
10 DEVELOPMENT AND INFRASTRUCTURE

10.1 625 & 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 Community Submissions Summary

SUMMARY

This Development Plan application was considered by Council at its Ordinary Council Meeting on 18 May 2020. A vote was held on the recommendation to approve the development plan which was subsequently lost. As there was no alternative motion raised during the previous Council meeting, the application remains live and requires a formal determination to be communicated with the applicant and submitters.

This report is being put forward to Council unchanged for a formal determination to be resolved. A determination will inform Council's position at any possible VCAT Hearing should that scenario arise.

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:

1. Approve 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.
2. Undertake negotiations to enter into a Section 173 agreement with the applicant pertaining to the delivery of a 3.0m wide trail and contribution to the privacy fence along the Northern Highway.
3. Informs adjoining landowners of the proposed trail and fencing treatment on the western side of the Northern Highway in relation to the detailed design once such plans have been prepared.

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

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 one (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 Sydney Road to the west and farming land to the north. The subject land is the northernmost portion of land within Melbourne's Urban Growth Boundary.

Existing Development Plan

The first 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 allows 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.
- Four (4) points of access/egress – two (2) have been 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 two (2) are to be constructed (western end of Springridge Boulevard which will intersect with Old Sydney Road and a connection with Roulston Way to the south).

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). The open space will be embellished and transferred to Council, while the residential component of the land will remain in the ownership of the developer.
- In lieu of the required 1,500 square metre community centre site as per the existing section 173 agreement, delivery of a trail along the western side of the Northern Highway that will connect to William Street.
- Change to the interface treatment along Old Sydney Road that will include a service road/landscaping treatment resulting in no direct lot access from Old Sydney Road. The service road will be constructed by the developer at no cost to Council.

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

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

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 four (4) hectares of land. The portion of land affected is 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 eight (8) 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.

The Vegetation Protection Overlay – Schedule 1 (VPO1 – Roadside and Corridor Protection) applies to Old Sydney Road and land either side of it south of the subject site. While the VPO1 is in close proximity it is not applicable to this proposal.

ISSUES AND DISCUSSION

Net community benefit

An underlying principle of the planning system is that land use and development needs to provide net community benefit for existing and future residents. The net community benefit test being applied in this instance is whether the current proposal provides an overall better outcome than the existing approved plan. The assessment needs to take into consideration the existing planning framework (established over 15 years ago) which imposes some limitations on what can be assessed now.

A key feature of the proposal is that it will provide for greater accessibility to and from the Springridge Estate via the proposed trail and improved interface treatment along Old Sydney Road.

Providing for this improved accessibility cannot be retrospectively applied to the Development Plan without reaching agreement with the applicant. The proposal is for Council to transfer the developer's requirement to provide a 1,500 sq. m site for a community centre to delivering a trail as a works-in-project. The site set aside for the proposed community centre on the existing approved plan cannot be constructed for that purpose as the site is not suitable, nor large enough, to accommodate the typical services that would need to be provided.

The local park proposed will be a slight land reduction in comparison to the existing section 173 agreement obligation (1,453 sq. m as opposed to the requirement of 1,500 sq. m). Improvements and additional landscaping to this local park will be required. This is an additional item that is not covered in the existing approval.

The proposed interface treatment to Old Sydney Road has been negotiated in response to community submissions. The existing approved development plan allows for 21 residential allotments to have direct access onto Old Sydney Road. The proposal before Council now is for a service road to be constructed which will result in Springridge Boulevard being the only connection onto Old Sydney Road. A landscape

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

buffer is proposed to allow for the retention of some of the roadside vegetation to improve the visual amenity outcomes.

Overall, it is considered that the proposal will provide a net community benefit and is an improved outcome to what has been approved in the existing approved plan.

The table below provides an overview of the key changes:

<u>Component</u>	<u>Existing Approved Plan</u>	<u>Proposed Change</u>	<u>Estimated Cost</u>
Old Sydney Road interface	21 residential lots with direct lot access.	Service road to be constructed by the developer.	\$1.1 million
Community Facility Site	Shown on the plan as 2,700 sq. m (exceeding section 173 agreement obligation). No construction or embellishment requirements.	Local Park to Council – 1,450 sq. m in size. Residential component to remain with the developer.	\$50k to local park embellishments.
Trail between Springridge Estate and Wallan Town Centre	Not shown.	Indicative alignment shown and to be delivered by the developer.	\$350k-\$400k

Assessment against the DPO8 provisions

The proposal is considered to be generally consistent with the objectives of the DPO8. Many of the objectives are being met through existing approvals such as the tree reserve to the north, provision of open space and pedestrian/cycle routes. Amending the existing development plan will provide for improved connectivity from the subject site to the Wallan Town Centre and will improve interface outcomes along Old Sydney Road compared to the current approved plan.

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The table below provides a response against the requirements of the DPO8:

DPO8 Requirement	Response
Road reservations, widths and alignments	The proposed development plan indicates the location of roads and widths. A notation is included that road widths will be subject to further Council approval which is appropriate as the widths will be confirmed at the subdivision stage.
The number and size of allotments to be created	The proposal seeks to increase the number of allotments to 994. A subdivision concept plan accompanied the application to provide an understanding of the likely lot sizes, however, it is common practice and more appropriate for lot sizes to be confirmed at the subdivision stage and not at the development plan stage.
The nature and use of all lots	The proposed development plan indicates that the majority of lots will be used for residential purposes and identifies the open space network.
A comprehensive landscape plan	This requirement is satisfied via conditions in the existing section 173 agreement and planning permit (P304973/07).

Old Sydney Road – Function and interface

The majority of community submissions received raised concerns around the impacts future development would have on the function and interface of this road. The dot points below provide an overview of the concerns raised and how the proposal seeks to mitigate those concerns:

- ***Future residential lots having direct access onto Old Sydney Road***

Response – the approved development plan from September 2017 displays 21 lots with direct access onto Old Sydney Road. Agreement has been reached with the applicant / developer that no future lots will have direct access to Old Sydney Road and the only intersection with Old Sydney Road will be the future extension of Springridge Boulevard. Moreover, lots with a frontage to Old Sydney Road will be accessed via a service road.

The proposed treatment across the frontage of the site to Old Sydney Road of approximately 500 metres will include a service road treatment. This will be separated by a landscape reserve to the main north-south carriageway of Old Sydney Road. This combined with tree planting in front of each residential lot, a pedestrian path and crossovers into each residential property, high level construction costs to complete this interface, including the landscape treatment is approximately \$1.1 million.

- ***Increase in traffic and road safety***

Response – the traffic advice accompanying the proposal indicates that the increase in daily traffic as a result of the proposal will be negligible. Most vehicle movements along Old Sydney Road as a result of the development is anticipated to be residents in those lots close to the western boundary. There is an existing permit condition requiring the upgrade of part of Old Sydney Road and the intersection of Darraweit

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

Road that will provide adequate capacity to accommodate the proposed growth of the estate.

Based on previous tube count data collected and traffic advice over recent years, it is expected there will be approximately 336 vehicle movements per day as a result of the Springridge development in its ultimate form, or about 4% to 5% of local trips (approx. 994 lots).

Council is responsible for the safe operation of Old Sydney Road as it is the relevant road authority. Monitoring will be required for this road as development occurs across the Wallan township as it expected that any 'rat running' along Old Sydney Road to avoid the Northern Highway within the Wallan Town Centre will be generated from residents outside of the Springridge Estate.

In addition to the partial upgrade to Old Sydney Road to an urban standard across the frontage of the development site, there are some concerns in relation to its impact further south and potential drainage/stormwater and safety implications, particularly to the area around the intersection of Darraweit Road and Old Sydney Road. One approach Council can undertake is to include any additional works into the capital works program and ensure the works can be undertaken or completed concurrently as the works progress along Old Sydney Road.

- ***Loss of roadside vegetation***

Response – as mentioned earlier in this report, the VPO1 applies to a portion of Old Sydney Road and land either side of it but not for the section abutting the subject site. This appears to be due to a decrease of vegetation coverage in comparison to the section of Old Sydney Road south of the subject land. In response to submissions, the applicant / developer has prepared an indicative cross-section that shows a landscape buffer will be provided that will enable retention of some existing vegetation. Any future removal of native vegetation south of the subject land within the road reserve to facilitate improvements, will be subject to a separate planning permit application process that will require detailed assessments to be undertaken.

- ***Interface with adjoining zones***

Response - the Springridge Estate is within the Urban Growth Boundary and adjoins land within the Farming Zone (western side of Old Sydney Road and north of the subject site) and the Low-Density Residential Zone (south abutting along Hanson Road). Managing interface and amenity expectations when residential land adjoins rural land has its challenges but is not an uncommon occurrence. Protecting existing character and amenity needs to be balanced when one side of a street is zoned for residential development while the opposite side is rural land.

The proposal mostly has measures in place to reduce instances where residential land will directly abut land in an adjoining zone. The northern boundary incorporates a 10-metre-wide plantation buffer which is partly established and in time the trees will mature to provide greater visual protection. Old Sydney Road has a wide road reserve varying between 60 – 70 metres wide (approximately) resulting in dwellings on the opposite side of this road being close to 100 metres from the future development front. The proposed two rows of landscaping on the eastern side of Old Sydney Road will further

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

assist with screening future lots and reduce visual impact to rural properties on the west side of Old Sydney Road.

The exception is Hanson Road where existing properties in the Low-Density Residential Zone (LDRZ) will directly adjoin future residential lots. However, these future lots will be large with most being over 1,000 square metres to provide a transition and responding to topography. These lots are mostly larger than the existing lots along Roulston Way that are also in the GRZ1 to the south of Hanson Road. The LDRZ is categorised as a residential zone in the planning system and it often performs the role of a transition zone between conventional residential land and rural land which is occurring in this instance.

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) land for a community centre 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 construction of the community centre upon the landowner. The per lot contribution of \$1,300 (subject to indexation) is a potential funding source towards the centre but there would still be significant funding shortfall.

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**

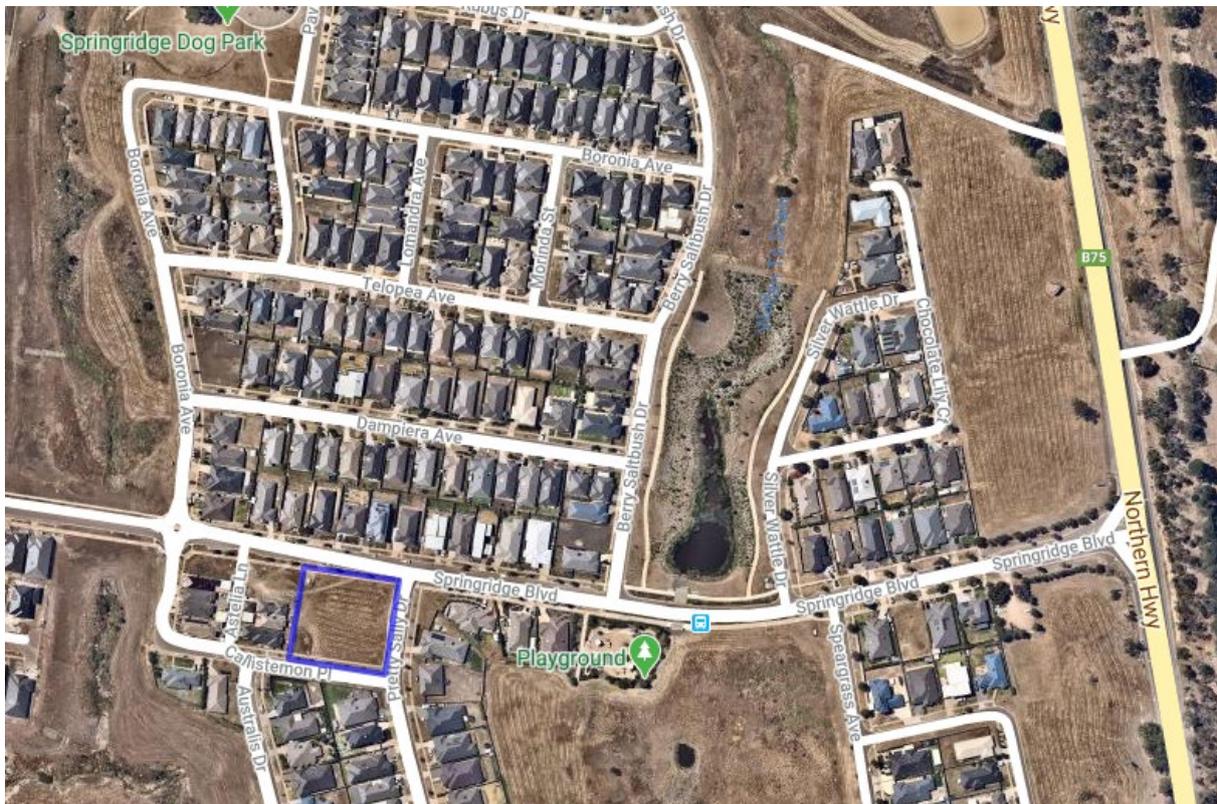
The site that has been set aside for the community centre site is identified as Lot D on Plan of Subdivision 630437 (refer to the aerial photo below, site is shown in blue outline). This parcel has not been subdivided from the parent property and remains within the ownership of the developer.

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). It is understood, based on valuations from late 2019, the value that could be realised on this land is approximately \$1.05m.

Existing development to the west of this site has partly comprised future development outcomes for the site. The residential allotments abutting the western property boundary are rear loaded resulting in the dwellings fronting onto the site with a pathway providing separation. Any future development of Lot D would need to factor in the

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protection of residential amenity thus reducing its development potential. There is also an existing electrical kiosk on the north-western corner of Lot D.



Source: Nearmap – aerial photo from 1 January 2020

- **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 in the Wallan Structure Plan as facilities within the Wallan Town Centre are anticipated to accommodate the needs for current and future Springridge residents.

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). Moreover, the total development of the Springridge Estate will not provide for a population size that would support a community hub in this location.

The proposed trail will be located along the western side of the Northern Highway, connecting the Springridge Estate to William Street. The trail will be approximately 700 metres in length and three (3) metres wide. The trail will be constructed partly on a Council reserve and within the Northern Highway road reserve which will require separate approval from VicRoads. The indicative cost to deliver this path is \$350k to \$400k.

The proposed trail is strongly supported by the Wallan Structure Plan. 'Figure 13 – Walking and Cycling Paths' within the Wallan Structure Plan envisages trail within the road reserve on both sides of the Northern Highway. The Structure Plan also includes

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

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. Council will work with abutting landowners on the type and standard of future fencing along the Northern Highway boundary, with funding options to be explored, when the detailed design of the trail occurs. Providing a landscaping treatment and establishing separation between adjoining properties and the path alignment is likely to be the preference to protect privacy and amenity while softening any future fencing treatment.

The trail alignment is not confirmed at this stage as detailed design 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 trail occurs at the time of detailed design being prepared and necessary approvals from relevant referral authorities.

It is proposed that Council enter into a new section 173 agreement with the developer around the delivery of the trail. This is to ensure that the community centre site obligations within the existing section 173 agreements are being discharged towards an alternative infrastructure item that will deliver a safer pedestrian link for residents to and from the town centre.

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 during this consultation period.

An initial Community Questions and Hearings Committee was held on 10 February 2020. Following this meeting, an additional 23 community submissions were received predominantly from landowners along Old Sydney Road. A submitter information session was held on 4 March 2020 which included detailed discussions in relation to the Old Sydney Road concerns with approximately 25 community members in attendance in addition to the three South Ward Councillors and Council staff. Given the carriage of time between the first Community Questions and Hearings Committee and subsequent submissions received since February, it was deemed appropriate for an additional Community Questions and Hearings Committee on 11 May 2020.

An overview of 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 trail alignment.

Internal comments were provided by Council’s Engineering and Community Strengthening departments that provided no objection. Some reservations were raised

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by Council's Liveable Communities department around the configuration of the new park (proposed in lieu of the community centre site) and its proximity to an existing playground. The potential development outcomes of the site are partly comprised due to development to the west of the mooted community facility site and the need to protect residential amenity of dwellings along Astelia Lane. As a result of the sites constraints, it is considered that the configuration of the new park is appropriate as it allows for a level of public amenity and place making for residents nearby.

FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

The delivery of the trail adjacent to the Northern Highway 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 trail as works-in-kind that has an indicative cost estimate of \$350k to \$400k. This will deliver a key connection that is currently not included within Council's capital works plan. In addition to this, the fencing treatment, once confirmed, will also likely require a contribution from Council.

Once the trail is delivered, maintenance of the trail 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 trail is not delivered in a timely manner.	Medium	Enter into a new section 173 agreement that confirms the timing of the trail's delivery.	Yes.
Applicant lodging to VCAT where the outcome will be unknown, and Council is no longer the decision-making authority. Circumstances for lodging an appeal	High	Council requested improvements to the development plan are being negotiated with the applicant to reduce the likelihood of items being challenged following Council resolution.	Operating budget can accommodate the VCAT hearing should it eventuate.

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

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
include agreement not being reached on requested changes and failure to determine within statutory timeframes.		Proposed to secure the infrastructure items agreed to by a Council resolution and a section 173 agreement (where relevant). The statutory timeframes have elapsed long ago. Recommended that a Council resolution is made on the proposal as soon as possible.	
Not constructing a fence along the trail represents an asset management/financial (not a capital works program item currently) and reputation risk for Council (from adjoining landowners).	Medium	At the time of detailed design of the trail, further discussions will be held with abutting landowners and the applicant around the type and standard of fence. Landscaping treatment will also be a key consideration.	Funding options will need to be explored; any fence is likely to incur costs for Council (either in part or fully).
Drainage and stormwater on sloping section of Old Sydney Road and implications for the safe operation of the Darraweit Road intersection.	Medium	Work with developer to time any additional drainage/stormwater works and safety upgrades to Old Sydney Road.	To be explored through future Capital Works priorities and budget for project accordingly.

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 Plan 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.

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CHILDREN AND YOUNG PEOPLE IMPLICATIONS

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

As part of the Development Plan assessment process, non-statutory notification was provided to State Agencies and surrounding landowners. 28 community submissions were received to the amended Development Plan proposal. These submissions have been considered and have resulted in changes to the plan including no direct lot access onto Old Sydney Road and a service road to be constructed for residential lots along the western boundary. It is considered that the proposal provides improvements on the current development plan, is supported by relevant planning policies including those relating to the Wallan Structure Plan and will provide an overall net community benefit.

The proposed changes and update to the Development Plan has the potential to realise approximately \$1.5m in additional infrastructure to support the development of the land, being approximately \$1.1m for the frontage road treatment and access onto to Old Sydney Road and the additional \$350k to \$400k through the delivery of the 700m long trail along the Northern Highway.

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 trail which will provide a vital connection from Springridge Estate to the Wallan Town Centre.

MITCHELL SHIRE COUNCIL

Council Meeting Attachment

DEVELOPMENT AND INFRASTRUCTURE

22 JUNE 2020

10.1

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

Attachment No: 1

**Springridge Estate Amended Development
Plan**



Legend

-  Site Boundary
-  Pedestrian Path
-  Shared Use Path
-  Proposed Shared Use Path to William Street
-  Residential Area
-  Local Park
-  Water body
-  To Wallan Town Centre

* Note: for discussion purposes only



Springridge Pedestrian Connectivity Plan
 625 Northern Highway, Wallan, Vic
 1:6,000 @ A3
 VERIS - Urban Design

DATE: 11 October 2019
 REF: 31134 001_Revision A

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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
Total Lots	994

LEGEND	
	Residential Lots
	Collector Road
	Shared Pathway Link
	Public Open Space
	Water body
	Road width

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

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DATE: 24 February 2020
 REF: 31134 001
 DWG: 31134UDAQ_Rev. A

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Amended Development Plan

**625 Northern Highway
 WALLAN**

MITCHELL SHIRE COUNCIL

Council Meeting Attachment

DEVELOPMENT AND INFRASTRUCTURE

22 JUNE 2020

10.1

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

Attachment No: 2

DPO8 Community Submissions Summary

Attachment 2: Community Submissions Summary Table – DPO8

#	Submitter	Summary	Officer Response
1	Andrew Brooks (Wallan resident)	Seeks that the community centre site be retained as would provide more community benefit than the park and trail.	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.
2	Meryl and Ron Adams (Wallan resident)	<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. Landscape buffer is included within the existing section 173 agreement which is legally binding. 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 existing approved plan from September 2017 provides lots access and frontage onto Old Sydney Road. The proposal seeks to change this by providing a service road resulting in no direct lot access onto Old Sydney Road. Concern has been addressed.

#	Submitter	Summary	Officer Response
3	K & J Mulrone, D Crain & R Bacash <i>(Wallan residents)</i>	<ol style="list-style-type: none"> Concerns with the trail 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"> It is proposed that the trail alignment be designed to establish as much separation from abutting properties as possible, landscaping opportunities, lighting and for the path to meander. Further discussions are proposed with abutting landowners around the type and standard of fence as well as funding options when detailed design is occurring for the trail. Detailed design of the trail alignment will seek to avoid as much vegetation removal as possible.
4 & 5	Paul & Toni Cosaitis <i>(Wallan resident)</i>	<ol style="list-style-type: none"> Concerns about the drainage impacts additional residential development will have. Concerns with the trail 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 constructed at this stage. Refer to the response to number 1 to Submitter 3. As discussed in the Council report, the Wallan Structure Plan provides direction for off-road trails to be provided on both sides of the Northern Highway. This will provide for better safety for pedestrians and cyclists.
6	Paul Robinson <i>(Wallan resident)</i>	<ol style="list-style-type: none"> Concerns about the removal of the community centre site obligation. Lack of community engagement. Lots fronting onto Old Sydney Road and lot sizes. Additional traffic and amenity impacts along Old Sydney Road. Bushfire safety. 	<ol style="list-style-type: none"> This matter is discussed in detail in the Council report. Considered that in balancing the positives and negatives that construction of a trail will provide a greater net community benefit outcome. There are no statutory requirements for development plan proposals to be placed on exhibition. This has resulted in many landowners in the surrounding area being unaware of many of the changes to the development plan since it's original approval in 2005. The current proposal had a period of informal consultation and further discussions were with submitters around the Old Sydney Road area to provide additional information. Concern has been addressed. Refer to the response to number 4 to Submitter 2 and current proposed development plan. Traffic advice submitted identifies the impacts of the additional lots on

#	Submitter	Summary	Officer Response
			<p>Old Sydney Road will be negligible. Existing permit conditions require the upgrading of Old Sydney Road and the intersection with Darraweit Road. Proposed service road improvement with a landscape buffer will assist in mitigating the amenity impacts along Old Sydney Road and is a better outcome than the existing approved plan.</p> <p>5. This matter is discussed in detail in the Council report. The CFA have consented to the proposed changes and the additional lots are outside of the area affected by the Bushfire Management Overlay.</p>
7	Di Taylor & L Harvey (Wallan resident)	<ol style="list-style-type: none"> 1. Proposal’s impact on neighbourhood character and rural amenity. 2. Additional traffic along Old Sydney Road. 3. Bushfire safety. 4. Lots fronting onto Old Sydney Road and lot sizes. 	<ol style="list-style-type: none"> 1. This matter is discussed in detail in the Council report. The subject site is within a residential zone and the Urban Growth Boundary unlike land to the north and west of the site, therefore, different planning polices apply. 2. Refer to the response to number 4 to Submitter 6. 3. Refer to the response to number 5 to Submitter 6. 4. Concern has been addressed. Refer to the response to number 4 to Submitter 3 and current proposed development plan.
8	Dominie Dale (Wallan resident)	<ol style="list-style-type: none"> 1. Lack of community engagement. 2. Lots fronting onto Old Sydney Road and lot sizes. 3. Concern around the lot yield increase in an area separate from the town centre. 4. Additional traffic and amenity impacts along Old Sydney Road. 5. Council’s role in the upgrade of Old Sydney Road. 6. Concerns about the removal of the community centre obligation. 	<ol style="list-style-type: none"> 1. Refer to the response to number 2 to Submitter 6. 2. Concern has been addressed. Refer to the response to number 4 to Submitter 3 and current proposed development plan. 3. The proposal to increase lot yield in the development is supported by planning policies. The lot sizes within the Estate are considered to be large in the context of the current zone and being within the Urban Growth Boundary. 4. Refer to the response to number 4 to Submitter 6. 5. Council is the road authority for Old Sydney Road under the <i>Road Management Act</i>. It’s role will be to continue to monitor the operation and safety of this road. There is also a role to communicate the status of the road with the Department of Transport (formerly VicRoads) given that it does provide an access point to the Northern Highway. This will be an ongoing role beyond the Springridge development’s construction timeframes. 6. Refer to the response to number 1 to Submitter 6.

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#	Submitter	Summary	Officer Response
9	Claudia James (Wallan resident)	<ol style="list-style-type: none"> Unclear where the additional lots are to be located. Concerns about the removal of the community centre site obligation. Lots fronting onto Old Sydney Road and lot sizes. Proposal's impact on neighbourhood character and rural amenity. 	<ol style="list-style-type: none"> There are no statutory requirements for development plan proposals to be placed on exhibition and the location of lots is usually confirmed at the planning permit/subdivision stage and not through Development Plans. Indicative information was provided to submitters at the Submitter Information Session given that the new lots will mostly be focussed around the centre of the development site. Refer to the response to number 1 to Submitter 6. Concern has been addressed in part. Refer to the response to number 4 to Submitter 3 and current proposed development plan.
10, 11, 12, 14, 16, 17, 18, 19, 22, 28	Maria Holman, Salah Rubaie, Colin Gill (Wallan resident), Verity Keely (Wallan resident), Rosina Baggio (Wallan resident), Jessie White (Upper Plenty resident), Terry Maywood (Wallan resident), John Johnson (Wallan resident), Shari Brooks (Wallan resident) *proforma submissions	<ol style="list-style-type: none"> Traffic impacts. Lots fronting onto Old Sydney Road and lot sizes. Bushfire safety. Concerns about the removal off the community centre site obligation. 	<ol style="list-style-type: none"> Refer to the response to number 4 to Submitter 6. Concern has been addressed in part. Refer to the response to number 4 to Submitter 3 and current proposed development plan. Refer to the response to number 5 to Submitter 6. Refer to the response to number 1 to Submitter 6.
13	Linda Mills (No address provided)	<ol style="list-style-type: none"> Traffic impacts along Old Sydney Road. Flora and fauna impacts. Lot sizes adjoining rural blocks should be same sizes as Hanson Road. 	<ol style="list-style-type: none"> Refer to the response to number 4 to Submitter 6. The works associated along Old Sydney Road will be subject to a planning permit application. A flora and fauna assessment will be required at that time. This matter is discussed in detail in the Council report. The existing lots in Hanson Road are within a different zone, the Low-Density Residential Zone. When Springridge Estate was rezoned it was deemed appropriate for conventional residential lots.
15	Leanne Jackson (No address provided)	<ol style="list-style-type: none"> Lack of consultation. Traffic impacts along Old Sydney Road. Concerns about the removal of the community centre site obligation. 	<ol style="list-style-type: none"> Refer to the response to number 2 to Submitter 6. Refer to the response to number 4 to Submitter 6. Refer to the response to number 1 to Submitter 6.

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#	Submitter	Summary	Officer Response
20	I & M Benjamin <i>(No address provided)</i>	<ol style="list-style-type: none"> Traffic impacts along Old Sydney Road as a result of additional lots. Lots having direct access onto Old Sydney Road. Proposed lot sizes. 	<ol style="list-style-type: none"> Refer to the response to number 4 to Submitter 6. Concern has been addressed. Refer to the response to number 4 to Submitter 3 and current proposed development plan. Refer to the response to number 3 to Submitter 8.
21	Louise Shanahan-McKenna <i>(Wallan resident)</i>	<ol style="list-style-type: none"> Lack of consultation Traffic impacts along Old Sydney Road. Lots having direct access onto Old Sydney Road. Impacts on roadside vegetation. 	<ol style="list-style-type: none"> Refer to the response to number 2 to Submitter 6. Refer to the response to number 4 to Submitter 6. Concern has been addressed. Refer to the response to number 4 to Submitter 3 and current proposed development plan. Refer to the response to number 2 to Submitter 13.
23	Malcom Siphthorp <i>(Wallan resident)</i>	<ol style="list-style-type: none"> Development has moved away from its original intention. Proposal has no buffer between suburban and rural areas. Lots having direct access onto Old Sydney Road. 	<ol style="list-style-type: none"> There have been significant planning policy changes since the first development plan was approved in 2005, most notable inclusion of Wallan and the subject site into the Urban Growth Boundary. Following consultation with submitters, it appears that promises were back in 2005 but were not translated into the planning framework. It is not possible to retrofit changes into the planning framework without agreement from the applicant and the proposal represents an improved outcome to the existing approved plan. Changes have been made to the interface treatment along Old Sydney Road to retain some of the existing roadside vegetation. No changes are proposed to lot sizes (which will be subject to a separate planning permit application) and the lot sizes within the Estate are considered to be large in the context of the current zone and being within the Urban Growth Boundary. Concern has been addressed. Refer to the response to number 4 to Submitter 3 and current proposed development plan.

#	Submitter	Summary	Officer Response
24	Mari-Anne Rodriguez (Wallan resident)	<ol style="list-style-type: none"> Existing approved plan and proposal contradict the vision of the Wallan Structure Plan by eroding the rural feel. Unclear where the additional lots are to be located. Concerns about the removal of the community centre site obligation. Lots having direct access onto Old Sydney Road. Traffic impacts along Old Sydney Road and if it is required for emergency evacuation particular in case of bushfire. Lot sizes along Old Sydney Road 	<ol style="list-style-type: none"> As the development of Springridge Estate commenced prior to the preparation of the Wallan Structure Plan and it is not possible to implement all directions of the Wallan Structure Plan into the current proposal. The proposal is generally consistent with local policies pertaining to Wallan (Clause 21.11-9) of the <i>Mitchell Planning Scheme</i>, particularly the housing policies. Refer to the response to number 1 to Submitter 9. Refer to the response to number 1 to Submitter 6. Concern has been addressed. Refer to the response to number 4 to Submitter 3 and current proposed development plan. Refer to the response to number 4 to Submitter 6. Existing permit conditions require the upgrade of Old Sydney Road and the intersection with Darraweit Road by the developer which will improve the capacity and safety of the road. Refer to the response to number 3 to Submitter 8.
25	Kevin & Jennifer Grech (Wallan resident)	<ol style="list-style-type: none"> Concerns with having multiple adjoining properties and Hanson Road becoming similar to the King William Drive Estate. Traffic impacts along Old Sydney Road. Bushfire safety. 	<ol style="list-style-type: none"> Lot sizes adjoining the LDRZ are large in a residential context. The proposed additional lots will mainly be in the centre of the development and there are minimal changes in this area. The outcome of the proposal will be similar to the existing approved plan which already allows for multiple adjoining properties. Refer to the response to number 4 to Submitter 6. Refer to the response to number 5 to Submitter 6.
26	Douglas & Julie Bennett (Kilmore resident)	<ol style="list-style-type: none"> Development has moved away from its original intention. Lots having direct access onto Old Sydney Road. Concerns around provision of community infrastructure. Traffic impacts on the surrounding network and ensuring road safety during an emergency evacuation. 	<ol style="list-style-type: none"> Refer to the response to number 1 to Submitter 23. Concern has been addressed. Refer to the response to number 4 to Submitter 3 and the current proposed development plan. Refer to the response to number 1 to Submitter 6. Refer to the response to number 4 to Submitter 6. Existing permit conditions require the upgrade of Old Sydney Road and the intersection with Darraweit Road by the developer which will improve the capacity and safety of the road.

#	Submitter	Summary	Officer Response
27	Kristen May (Wallan resident)	<ol style="list-style-type: none"> 1. Impacts on surrounding amenity. 2. Responsibility for future upgrades of Old Sydney Road. 3. Concerns around removing the community centre obligation and concerns around bike path not being delivered. 	<ol style="list-style-type: none"> 1. Refer to the response to number 1 to Submitter 7. 2. Existing permit conditions require the upgrade of Old Sydney Road and the intersection with Darraweit Road by the developer which will improve the capacity and safety of the road. Future Precinct Structure Plans will inform the requirements and responsibilities for upgrades of Old Sydney Road, south of Darraweit Road. 3. Refer to the response to number 1 to Submitter 6. The timing of the trail will be confirmed via a section 173 agreement which is legally binding and required to be completed for future lots to be issued titles.