priority projects. With 102 stickers put up on the poster, it's estimate that 34 visitors cast their vote.

The project that clearly received the highest number of votes was project K: a Shared Path between Lumsden Street and Tootle Street.

Comments were made that the difference between weed eradication, significant tree planting and vegetation planting weren't clear to all participants, or that participants would like to see that happen in other locations then the proposed locations.

The full score of the votes on the poster was:

Potential Priority Project	Name	Number of votes
A	Cultural Heritage Management Plan (CHMP)	6
B	Weed eradication and Revegetation	12
C	Upgrade of wayfinding and identity signage	4
D	Shared Path (Union Street to Clarke Street)	9
K	Shared Path (Lumsden Street – Tootle Street)	20
G	Shared Path (Hudson Park / Leisure Centre)	5
H	Kilmore Miniature Railway extension	10
J	Shared Path Connection & Community Space (Sam de Gabrielle Reserve)	0
F	Community Space (Mill Street)	6
E	Public Toilet (Corner of Sydney Street and Union Street)	3
I	Public Toilet (Kilmore Leisure Centre and Kilmore Miniature Railway)	7
L	Significant tree planting (Lumsden Street to Tootle Street)	12
M	Vegetation Planting (Lumsden Street to Tootle Street)	8



Other comments made

Visitors were invited to leave other ideas or comments as well.

Each comment has been given an indication if it should be included in the Masterplan (✓), needs further discussion (~) or can be disregarded for this project (X):

	Wiki Camps Australia (the app). More features added for Tourists to draw them to Kilmore + Wallan
	Return private land to public ownership between creek + Andrew St. near Union Street.
	Make good use of creek behind shops. Also old quarry area could be beautiful.
	Don't built ultra-modern, reflect more of the heritage of the town when building along the creek.
	Former Quarry at Lamb Street = Kangaroo Grazing Area. Incorporate in plan.
	Quarry – utilise acoustics, music events, theatre, outdoor movies.
	Kilmore East Station Road from Northern Highway. Very Steep Hill & No Paths. Improve.
	Safety on Shared Paths!
	Shared path min. 10 meters wide.
	Build shared path using recycled materials.
	Construct a path / steps down from Ryans Road lookout to the Creek.
	More bike trails / shared pathways. Tallarook bike trail is great.
	Please remove old tramway tracks from Hudson Park. Very slippery + dangerous.
	Include the Sundial (Banella Style) of the Art Walk in the plan (near the Horse → Peter Appleton).
	Darebin Creek Trail. Good example of bike path.
	We need signage to walking tracks from main road to get visitors to stop in town.
	Better Entry sign entering Kilmore.
	Bridge construction continuation of Mitchell Street.
	Keep all the Car Parking in Patrick Street.



CFA	Risk of the Creek being a wedge through which fire can spread.
CFA	Breaks in vegetation. No continuity. Break in each section (20 / 25 m).
CFA	Clearing Project to be undertaken close to Willowmavin Road.
CFA	Fires have high impact on residents. Clean up the area (incl. Apex Park)
	Linear Australian Native Plants Garden. (Tootle Street → Wandong Road Rail corridor)
	Help with revegetation (106 Northern Highway). Reasonable sized plants → little ones won't survive dry seasons.
	Call the project Kilmore Creek Parklands.
	Weeds, wildlife, rubbish, public furniture.
	Mill Street: used to be really well used. Bad design and bad votes on the design.
	Create opportunities for community groups to be involved.

4.2 Submissions

Each submission has been documented and considered before finalising the Landscape Master Plan process. Up to Monday 7 October, 12 submissions were received. 3 submissions were received after the consultation period closed. In the table below the submissions are summarized and an indication has been provided as to whether or not to incorporate it into this Landscape Master Plan.

#	Submitter	Summary	Officer Response	Status
1.	Goulburn Valley Water	Sewer network augmentation works. Environmental Offsets project, downstream of the township of Kilmore. Stormwater management weed control and native revegetation are supported.	No action required for the Landscape Master Plan.	Resolved.
2.	Chris Kalamoshkos (111 Northern Highway)	Plant more trees. Anything native. Look into the water quality. Get in touch with the industrial landowners. Don't build a shared path at the back of my property.	Supportive of the Landscape Master Plan.	Resolved.

3.	RC Plaster (35 Willowmavin Road)	Supportive and want to discuss a fence along their site.	Supportive of the Landscape Master Plan.	Resolved.
4.	MEAC	Include hydration points (every 500 m). Include walkways under bridges at Union and Rutledge. Phased removal of exotics and replacement with natives. Toilets near Tootle street end. Permeable surfaces for paths. General lack of parking. Environmental and cultural asset maps should be the basis. Engage with adjoining landowners.	In general, supportive of the Landscape Master Plan. Disagree with the number of hydration points proposed, permeable surfaces for the shared path and providing more car parking within the Creek corridor.	Partly resolved.
5.	Mitchell Bushwalking Group	Mow the grass, manage and maintain the creek. Bins help against rubbish. We need rubbish clean ups.	Supportive of the Landscape Master Plan.	Resolved.
6.	Maureen Murphy	Clean up the Creek: eradicate weeds and other useless growth. Look at stormwater pipes feeding into the creek. List all tree types growing and eradicate all "nuisance" trees. All "human" rubbish should be removed. Council should fund all this work immediately.	Supportive of the Landscape Master Plan. Disagree with the suggestion that Council should fund all this work immediately, budgets do not allow for that.	Resolved.
7.	Craig Gifford	Why isn't the full Eastern Tributary (up to Willowmavin Road) included	The eastern tributary is partly included after June, as an extension of the original scope of works. The tributary further	Unresolved.

			<p>south is all in private ownership and will be part of a future Development Plan. The Landscape Masterplan outlines principles that also apply to this tributary.</p> <p>The available budget and timeframes do not allow for a full design of the full eastern (or western) tributary.</p>	
8.	Bev McLennan	Place rubbish bins along the footpath. Clean up the creek (bulrushes)	Supportive of the Landscape Master Plan	Resolved.
9.	DELWP	<p>Take the Native Title Act and Traditional Owners Settlement act taken into consideration when constructing something.</p> <p>DELWP recommends all Crown land impacted to be transferred to Mitchell Shire for future management. Improved biodiversity outcomes are supported.</p> <p>ESO3 applies to much off the land. Address that when undertake projects. DEWLP commends the Shire and the plan.</p>	<p>Supportive of the Landscape Master Plan.</p> <p>Becoming Committee of management provides a big opportunity. However, financial implications (maintenance costs), existing encroachment issues and safety on the land around the Quarry need further investigation.</p>	Resolved.
10.	Kilmore Miniature Railway	Concern over track alignment near edge of Creek.	Officers are not supportive of an extension south into Apex	Unresolved.

		<p>How much space between railway track and proposed Shared path. Bylands Tramways track should not be removed and should not be incorporated into concrete path. 3-Meter-wide path will ruin aesthetics of the area. No mention of Miniature Railway extension into Rutledge street. Pipe planned to be used as a tunnel for miniature railway. No deciduous trees. Welcome a toilet at the Kilmore Leisure Centre. Art walk Paving is supposed to be the turning point. Bridge widening might alter track configuration. Alternative: Use bridge at end of Skehan Place Alternative alignment further south. Fencing was a condition of Mitchell Shire for public safety.</p>	<p>Park. The purpose of an extension is to be more visible for the public, which will not be obtained by going south. The priority is to construct a shared path that is usable for everyone, all days of the year. Miniature Railway needs to be able to co-exist with that objective.</p>	
11.	John Le Quiniat	<p>Path should be pedestrian use only. Path should be gravel only. Not Concrete.</p>	<p>Goal is to provide pedestrian only paths on one side and shared path on the other. Where it's not possible to double up, we prefer a shared path as it will allow for a safe connection for all users.</p>	Unresolved.

12.	Craig Gifford	Eastern tributary should be more protected! Heavily treed on private property.	See response #7.	Unresolved.
13.	KADDRA	Concrete path is undesirable. 3 meter wide path encourage speeding cyclists, skate boarders and blade runners. Council to purchase industrial land north of Clarke Street. Playground South of Leisure Centre. Indigenous vegetation supported. Miniature railway to be extended both north and south. Toilet block near Union Street.	The priority is to construct a shared path that is usable for everyone, including cyclists and prams. Council budget does not allow for purchase of land. Land south of Leisure Centre is good locating for wetland to improve water quality from tributary. Will investigate opportunity to include some play equipment into the design.	Unresolved.
14.	GBCMA	Council’s Vision for Kilmore Creek is inspiring and appropriate to the Commuting Hills SES. The guiding principles to protect and enhance ecological values while improving community access and amenity in the urban setting sound great and are endeavours the GBCMA would like to foster.	Supportive of the Landscape Master Plan	Resolved.
15.	TLaWC	TLaWC is of the opinion that the area should be protected from any	Remove (significant) ground disturbing	Partly resolved.

		development that would result in significant ground disturbance. Taungurung would like to try and keep at least the public land areas of the creek untouched, with minimum ground disturbance, to preserve unique heritage left by Taungurung Ancestors.	activities from the Creek corridor plan.	
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The responses from the submissions are not consistent. Nine submissions are supportive, six submissions are (partly) unsupportive on the proposed Draft Landscape Masterplan.

Opinions differ especially on the material (and width) of the path and the extension of the Miniature Railway.

4.3 Online Surveys

A short online survey was administered to seek the views and opinions of the local community in Kilmore. A total of 7 surveys were completed and these are the results.

1.	Andrena	A 2.5km continuous path which doesn't cross any roads would be great to run an event like parkrun in Kilmore.	Shared Path from Union to the Leisure Centre. Shared Path from Leisure Centre to Lumsden Street. Shared path from Lumsden Street to Tootle Street
2.	Anne Laver	Spotted platypus along the creek near the back of the shops Plant indigenous plants. Wide path for pedestrians and cyclists.	Weed Eradication and Revegetation Shared path from Lumsden Street to Tootle Street
3.	Elisinda Mayo	Proper walking path along Union St for students to have a safe access to the bus	Shared path from Clarke Street to Union Street

		stop, tennis and football club. Kilmore 's creek is barely visible right now, there's not a proper signalised access or path. It would be great to have a bike/walking path all along the creek, and/or a picnic area next to it.	Shared path from Union Street to the Leisure Centre
4.	John Thexton	Gravel path is better with the character of a creek. Extend miniature Railway South as well.	Consistent wayfinding and identify signage Extend the Kilmore Miniature Railway Public toilet near the Leisure Centre
5.	Michelle Z.	Ensure the path is looped to return so we can run a 5km parkrun.	Shared path from Union Street to the Leisure Centre Extend the Kilmore Miniature Railway Shared path from Lumsden Street to Tootle Street.
6.	Anthony Archer.	Fire Safety is a big concern.	Weed Eradication and Revegetation Other (please list)
7.	Stewart Furniss	The creek looks terrible in places, lacks natural vegetation/ plants & is covered in weeds. The paths arent wheel chair/pram friendly or very accessible for the elderly.	Weed Eradication and Revegetation Extend the Kilmore Miniature Railway Shared paths everywhere!

5. Next Steps

Council has finalised the Landscape Master Plan and will incorporate comments made by the community. Council Officers are of the opinion that the material and width of the path should remain as proposed, and the extension of the Miniature Railway is no longer shown on the plans.

In the Council resolution to endorse the Landscape Master Plan, three priority projects will be proposed to be further designed and funded. Those designs, among with other cost estimates, will inform the Implementation Plan for the Kilmore Creek Masterplan.

5.2 625 & 646 NORTHERN HIGHWAY, WALLAN - AMENDMENT TO SPRINGRIDGE ESTATE DEVELOPMENT PLAN (DPO8)

Author: Sean Greer - Coordinator Strategic Planning

File No: PL/13/071

Attachments: 1. Springridge Estate Amended Development Plan
2. DPO8 Submissions Summary Jan 2020

SUMMARY

In accordance with Clause 43.04 (Development Plan Overlay – Schedule 8 Wallan Development Plan) of the *Mitchell Planning Scheme*, an application to amend an approved Development Plan has been received from Veris Australia Pty Ltd on behalf of Synergy Living.

Following a review of the proposal to amend and consideration of submissions, it is recommended that the approved Development Plan be amended as provided in Attachment 1.

RECOMMENDATION

THAT Council officers provide a report to Council in relation to the amended Development Plan pursuant to Clause 43.04 Development Plan Overlay (DPO8) of the *Mitchell Planning Scheme*, as provided within Attachment 1 to this Report.

BACKGROUND

The subject land is commonly referred to as the Springridge Estate and is comprised of two parent parcels being 625 Northern Highway and 646 Northern Highway, Wallan. The land is adjacent to Hidden Valley Estate on the opposing side of the Northern Highway and is within 1 kilometre of the Wallan town centre.

The site is bounded by the Northern Highway to the east, residential development to the south which is a mixture of conventional residential and low-density allotments, Old

625 & 646 NORTHERN HIGHWAY, WALLAN - AMENDMENT TO SPRINGRIDGE ESTATE DEVELOPMENT PLAN (DPO8) (CONT.)

Sydney Road to the west and farming land to the north. The subject land is the northernmost portion of the Urban Growth Boundary.

Proposal

- To increase the total number of residential lots from 938 to 994 (increase of 56).
- Change the use of the designated community centre site to a combination of open space and residential allotments (medium density site).
- In lieu of the community centre site, delivery of a shared path along the western side of the Northern Highway.

Planning Scheme Provisions

The subject site is located within the General Residential Zone pursuant to Clause 32.08 of the *Mitchell Planning Scheme*.

The subject site is affected by the Development Plan Overlay – Schedule 8 (DPO8). The proposed changes are largely similar to the approved development plan and do not constitute fundamental changes to the existing framework. The proposed changes are considered to be consistent with the requirements of DPO8.

The Bushfire Management Overlay (BMO) partly affects the subject site covering approximately 4 hectares of land. The portion of land affected on the eastern side of Old Sydney Road and no additional lots are proposed within the extent of the BMO. The CFA raised no objections to the proposed changes.

The Erosion Management Overlay (EMO) also partly affects the subject site covering approximately 8.9 hectares of land. This overlay requires a planning permit for future subdivision but is of little relevance to the assessment of the proposed changes to the development plan.

ISSUES AND DISCUSSION

Existing Development Plan

The Development Plan for the subject land was approved by Council on 24 January 2005. Since then, there have been three (3) amendments to the Development Plan with the latest amendment being approved by Council on 17 July 2017.

The current approved Development Plan comprises plans allow for:

- A total site area of 130 hectares to provide for 938 lots.
- Passive open space predominantly considered to be encumbered land abutting waterbodies traversing from north to south through the subject site.
- 4 points of access / egress – 2 are constructed (eastern end of Springridge Boulevard which intersects with the Northern Highway and Pretty Sally Drive which intersects with Darraweit Road to the south) and 2 to be constructed

625 & 646 NORTHERN HIGHWAY, WALLAN - AMENDMENT TO SPRINGRIDGE ESTATE DEVELOPMENT PLAN (DPO8) (CONT.)

(western end of Springridge Boulevard which will intersect with Old Sydney Road and a connection with Roulston Way).

Land identified for community centre site

- Current requirement

Section 173 Agreement AH931401G was entered into between Council and the landowners on 20 April 2011. This agreement identified requirements pertaining to (but not excluded to) a community centre site and a per lot contribution towards community infrastructure.

The requirements for a community centre site outline that a site not less than 1,500 square metres in size must be provided to Council. The agreement does not apportion construction costs or impose for the community centre upon the landowner, however, the per lot contribution of \$1,300 (subject to indexation) is a potential funding source towards the centre.

The agreement outlines that Council has the discretion to modify the community centre site requirements "*in writing and with the agreement of the Owners*". The proposal before Council, seeks Council to exercise this discretion.

- Subject site

The site that has been set aside for the community centre site is identified as Lot D on Plan of Subdivision 630437. This parcel has not been subdivided from the parent property and remains within the ownership of the developer.

This site is over 2,660 square metres in area and has three road frontages (Springridge Boulevard to the north, Pretty Sally Drive to the east and Callistemon Place to the south). This site is not large enough to accommodate a community centre and also doesn't allow opportunities for co-location or integration of other community services which is a key principle within Council's Integrated Community Service and Infrastructure Plan (ICSIP).

Existing development to the west of this site has partly comprised future development outcomes for the site. This is through residential allotments abutting the western property boundary (currently under construction) which are rear loaded resulting in the dwellings fronting onto the site with a pathway providing separation. There is also an existing electrical kiosk on the north-western corner.

- Assessment

'Figure 8 – Community Facilities' within the Wallan Structure Plan identifies five (5) potential locations for community infrastructure hubs across the Wallan township to accommodate future population needs. The Springridge Estate is not identified as a location for a community infrastructure hub. The community infrastructure needs for current and future residents within the Estate can be accommodated by facilities within the Wallan Town Centre.

The proposed shared path will be located along the western side of the Northern Highway, connecting the Springridge Estate to William Street. The shared path will be approximately 700 metres in length and with a width of 3 metres. The shared path will

625 & 646 NORTHERN HIGHWAY, WALLAN - AMENDMENT TO SPRINGRIDGE ESTATE DEVELOPMENT PLAN (DPO8) (CONT.)

be constructed partly on a Council reserve and within the Northern Highway road reserve which will require separate approval from VicRoads.

The proposed shared path is strongly supported by the Wallan Structure Plan. 'Figure 13 – Walking and Cycling Paths' within the Wallan Structure Plan envisages shared paths within the road reserve on both sides of the Northern Highway. The Structure Plan also includes an objective to "*improve the existing footpath network across Wallan with a focus on key streets that provide access into the town centre*" (p. 34).

Submissions from three (3) abutting landowners within Nemoya Court were received during notification of the proposal and are further discussed in Attachment 2. Not all of the concerns raised can be resolved and the notion of Council providing a new boundary fence is not supported. It is considered that landscaping treatment and establishing separation between the adjoining property boundaries and the shared path alignment is a reasonable outcome.

The shared path alignment is not confirmed at this stage as detailed design of the shared path has not occurred. The proposal includes an indicative alignment which is a guiding document. It is proposed that discussions with the adjoining landowners to the shared path occurs at the time of detailed design being prepared and receiving agency feedback.

It is proposed that Council enter into a new section 173 agreement with the developer around the delivery of the shared path. This will provide the documentation required to meet the requirements pertaining to the community centre site within the existing section 173 agreement.

CONSULTATION

In accordance with the *Planning and Environment Act 1987* and the *Mitchell Planning Scheme*, there was no requirement to formally exhibit the proposed changes to the Development Plan and consider submissions.

However, it was determined by officers to notify surrounding landowners of the proposed changes to the Development Plan, along with the relevant agencies and stakeholders. A process of non-statutory public notice occurred on 23 January 2019 and until 15 February 2019.

Five (5) community submissions were received. An overview of these submissions and an officer response is provided in Attachment 2 to this report.

Agency responses were received from the Department of Environment, Land, Water and Planning, CFA and Melbourne Water who all provided no objection. VicRoads did not object and indicated a preferred shared path alignment.

Internal comments were provided by Council's Engineering and Community Strengthening departments that provided no objection. Comments from the Open Space department raised concerns with the configuration of the new park and its proximity to an existing playground. The potential development outcomes of the site are partly comprised due to development to the west and the need to protect residential

625 & 646 NORTHERN HIGHWAY, WALLAN - AMENDMENT TO SPRINGRIDGE ESTATE DEVELOPMENT PLAN (DPO8) (CONT.)

amenity of dwellings under construction along Astelia Lane. For these reasons, it is considered that the configuration of the new park is appropriate.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The delivery of the shared path will have financial and resource implications for Council to obtain the necessary approvals and assistance with the detailed design. The developer has agreed to delivering the shared path as works-in-kind that has an indicative cost estimate of \$350,000. This will deliver a key connection that is currently not included within Council's capital works plan.

Once the shared path is delivered, maintenance of the shared path and surrounding landscaping will become a Council responsibility.

POLICY AND LEGISLATIVE IMPLICATIONS

The proposed changes to the Development Plan are consistent with the *Mitchell Shire Council Plan 2017-2021*. Key Strategy 3.1 of the Council Plan states that Council should "*Plan for growth and change through best practice design of services, infrastructure, open space and recreation facilities*". The proposed Development Plan has been prepared in accordance with the provisions of the *Planning and Environment Act 1987*.

RISK IMPLICATIONS

Risk Ranking is determined using [ROHS201-G1- Corporate Risk Matrix](#). Risk is identified as Low, Medium, High or Very High.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
The shared path is not delivered in a timely manner.	Medium	Enter into a new section 173 agreement.	Yes – timeframes to be confirmed as part of the preparation of the new section 173 agreement.

SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)

The existing planning permit contains permit conditions that require detailed information around key environmental features such as landscape plans and construction management impacts to be provided. The proposed changes to the Development Pan will accommodate additional population in an established residential development in close proximity to the Wallan town centre.

CHARTER OF HUMAN RIGHTS IMPLICATIONS

The rights protected in the *Charter of Human Rights and Responsibilities Act 2006* were considered in preparing this report and it's determined that the subject matter does not raise any human rights issues.

625 & 646 NORTHERN HIGHWAY, WALLAN - AMENDMENT TO SPRINGRIDGE ESTATE DEVELOPMENT PLAN (DPO8) (CONT.)

CHILDREN AND YOUNG PEOPLE IMPLICATIONS

The shared path will provide a key link into the Wallan town centre to encourage increase in walking and cycling. The shared path will form part of the pedestrian network around Springridge Estate that connects to future park space.

OFFICER DECLARATION OF CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect interest in this matter.

CONCLUSION

In accordance with the requirements at Schedule 8 of the Development Plan within the *Mitchell Planning Scheme*

As part of the Development Plan assessment process, non-statutory notification was provided to State Agencies and surrounding landowners. Five (5) community submissions were received to the amended Development Plan, however, it is considered that proposal will provide a net community benefit and is supported by planning policies.

It is recommended that Council resolve to approve the amended Development Plan and enter into a new section 173 agreement with the developer to secure the delivery of the shared path providing a vital connection from Springridge Estate to the Wallan town centre.

625 & 646 NORTHERN HIGHWAY, WALLAN - AMENDMENT TO SPRINGRIDGE ESTATE DEVELOPMENT PLAN (DPO8) (CONT.)

MITCHELL SHIRE COUNCIL

Community Questions and Hearings Committee Meeting Attachment

DEVELOPMENT AND INFRASTRUCTURE

10 FEBRUARY 2020

5.2

**625 & 646 NORTHERN HIGHWAY, WALLAN -
AMENDMENT TO SPRINGRIDGE ESTATE
DEVELOPMENT PLAN (DPO8)**

Attachment No: 1

**Springridge Estate Amended Development
Plan**



LAND BUDGET	
	Area
Allotments	68.15 ha
Road network	25.63 ha
Open Space encumbered	30.06 ha
Open Space un-encumbered	6.13 ha
TOTAL SITE AREA	129.97 ha

LEGEND	
Stage Boundary	Residential Lots
5 Stage Number	Collector Road
Shared Pathway Link	Road width
Public Open Space	Medium Density Site
Water body	

SUMMARY
 - Total site area: 130 ha
 - Subdivision layout for each stage to be finalised via the planning permit process.
 - Road widths, open space dimensions, pedestrian links all subject to further Council Approval



Amended Development Plan

DATE: 01 November 2019
 REF: 31134 001
 DWG: 31134UDAQ
 scale 1:5000 @ A3

**625 Northern Highway
 WALLAN**

MITCHELL SHIRE COUNCIL

Community Questions and Hearings Committee Meeting Attachment

DEVELOPMENT AND INFRASTRUCTURE

10 FEBRUARY 2020

5.2

**625 & 646 NORTHERN HIGHWAY, WALLAN -
AMENDMENT TO SPRINGRIDGE ESTATE
DEVELOPMENT PLAN (DPO8)**

Attachment No: 2

DPO8 Submissions Summary Jan 2020

Attachment 2: Submission Summary Table – DPO8

#	Submitter	Summary	Officer Response	Status
1	Andrew Brooks (No address provided)	Seeks that the community centre site be retained as would provide more community benefit than the park and shared path.	As discussed in the Council report, the site is not large enough to accommodate a community centre. The proposed changes are consistent with directions from the Wallan Structure Plan. No changes proposed.	Unresolved.
2	Meryl and Ron Adams (1820 Old Sydney Road, Wallan)	<ol style="list-style-type: none"> 1. Northern buffer zone hasn't been planted with trees. 2. The plan doesn't include indication of a boundary fence. 3. Reduction of lot sizes. 4. Current development plan shows lots fronting and obtaining access direction from Old Sydney Road. 	<ol style="list-style-type: none"> 1. This matter is being reviewed by Council's Planning Compliance Officer and is not intrinsic to the assessment of the proposed development plan changes. 2. Refer to the above response. Fence details are outlined in an existing section 173 agreement and not required to be shown in the Development Plan. 3. The reduction of lot sizes is supported by relevant planning policy. The context of the development has changed since the original development plan was approved in 2005, most notable Wallan's inclusion into the Urban Growth Boundary. 4. The development plan approved in September 2017 provides lots access and frontage onto Old Sydney Road. No additional lots are 	Unresolved – concerns raised are not relevant to the proposed changes.

#	Submitter	Summary	Officer Response	Status
			sought to front onto Old Sydney Road through this proposal.	
3	K & J Mulroney (8 Nemoya Court, Wallan) D Crain & R Bacash (9 Nemoya Court, Wallan)	<ol style="list-style-type: none"> Concerns with the shared path alignment, potential impacts on security and privacy of abutting land. Request a higher residential style fence be erected to replace existing post and wire fencing. Impact on the rural amenity and established trees and native birds along the alignment. 	<ol style="list-style-type: none"> Not all of the concerns raised will be able to be resolved. It is proposed that the shared path alignment be designed to establish as much separation from abutting properties as possible, landscaping opportunities, lighting and for the path to meander. Not agreed to. The Council reserve abutting the properties is over 15 metres in width and can provide opportunities to establish mitigation measures as raised in the above response. Detailed design of the shared path alignment will seek to avoid as much vegetation removal as possible. 	Unresolved – further discussions need to occur following detailed designs being prepared.
4 & 5	Paul & Toni Cosaitis (10 Nemoya Court, Wallan)	<ol style="list-style-type: none"> Concerns about the drainage impacts additional residential development will have. Concerns with the shared path alignment, potential impacts on security, privacy and property value of abutting land. Existing suitable pathway on the opposite side of Northern Highway. 	<ol style="list-style-type: none"> This matter will be assessed in detail at the planning permit stage. Not all drainage infrastructure associated with the development has been installed at this stage. Refer to the response to number 1 above. As discussed in the Council report, the Wallan Structure Plan provides direction for off-road shared paths to be provided on both sides of the Northern Highway. This will provide for better safety for pedestrians and cyclists. 	Unresolved – further discussions need to occur following detailed designs being prepared.

6 SUBMISSIONS

PUBLIC PARTICIPATION FORUM

In accordance with Clause 65 of the Meeting Procedure Local Law 2014.

7 QUESTION TIME

8 COMMUNITY PRESENTATIONS

9 DATE OF NEXT MEETING

Meetings of the Community Questions and Hearings Committee are scheduled for the second Monday of the month. If no submissions are scheduled to be heard at a particular meeting of the Committee, the meeting will be cancelled. The next meeting of the Community Questions and Hearings Committee is scheduled for 7.00pm on Tuesday 10 March 2020 at Mitchell Civic Centre, 113 High St, Broadford.

10 CLOSE OF MEETING