

**9.8 PROPOSED PLANNING SCHEME AMENDMENT C155 - 470 SEYMOUR-TOOBORAC ROAD HILLDENE**

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**File No:** PLP196/18

**Attachments:** 1. Planning Scheme Amendment Documents

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**SUMMARY**

Over recent times, Council has experienced increased interest with regard to the availability of industrial land to establish new businesses and industries.

The Seymour Structure Plan identifies areas that are suitable employment generating land uses, particularly near or adjacent to the interchanges with the Hume Freeway.

Presently, Seymour's industrial land supply is heavily characterised by smaller industrial blocks of between .08 hectares and 2 hectares

To assist in addressing this issue, Planning Scheme Amendment C155 has been drafted that seeks to rezone 53ha of land at 470 Seymour-Tooborac Road, Hilldene to Industrial 1 Zone with a Development Plan Overlay, with the objective of providing an investment opportunity for larger scale employment land uses.

The proposed rezoning is consistent with the objectives of the Seymour Structure Plan and the *Mitchell Planning Scheme*. The draft documentation for proposed Planning Scheme Amendment C155 forms Attachment 1 to this report.

This report recommends that Council proceed with the rezoning of this land to facilitate investment and job creation for the Seymour region.

**RECOMMENDATION**

**THAT** Council:

1. Seeks Ministerial Authorisation in accordance with Section 8(A) of the *Planning and Environment Act 1987* for the preparation of a Planning Scheme Amendment C155 for 470 Seymour-Tooborac Road, Hilldene, including any appropriate request to modify notice requirements in respect of the proposed amendment under section 20 of the *Planning and Environment Act 1987*.
2. Subject to Ministerial Authorisation, prepare and exhibit a Planning Scheme Amendment C155 in accordance with the requirements of the *Planning and Environment Act 1987*.

**BACKGROUND**Subject Site and surrounds

The subject site is located to the west of the Seymour township and is identified as 470 Seymour-Tooborac Road, Hilldene. This overall land area consists of two separately

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PROPOSED PLANNING SCHEME AMENDMENT C155 - 470 SEYMOUR-TOOBORAC ROAD HILLDENE (CONT.)

titled allotments (Crown Allotments 28 and 29, Section 3, PP3481, Parish of Seymour) with a combined area of 105ha.

The allotment described as Crown Allotment 28 is the subject of the proposed Planning Scheme Amendment C155 with a total area of 53ha and a frontage of 937m onto Seymour-Tooborac Road.

The subject site is owned by Mitchell Shire Council and is zoned Farming. There are currently three (3) leases that relate to other uses within Crown Allotment 28, these include the area of land occupied by the Mitchell Fixed Wing Aero Club (model aircraft), the Country Fire Authority and a grazing license which enables an adjoining landowner to use the land to graze cattle. In addition, a planning permit has been issued for the development of a new Resource Recovery Centre on part of the site which is intended to be operated by Council. Figure 1 shows the subject site and provides an indication of where the lease arrangements are located on the site.

The surrounding land is also zoned Farming with the predominate land uses being smaller agricultural pursuits and rural living. The edge of the Puckapunyal Army Base is located 700m to the north, with most of the base activity occurring at least 4km from

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(CONT.)

the subject site on the broader base area. Directly opposite at 465 Seymour-Tooborac Road, Hilldene is a hard rock quarry.

PROPOSED PLANNING SCHEME AMENDMENT C155 - 470 SEYMOUR-TOOBORAC ROAD HILLDENE (CONT.)

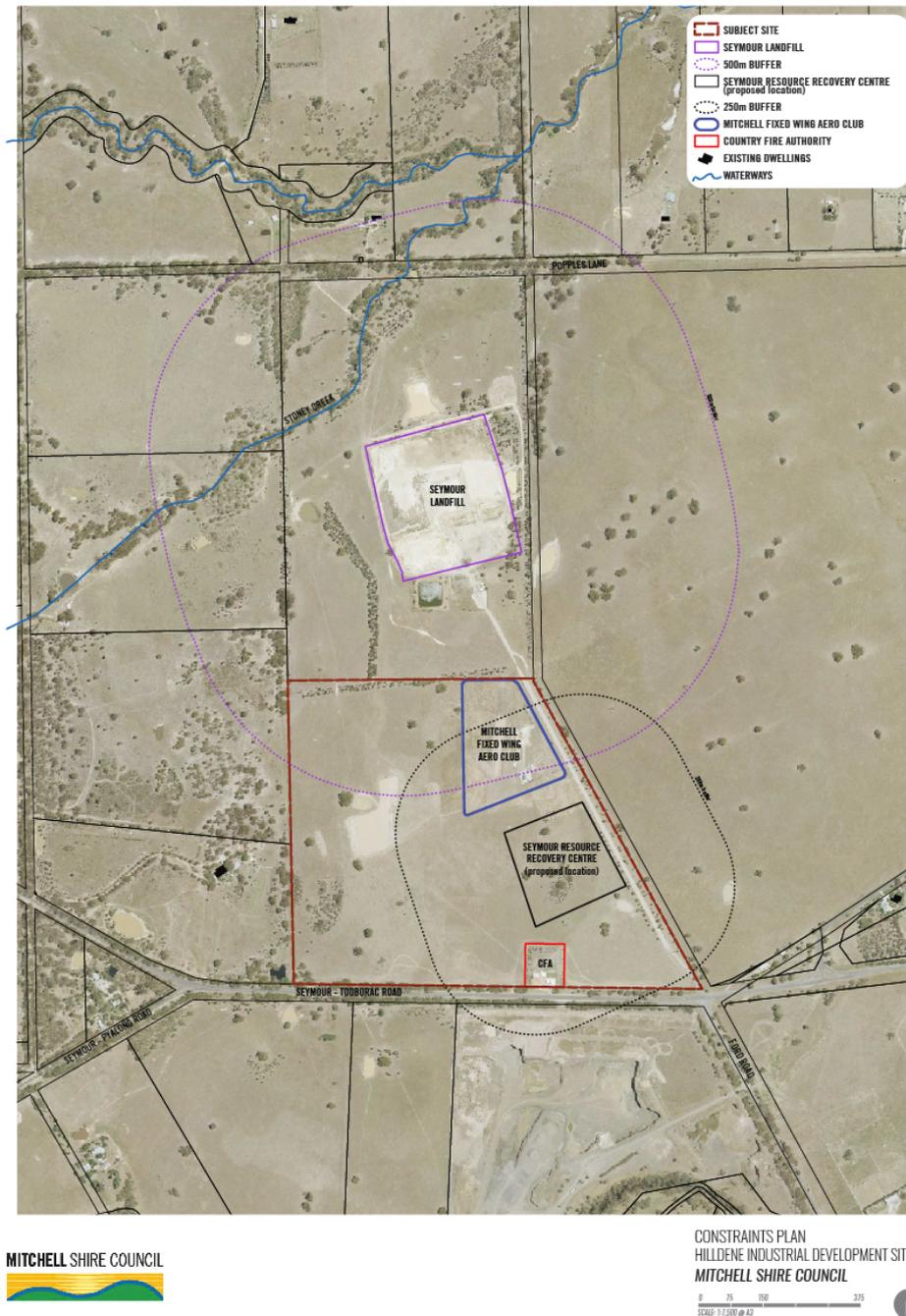


Figure 1: 470 Seymour-Tooborac Road, Hilldene – Crown Allotment 28 Study Area

The Proposal

Proposed Planning Scheme Amendment C155 seeks to make the following changes to the Mitchell Planning Scheme:

- Rezone the land at Crown Allotment 28, Section 3, PP3481 at 470 Seymour-Tooborac Road, Hilldene from Farming Zone to the Industrial 1 Zone
- Apply the Development Plan Overlay- Schedule 11 (new ordinance schedule) to the land at Crown Allotment 28, Section 3, PP3481 at 470 Seymour-Tooborac Road, Hilldene

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PROPOSED PLANNING SCHEME AMENDMENT C155 - 470 SEYMOUR-TOOBORAC ROAD HILLDENE (CONT.)

The purpose of the rezoning is to enable the facilitation of employment in the manufacturing sector generating development within Seymour. The proposed Development Plan Overlay will ensure that any future development proposal is well considered and addresses all the relevant infrastructure requirements (e.g. drainage) and onsite considerations such as flora and fauna and aboriginal cultural heritage.

## ISSUES AND DISCUSSION

### Seymour Structure Plan 2018

The Hume Regional Growth Plan 2014 identifies Seymour as a “*significant change location*” and recognises that economic development within Seymour will need to be “*bolstered to improve access to employment and higher order services and to take advantage of its strategic location*” (p. iv).

Consistent with the Hume Regional Growth Plan, the Seymour Structure Plan 2018 also recognises that there is significant growth and economic development opportunities within Seymour. In particular, the structure plan provides the land use and development vision for an ultimate population of 20,000 residents, including the identification of new residential growth areas and future employment precincts.

The Seymour Structure Plan also identifies the subject site as a *Long-Term Employment Land Opportunity*. This land is in (1) one single ownership and well-located with existing land uses consisting of the Hilldene Country Fire Authority Station, model aircraft club and flying space, landfill and future Resource Recovery Centre. Importantly, this site has direct access via the Hume Freeway to metropolitan, regional and interstate markets.

One of the Structure Plan objectives is to ensure *sufficient and well serviced land is available for future employment and industry development* and to *plan for long term and larger employment uses*. Given the somewhat constrained industrial landholdings within Seymour and the minimal vacant land available to the market, this subject site presents a significant opportunity for Council to take a critical role in facilitating investment into the Seymour region.

Currently, Seymour’s industrial land supply is predominantly characterised by smaller industrial lots of between .08ha and 2ha with established uses, therefore presents a challenging environment to attract and retain new industries.

The Seymour Structure Plan recognises that given locational attributes and access to major transport links “*Seymour has the potential to attract larger industry...For this reason, while there is little historic demand for major superlots, it is considered that Seymour’s Strategic location may lend itself to such investment in the future and, therefore a major area of flat developable land located along the Goulburn Valley Highway and Hume Highway has been identified for employment and major logistics development*”. The proposed employment areas identified in the structure plan area are vast and will attract development and investment interests as the town continues to grow and evolve over time.

Bringing forward industrially zoned land at 470 Seymour-Tooborac Road by rezoning this site to Industrial 1 Zone, will ensure that the Seymour industrial land market is ready and able to respond to any forthcoming investment interests. It also takes advantage of the site’s close proximity to the Hume Freeway interchange which

PROPOSED PLANNING SCHEME AMENDMENT C155 - 470 SEYMOUR-TOOBORAC ROAD HILLDENE (CONT.)

provides significantly greater accessibility in comparison to existing zoned land closer to the Seymour township.

#### Lost Investment Opportunities and Current Industrial Land Supply

In recent times, Council has been approached by several businesses who have an interest in relocating to Seymour, however they have not been able to find suitable industrial zoned land, which is unencumbered, of a suitable size and with easy access to the Hume Freeway.

In preparation for the Seymour Structure Plan, Urban Enterprise completed the *Seymour Business, Employment & Tourism Development Assessment* in March 2017. This assessment recognised that the availability of industrial zoned land within Seymour is a complex matter that could easily be oversimplified, by the perception of a high amount of underutilised land. There is recognition that much of this land is of smaller sized lots of less than 3ha, is environmentally constrained and has a high number of landowners (therefore limiting consolidation opportunities). The assessment recommends that *Seymour would benefit from the identification of industrial superlots to accommodate potential large-scale industrial uses.*

#### Current Leases/Licenses – 470 Seymour-Tooborac Rd, Hilldene

##### Livestock Grazing Licence

Council has an existing license agreement for the purpose of livestock grazing on part of the Council owned land at 470 Seymour-Tooborac Road, Hilldene. This licence commenced on 1 March 2016 for a five (5) year term, with two options (available upon request to take up the further option) for further terms of two years each term.

Section 2.2 of the licence relates to the use of the land by *Other Users*. The licence states, the Licensor (Council) may require the Licensee to vacate or make available the whole or part of the licence area for other users provided that:

- a) *The use of the remaining Licence Area by Other Users does not unreasonably disrupt the use of the Licence Area by the Licensee; and*
- b) *It is made a condition of such use that Other Users are prohibited from using any equipment or property of the Licensee unless the Licensor and Licensee have negotiated to include such use.*
- c) *The rent payable by the Licensee shall be reduced pro rata by the area of land resumed by the Lessor or Other User.*

If there was a suitable employment generating occupant for the land which is subject to the grazing licence, Section 2.2 would allow the parties to negotiate and enable the licence to be amended.

##### Country Fire Authority Station Lease

Council has an existing 40-year lease (plus 10-year further term) on the area of land which is currently occupied by the existing Hilldene CFA fire station. This lease commenced on 1 July 2009. It is envisaged that any future employment related

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PROPOSED PLANNING SCHEME AMENDMENT C155 - 470 SEYMOUR-TOOBORAC ROAD HILLDENE (CONT.)

development proposal for the site could accommodate and retain the existing fire station.

#### Mitchell Fixed Wing Aero Club License

There is an existing licence for the Mitchell Fixed Wing Aero Club which applies to 7.5ha of the site, for the purpose of an aerodrome for model aircraft. This license commenced in May 2012. This is largely located within the buffer to the existing landfill and is likely the club could still operate for a number of years before there are any imitate development implications that directly affect their interests.

#### Impact on Resource Recovery Centre and Landfill Site

The proposed industrial land uses will not impact the Resource Recovery Centre or the landfill as they are not considered to be sensitive land uses and will ensure that the Council operated land uses can continue without impediment.

### **CONSULTATION**

The rezoning request, in draft form, has been provided to a number of key agencies including, the Department of Defence (due to the proximity to Puckapanyul Army Base), Environment Protection Authority (EPA), Country Fire Authority (CFA), Department of Transport/VicRoads and DELWP.

No major concerns have been raised by these agencies at the time of writing. DELWP has provided in principle support and recognise the important role this site can play in attracting new investment into the township.

The EPA expressed some concern with the potential development of buildings and structures within the buffer of the Seymour Landfill (which affects a portion of the site) and that Council could consider a staged process to allow land located outside of the 500m buffer to be developed for industrial purposes whilst assessment of landfill gas within the buffer is undertaken. To remedy this, the Development Plan Overlay has been amended to include a requirement for an environmental audit be completed to assess the risk of harm from the Seymour Landfill to land located within the 500m buffer.

The CFA has no objections on the basis that there are no dangerous goods stored on the site and that land must be managed to prevent a fire hazard via a Fuel Management Plan.

Goulburn Valley Water has advised that the provision of water and sewerage infrastructure is required to be self-sufficient within the site.

The Goulburn Broken Catchment Management Authority has advised that although they do not have detailed flooding data, the potential risk of flooding from the Sunday Creek, Stony Creek and Sugarloaf Creek is low. However, there could be issues with stormwater runoff during heavy rains and a drainage strategy is required to be prepared to their satisfaction.

VicRoads/Department of Transport require safe ingress and egress to the site and a Functional Layout Plan is needed prior to development approvals.

The Aero Club and the livestock grazing businesses with leases have also been contacted, as have utility authorities for water, power, gas and electricity.

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No concerns were expressed by the Aero Club provided the future development does not impeded their functions. The livestock grazing business is supportive of the proposal as it would help Seymour grow.

If Ministerial Authorisation is received for the preparation of proposed Planning Scheme Amendment C155, public exhibition would be required in accordance with the provisions of Section 19 of the *Planning and Environment Act 1987*. Public exhibition will include sending notices to the landowners / occupiers for surrounding properties.

Public exhibition will also include advertising within the local newspapers and via Council's website, as well as hard copies of the amendment being made available for public inspection upon request. Following completion of the exhibition period, a report will be provided to Council which outlines the exhibition process and any submissions received.

### FINANCIAL, RESOURCE AND ASSET MANAGEMENT IMPLICATIONS

Council has allocated funds within the Strategic Planning budget for the processing of planning scheme amendments and can use this where required with regard to cost and officer time.

### POLICY AND LEGISLATIVE IMPLICATIONS

The Planning Scheme Amendment C155 proposes to rezone part of the land at 470 Seymour-Tooborac Road is consistent with the objectives of the Seymour Structure Plan and the Mitchell Planning Scheme.

The Amendment is consistent with the relevant objectives of the Council Plan 2017 – 2021, including the following:

Strategic Objective: Responsible Planning to demand best practice outcomes when planning for future growth.

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

### 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 nature of unknown submissions from other agencies, nearby landowners or stakeholders that may have an interest in this matter.	Low	Attempt to resolve as many issues prior to any formal consideration of issues/submissions.	Yes

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### **SUSTAINABILITY IMPLICATIONS (SOCIAL AND ENVIRONMENTAL)**

The ability to rezone this land and to attract investment into the Seymour township is key to facilitating much needed local jobs for the Seymour community.

The planning framework that is intended to apply to this site through Planning Scheme Amendment C155, including the introduction of the Development Plan Overlay (DPO) will require additional detailed environmental site investigations to ensure the orderly development of the land.

### **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 proposed Planning Scheme Amendment C155 will seek to improve the availability of land for future employment uses with Seymour, therefore improving the offering of localised employment options for current and future generations.

### **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**

The proposed Planning Scheme Amendment C155 seeks to rezone 53ha of land at 470 Seymour-Tooborac Road, Hilldene to Industrial 1 Zone, with the objective of providing an attractive investment opportunity for larger scale employment land uses.

The proposed rezoning is consistent with the objectives of the Seymour Structure Plan and the *Mitchell Planning Scheme*. The draft documentation for proposed Planning Scheme Amendment C155 forms Attachment 1 to this Report.

This report recommends that Council proceed with the rezoning of this land to facilitate timely and much needed investment and job creation for the Seymour region.

*Planning and Environment Act 1987*

**MITCHELL PLANNING SCHEME**

**AMENDMENT C155**

**EXPLANATORY REPORT**

**Who is the planning authority?**

This amendment has been prepared by Mitchell Shire Council, who is the planning authority for this amendment. The amendment has been initiated by Mitchell Shire Council.

**Land affected by the amendment**

The amendment applies to Allotment 28 Section 3 PP3481 at 470 Seymour-Tooborac Road, Hilldene.



Allotment 28, Section 3, PP3481 at 470 Seymour-Tooborac Road, Hilldene

**What the amendment does**

The proposed amendment seeks to rezone 53 hectares of land at 470 Seymour-Tooborac Road, Hilldene from Farming to Industrial 1 Zone. Specifically, the Amendment will result in the following changes to the Mitchell Planning Scheme:

- Rezone the land at Allotment 28, Section 3, PP3481 at 470 Seymour-Tooborac Road, Hilldene to the Industrial 1 Zone.
- Apply a Development Plan Overlay – DPO11
- Amend Planning Scheme Map No. 10.

**Strategic assessment of the amendment****Why is the amendment required?**

The amendment is required to facilitate development of large footprint manufacturing / employment related uses. In addition, Council is also upgrading its Resource Recovery Centre on this site and require approximately 8 hectares of land.

The subject site is strategically located with excellent access to the Hume Freeway which allows for future businesses to service the Melbourne and Sydney markets. Seymour has been identified by State Government as an area of significant change. The site is appropriate for rezoning to Industrial 1 Zone as it has direct access to the Hume Freeway and there are investment ready businesses wanting to invest and develop the site.

Suitably sized land within the existing zoned industrial land is not available for purchase, nor is it located with easy access to the Hume Freeway. There is also a limited supply of industrial land in the Hume Corridor, with supply to be exhausted within the next 20 years (Source: Urban Enterprise Broadford Industrial and Employment Study April 2020, commissioned for the Broadford Structure Plan).

The purpose of the Farming Zone, in part, is to “encourage the retention of productive agricultural land” and to “ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture”. Given the nature of the existing land uses on site and the surrounding area (quarry and Puckpunyal Army Base), the Farming Zone is not reflective of the current land use.

The subdivision lot size minimum of the Farming Zone is 80 hectares which does not allow for the subject site to be further subdivided for any future land uses which maybe proposed by the private market. The purpose of the Industrial 1 Zone is “to provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities” and is appropriate for current and future land uses. The provisions of the Industrial 1 Zone will allow for the subject site to be appropriately subdivided to accommodate other potential land uses.

The amendment is also required in order to achieve the strategic direction of the Seymour Structure Plan 2018 to grow employment. The land is identified as future long-term employment within the Structure Plan.

**How does the amendment implement the objectives of planning in Victoria?**

The proposed amendment implements the following objectives contained in Section 4(1) and 12(1)(a) of the Planning and Environment Act 1987:

- to provide for the fair, orderly, economic and sustainable use, and development of land;
- to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;
- (f) to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e);
- (g) to balance the present and future interests of all Victorians.

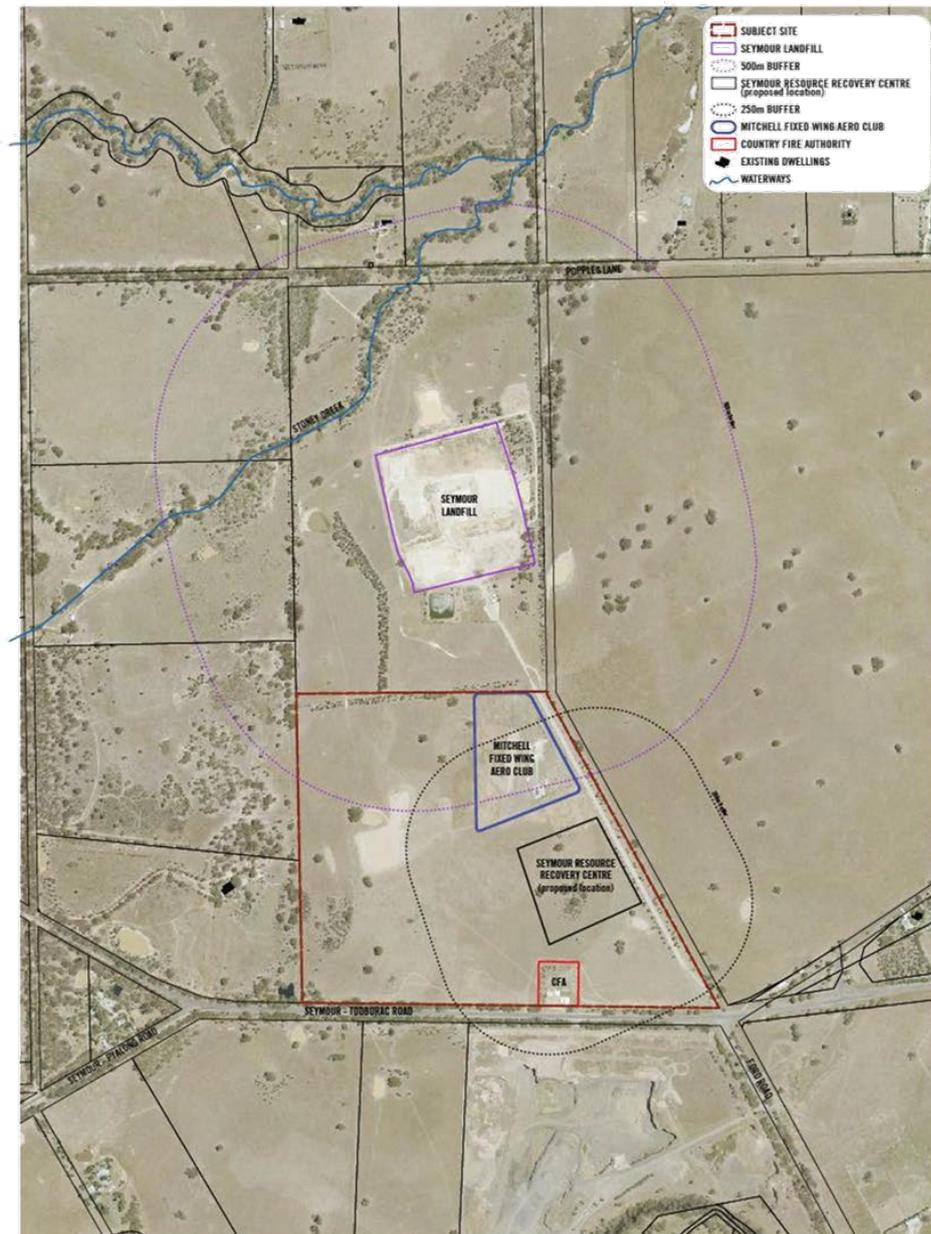
The proposed amendment implements the above objectives to provide for the orderly and sustainable use and development of land for employment purposes on land that has been identified as suitable for long term employment as per the Seymour Structure Plan 2018 and is consistent with State and Local Policy. The proposed Amendment balances the interests of the community through facilitating regional economic investment and creation of regional employment.

**How does the Amendment address any environmental, social and economic effects?****Environmental**

The subject land is located on rural land with an Agricultural Land Class Rating of 4, Poor, and is low quality agricultural land (Source: *Assessment of Agricultural Land Capability in Melbourne's Green Wedge and Peri-urban Areas Agriculture Victoria Research Final Technical Report Updated October 2018*). The subject site is located within close proximity to Puckapunyal Military base. The subject site is predominately cleared land and has no watercourses or identified aboriginal cultural heritage.

The Council owned land has never been used for agricultural purposes and therefore there is no real loss of agricultural land pursuant to Clause 14 of the Planning Policy Framework. The land is also adjacent to a landfill site and is flood prone in parts and therefore not ideally suited to agricultural uses. There are no adjacent agricultural land industries that are impacted by the rezoning of land for industrial purposes.

There are constraints on the land due to buffer requirements as illustrated in the Constraints Plan on page 4. The nearest residential property is located approximately 145 metres from the south eastern corner boundary (Ford Road/Seymour-Tooborac Road).



CONSTRAINTS PLAN  
 HILLDENE INDUSTRIAL DEVELOPMENT SITE  
 MITCHELL SHIRE COUNCIL

0 25 50 100  
 SCALE: 1:5000 @ A3

**Social and Economic**

Seymour is experiencing moderate population growth which is creating demand for new residential and employment land.

The rezoning of the subject site creates an opportunity to provide for new employment land uses for the growing residential population.

Over a 10 year period, 46 new jobs will be generated as a result of upgrading its Resource Recovery Centre on the land. Jobs comprise of 44 positions during construction and 2 ongoing positions to manage the operations on site. Direct economic investment arising from the upgrade of the facility is over \$3.7 million.

Potential investment from the private sector is also likely to be in the multi millions.

**Does the Amendment address relevant bushfire risk?**

The subject land is not affected by the Bushfire Management Overlay. The Country Fire Authority (CFA) was consulted during preparation of the *Seymour Structure Plan 2018* which nominated the subject land as appropriate for residential development.

Comments have been sought from the CFA on the draft Planning Scheme Amendment documents and there is no major objection provided a Fire Management Plan requirement is included in the DPO.

The proposed amendment meets the objectives and strategies of Clause 13.02-1. The views of the CFA will also be formally sought during exhibition of the proposed amendment.

The subject land is within a designated Bushfire Prone Area. If the proposed amendment is approved buildings will be subject to further bushfire safety requirements under the Building Act 1983.

It should be noted that the CFA Brigade currently on site will remain and is not part of the developable area.

**Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

The proposed amendment is consistent with the requirements of the Ministerial Direction 11 for compliance with the Strategic Assessment Guidelines and is consistent with the Form and Content of Planning Schemes as per Section 7(5) of the Planning and Environment Act 1987.

The proposed amendment is consistent with Ministerial Direction No.1 – Potentially Contaminated Land as the rezoning to Industrial 1 Zone is proposed for industrial land use.

**How does the Amendment support or implement the Planning Policy Framework and any adopted State policy?**

The proposed amendment is in accordance with the following relevant objectives of the Planning Policy Framework:

**Clause 17.01-1S: Diversified Economy**

The amendment is consistent with this clause to protect and strengthen existing and planned employment areas, plan for new employment areas, improve access to jobs closer to where people live and support rural economies to grow and diversify.

**Clause 17.03-1S: Industrial Land Supply**

The proposed rezoning provides for an adequate supply of industrial land in a location that provides for large sites for strategic investment. The site is also consistent with the requirements to provide good access for employees, freight and road transport. Appropriate buffer areas can be provided between the proposed industrial land and nearby sensitive land uses.

#### **Clause 11.01-1R – Settlement - Hume**

The key strategy of this clause is for planning to facilitate and strengthen the economic role of Seymour, while supporting population growth. It also supports improved access to a range of employment and education opportunities, particularly in key urban locations and Seymour is nominated as such.

Seymour is nominated as an area of significant change within the Hume Regional Growth Plan. The Hume Regional Growth Plan also outlines the following:

*“Significant economic change will be supported in Seymour, exploring opportunities to grow Seymour into a significant employment hub as a consequence of its strategic location in relation to key transport corridors and Melbourne” (p.38).*

#### **Clause 11.01-1S – Settlement**

The rezoning is consistent with the objective of this clause to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

This Clause also requires the consideration and application of strategies identified within *Plan Melbourne 2017-2050*. The relevant directions are outlined below.

- Direction 4.5 – ‘Plan for Melbourne’s green wedges and peri-urban areas’ seeks to plan and manage sustainable urban growth that is concentrated in and around major towns within Melbourne’s peri-urban area. The proposed rezoning will contribute towards this desired planning outcome.
- Direction 7.1 – ‘Invest in regional Victoria to support housing and economic growth’ seeks to attract investment in regional Victoria to support economic growth and bring significant social and lifestyle benefits to regional communities. The attraction and creation of new jobs through this amendment implements this policy objective.

#### **How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

##### **21.02 Settlement**

This proposed amendment is in accordance with the objective of planning for orderly development of existing settlements by implementing the directions of the Seymour Structure Plan 2018 which specifically nominates the subject land for future employment purposes.

##### **21.08 Economic Development**

The amendment accords with the strategy to support industrial and manufacturing development within Seymour based on its proximity to available resources, availability and

suitability of land, the existing labour force, provision of infrastructure and services, and the location of these centres along the Hume Freeway corridor.

### 21.11-3 Local Areas – Seymour

The proposed amendment is supported by Clause 21.11-3 which seeks to encourage the growth of Seymour as a dynamic economic centre for the region. The proposed amendment would create approximately 80 to 100 new jobs and over \$20 million of construction and business investment.

The Hume Regional Growth Plan identifies Seymour as a significant change location and recognises that economic development within Seymour will need to be bolstered to improve access to employment and higher order services and to take advantage of its strategic location.

The Seymour Structure Plan recognises that given locational attributes and access to major transport links “Seymour has the potential to attract larger industry...For this reason, while there is little historic demand for major super lots, it is considered that Seymour’s Strategic location may lend itself to such investment in the future and, therefore a major area of flat developable land located along the Goulburn Valley Highway and Hume Highway has been identified for employment and major logistics development” (Seymour Structure Plan, p.37).

This proposed employment area is currently zoned Farming and has a total area of 175ha across seven different properties and seven different owners. This land area includes the existing Ralphs Meats and headquarters for the Greyhound Adoption Program. The land ownership fragmentation and the absence of any form of development consortium representing multiple landowners, currently indicates that the short-term rezoning and development of this proposed employment area is unlikely.

The Seymour Structure Plan also identifies two areas of for long term employment land, one of these land areas is the land at 470 Seymour-Tooborac Road, Seymour. This land is in a single ownership, well located with existing land uses consisting of the Hilldene Country Fire Authority Station, model aircraft club and flying space, landfill and future resource recovery centre.

When considering the broader Seymour Structure Plan objectives of ensuring sufficient and well serviced land is available for future employment and industry development, and to plan for long term and larger employment uses, it’s important to recognise that fragmentation in land ownership is a significant barrier to achieving the aspiration of new employment land in the north of Seymour. Currently Seymour’s industrial land supply is predominantly characterised by smaller lots of between .08ha and 2ha. There is a clear lack of larger 3ha plus allotments which are readily available for larger employment developments.

While there are three separately titled industrial allotments within Seymour that individually all exceed 3ha, each of these lots either have environmental or design constraints (e.g. native vegetation, heritage overlay land contamination, flooding) or their development is not supported by the current owners. In addition, transport access to these larger allotments is not ideal, especially for large or oversized trucks.

Bringing forward the employment land use recognition for the land at 470 Seymour-Tooborac Road by rezoning this site to Industrial 1 Zone, will ensure that the Seymour land market is sufficiently able to respond to the development market by increasing the diversity of lot size and shape and providing opportunities for the development of large scale employment generating land uses.

Whilst the site is located approximately 4.3 kilometres from the Seymour Town Centre and is technically an ‘Out of Centre’ development, the distance is not unreasonable for worker amenity to access services within a 10 minute car trip.

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**Does the Amendment make proper use of the Victoria Planning Provisions?**

The proposed Amendment makes appropriate use of the Victorian Planning provisions through rezoning of the land from Farming Zone, to Industrial 1 Zone and applying a Development Plan Overlay.

**How does the Amendment address the views of any relevant agency?**

Extensive consultation with external agencies was undertaken during the preparation of the Seymour Structure Plan. This rezoning proposal was forwarded to key agencies including the Department of Defence (due to proximity to Puckapanyul), Environment Protection Authority, Country Fire Authority, VicRoads and the Department of Environment Land Water and Planning. Their views are outlined below.

**Department of Defence (DOD):** The site is located in close proximity to Puckapanyul Military Base. The Department highlighted that the proximity to the subject site means that there will be some impact from light noise and vibration emission for sensitive uses. This is not an issue as the future uses will be industrial. DOD has requested that the traffic management plan have regard for a large volume of heavy vehicle movements along Seymour-Tooboarac Road and this has been included in the provisions in the Development Plan Overlay.

**Environment Protection Authority (EPA):** Land is within close proximity to a landfill site and a quarry. The EPA expressed some concern that there may potentially be issues regarding the emission of gasses from the landfill site that could cause a hazard. As a result, the DPO includes additional requirements for assessing and determining the hazard level prior to development taking place.

**Country Fire Association (CFA):** Proposed amendment is in a rural area and affects a local CFA unit located on the subject site. The CFA has no objections on the proviso that there are no dangerous goods stored on the site and that land must be managed to prevent a fire hazard via a Fuel Management Plan.

**VicRoads:** The subject site fronts a Road Zone Category 1. VicRoads/Department of Transport require safe ingress and egress to the site and a Functional Layout Plan is needed prior to development approvals and is included as a requirement in the Schedule to the Development Plan Overlay.

**Department of Environment Land and Planning (DELWP):** The Planning Department is responsible for obtaining authorisation of the amendment from the Minister for Planning and has provided in principle support.

**Does the Amendment address relevant requirements of the Transport Integration Act 2010?**

The future development of the subject land for industrial employment purposes utilises existing infrastructure. The site is located adjacent to the Hume Freeway and capitalises on a major arterial road connection between Melbourne and Sydney. The planning permit application process will determine appropriate egress and ingress points for the site.

Discussions are underway with Seymour Passenger Services to provide a daily bus service to the site during business hours.

**Resource and administrative costs**

**What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The proposed amendment will not have a significant impact on the resources and administration costs of the responsible authority. The amendment creates value to Mitchell Shire by creating new jobs within Seymour and activating Council owned land, offsetting the administrative costs.

**Where you may inspect this Amendment**

The Amendment is available for public inspection at the Mitchell Shire Council website: [www.mitchellshire.vic.gov.au/planning-and-building/strategic-planning/planning-scheme-amendments](http://www.mitchellshire.vic.gov.au/planning-and-building/strategic-planning/planning-scheme-amendments).

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection).

**Submissions**

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by **xxx**.

A submission must be sent to:

Mitchell Shire Council

Submissions to Planning Scheme Amendment C151

113 High Street BROADFORD VIC 3658

Or via email: [mitchell@mitchellshire.vic.gov.au](mailto:mitchell@mitchellshire.vic.gov.au)

**Panel hearing dates**

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: Week of **xxx**
- panel hearing: Week of **xxx**

## MITCHELL PLANNING SCHEME

Date  
Cxx**SCHEDULE 11 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**Shown on the planning scheme map as **DPO11**.**470 SEYMOUR-TOOBORAC ROAD HILLDENE****1.0**  
Date  
Cxx**Objectives**

- To provide land for large scale industrial uses that cannot be accommodated on existing small industrial properties within Seymour or other townships within Mitchell Shire.
- To facilitate employment generating investment in the Seymour area.

**2.0**  
Date  
Cxx**Requirement before a permit is granted**

A permit may be granted to use or subdivide land, construct a building or to construct or carry out works before a development plan has been prepared to the satisfaction of the responsible authority.

**3.0**  
Date  
Cxx**Conditions and requirements for permits**

None specified.

## MITCHELL PLANNING SCHEME

4.0  
Date  
Cxx**Requirements for a development plan**

The development plan may be prepared in stages. If the development plan is prepared in stages, it must satisfactorily address issues which affect the entire framework plan area.

A development plan for the subdivision of land must include the following requirements:

- Response to topography, high points, key views and vistas. The development and use of each part of the land, including landscaping and encumbered reserves for the purpose of drainage.
- The connector and local road system within the precinct.
- Location of setbacks and interface treatments to surrounding rural properties and Seymour Tooborac Road.

The Development Plan must be generally in accordance with the Framework Plan shown as Map I within this Schedule and must be accompanied by and demonstrate consistency with the following:

**Planning Assessment and Design Response Report**

- A Planning Assessment Report and Design Response Report which includes:
  - A site analysis and design response including a written explanation that responds to the supporting information requirements (requirements outlined within this Schedule).
  - A written assessment of required buffer and interface treatments in conjunction with a plan that illustrates the treatments.

**Traffic Impact Assessment Report**

- A Traffic Impact Assessment Report which reviews projected internal and external traffic and movement network impacts, to the satisfaction of the responsible authority, and identifies costs for developer contributions where the impact is deemed outside the developable area. The following must be considered within the assessment report:
  - The distribution, hierarchy and characteristics of vehicular circulation networks.

## MITCHELL PLANNING SCHEME

- The ability to achieve safe access to Seymour-Tooborac Road and Popples Lane.
- Traffic management devices.
- Consideration of the high volume of heavy vehicles along Seymour-Tooborac Road generated by the nearby Puckapanyul Military Base.
- A road hierarchy plan and cross-sections for all street typologies.
- Consideration of any known relevant Regional Roads Victoria infrastructure projects.
- A Functional Layout Plan prepared by a Regional Roads Victoria pre-qualified consultant.

**Flora and Fauna Assessment**

- A Flora and Fauna Assessment, and where necessary an Arboriculture Assessment, which identifies existing vegetation (including grasses), fauna and natural drainage lines required to be protected and enhanced in the subdivision design. The assessment must include appropriate management recommendations in accordance with Victoria's *Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017)*.

**Landfill Gas Risk Assessment**

- A Landfill Gas Risk Assessment or s53V Environmental Audit prepared as required in accordance with Environmental Protection Authority Victoria Publication 1642.

**Fuel Management Plan**

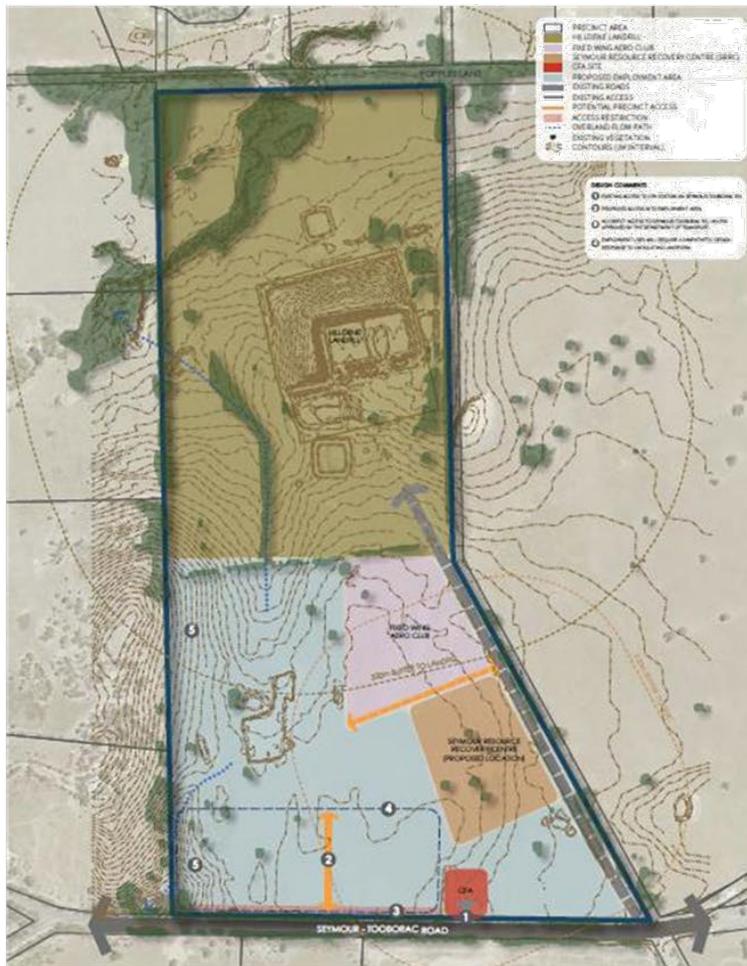
- A Fuel Management Plan is required to address grassfire risk on the site and its surrounds.

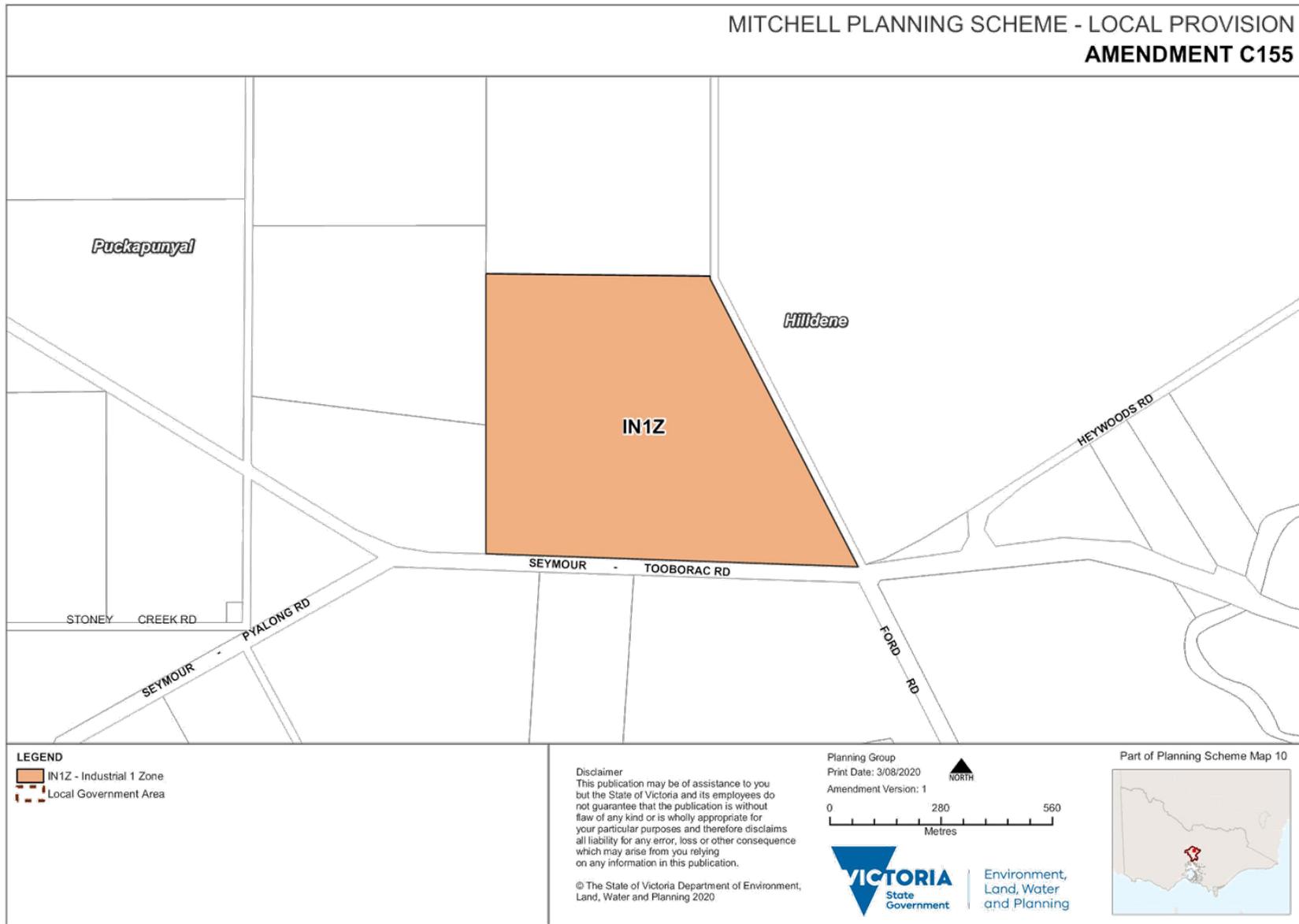
**Servicing and Drainage Strategy**

- A Civil Infrastructure and Drainage Report that addresses and demonstrates:
  - The capacity of infrastructure to service the development including upgrades required to trunk and reticulated services.
  - Regard to the holistic drainage outcomes to support development.
  - The treatment and retardation of stormwater.
  - Improved environmental and waterway health outcomes, where feasible.
  - The policies and guidelines of servicing authorities and an appropriate response to the principles of water sensitive urban design.
  - Staging, timing and delivery of infrastructure on and off the subject site.
  - Any other infrastructure related matter reasonably requested by the responsible authority associated with the subdivision of the land.

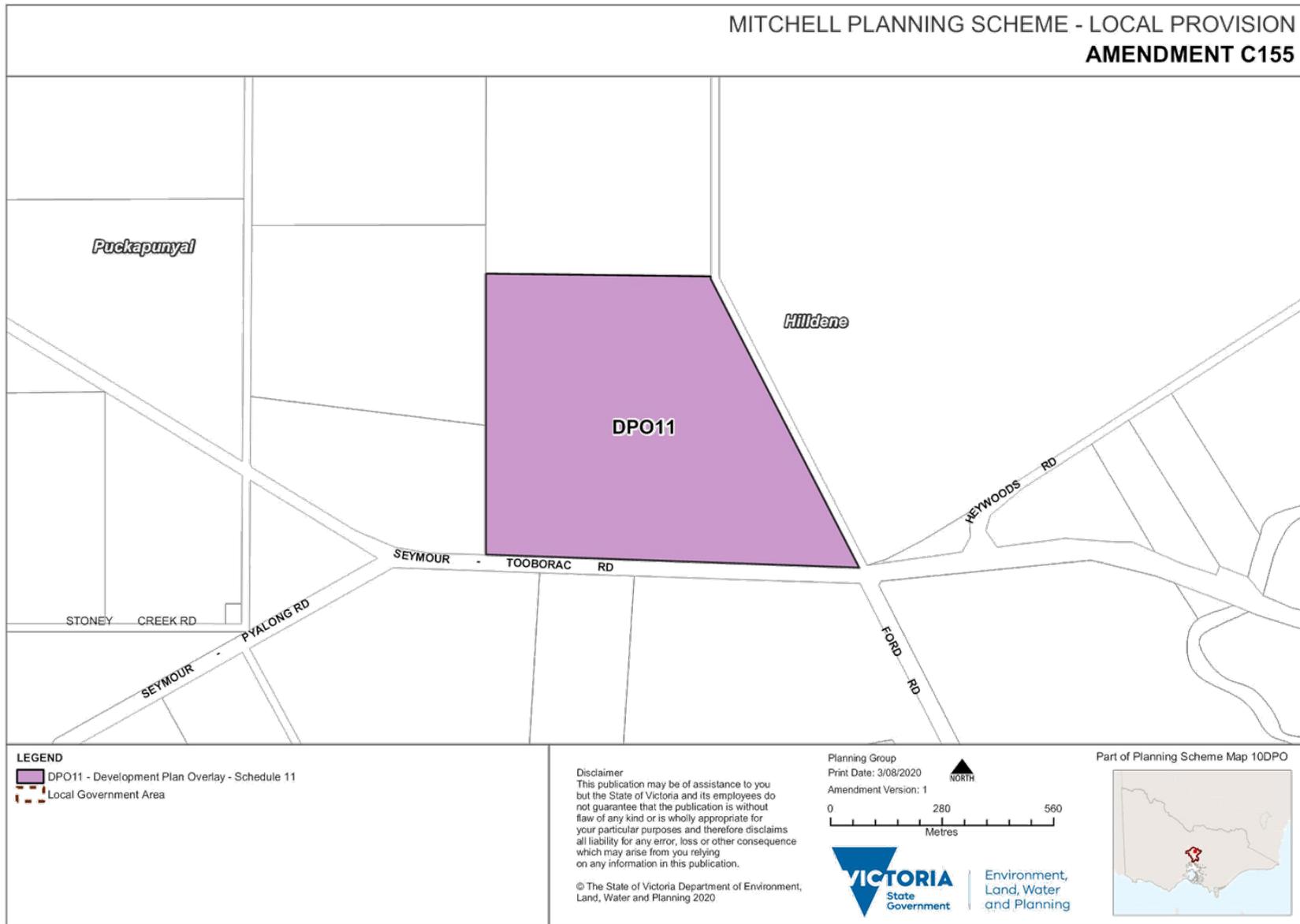
MITCHELL PLANNING SCHEME

Map 1 to Schedule 11 to Clause 43.04: 470 Seymour-Tooborac Road Hilldene





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*Planning and Environment Act 1987*

**MITCHELL PLANNING SCHEME**

**AMENDMENT C155**

**INSTRUCTION SHEET**

The planning authority for this amendment is the Mitchell Shire Council.

The Mitchell Planning Scheme is amended as follows:

**Planning Scheme Maps**

The Planning Scheme Maps are amended by a total of 2 attached map sheets.

***Zoning Maps***

1. Amend Planning Scheme Map No 10 in the manner shown on the 1 attached map marked "Mitchell Planning Scheme, Amendment C155".

***Overlay Maps***

2. Amend Planning Scheme Map No 10DPO in the manner shown on the 1 attached map marked "Mitchell Planning Scheme, Amendment C155".

**Planning Scheme Ordinance**

The Planning Scheme Ordinance is amended as follows:

3. In **Overlays** – Clause 43.04, insert a new Schedule 11 in the form of the attached document.
4. In **Operational Provisions** – Clause 72.03, replace the Schedule with a new Schedule in the form of the attached document.

## MITCHELL PLANNING SCHEME

Date  
Cxx**SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?****1.0**Date  
Cxx**Maps comprising part of this planning scheme:**

- 1, 1EMO, 1ESO, 1SMO, 1VPO, 1BMO
- 2, 2LSIO-FO, 2SMO, 2VPO, 2BMO
- 3, 3EAO, 3EMO, 3ESO, 3IPO, 3LSIO-FO, 3SMO, 3VPO, 3BMO, 3SCO
- 4, 4EMO, 4ESO, 4LSIO-FO, 4SMO, 4VPO, 4BMO
- 5, 5EMO, 5ESO, 5HO, 5SMO, 5VPO, 5BMO
- 6, 6EMO, 6ESO, 6HO, 6SMO, 6VPO, 6BMO
- 7, 7EMO, 7ESO, 7HO, 7PAO, 7SMO, 7VPO, 7BMO
- 8, 8EMO, 8ESO, 8HO, 8SMO
- 9, 9EMO, 9ESO, 9HO, 9LSIO-FO, 9SMO, 9VPO, 9BMO
- 10, 10DDO, 10DPO, 10EAO, 10EMO, 10ESO, 10HO, 10LSIO-FO, 10SLO, 10SMO, 10RO, 10VPO, 10BMO, 10SCO, 10DPO
- 11, 11EAO, 11EMO, 11ESO, 11HO, 11LSIO-FO, 11SLO, 11VPO, 11BMO, 11SCO
- 12, 12DDO, 12DPO, 12EAO, 12EMO, 12ESO, 12HO, 12LSIO-FO, 12RXO, 12VPO, 12BMO, 12SCO
- 13, 13EMO, 13ESO, 13HO, 13LSIO-FO, 13SMO, 13VPO, 13BMO
- 14, 14EAO, 14EMO, 14ESO, 14VPO, 14BMO
- 15, 15DDO, 15DPO, 15EAO, 15EMO, 15ESO, 15HO, 15PAO, 15RXO, 15SMO, 15SLO, 15VPO, 15BMO, 15SCO
- 16, 16DDO, 16DPO, 16EAO, 16EMO, 16ESO, 16HO, 16RXO, 16SLO, 16VPO, 16BMO
- 17, 17EMO, 17ESO, 17HO, 17SLO, 17SMO, 17VPO, 17BMO
- 18, 18DPO, 18EMO, 18ESO, 18HO, 18LSIO-FO, 18PAO, 18RO, 18SLO, 18SMO, 18VPO, 18BMO, 18SCO
- 19, 19DPO, 19EAO, 19EMO, 19ESO, 19HO, 19LSIO-FO, 19SMO, 19VPO, 19BMO, 19SCO
- 20, 20EMO, 20ESO, 20HO, 20LSIO-FO, 20VPO, 20BMO
- 21, 21DDO, 21DPO, 21EMO, 21ESO, 21HO, 21VPO, 21BMO, 21SCO
- 22, 22DCPO, 22DPO, 22EMO, 22ESO, 22ICO, 22IPO, 22LSIO-FO, 22PAO, 22VPO, 22BMO, 22SCO
- 23, 23DCPO, 23EMO, 23ICO, 23PAO, 23SMO, 23VPO
- 24, 24DCPO, 24HO, 24ICO, 24PAO, 24SMO, 24VPO
- 25, 25DDO, 25DPO, 25EMO, 25ESO, 25HO, 25LSIO-FO, 25RXO, 25SMO, 25VPO, 25BMO, 25SCO
- 26, 26DPO, 26EMO, 26HO, 26LSIO-FO, 26SMO, 26VPO, 26BMO, 26SCO
- 27, 27EMO, 27HO, 27LSIO-FO, 27SMO, 27VPO, 27BMO
- 28, 28EMO, 28ESO, 28HO, 28BMO

**Planning and Environment Act 1987****MITCHELL PLANNING SCHEME****Notice of the preparation of an amendment****Amendment C155**

The Mitchell Shire Council has prepared Amendment C155 to the Mitchell Planning Scheme.

The land affected by the amendment is Allotment 28, Section 3, PP3481 at 470 Seymour-Tooborac Road, Hilldene.

The amendment proposes to rezone land identified in the *Seymour Structure Plan 2018* as future employment land from Farming Zone to an Industrial 1 Zone and insert a new Development Plan Schedule 11.

You may inspect the amendment, any documents that support the amendment and the explanatory report about the amendment, free of charge, at the following locations:

- during office hours, at the office of the planning authority, Mitchell Shire Council:
  - Broadford Customer and Library Service Centre, 113 High Street, Broadford
  - Wallan Planning Office, 4A and 4B (Level 1), 61 High Street, Wallan
  - Kilmore Customer and Library Service Centre, 12 Sydney Street, Kilmore
- at the Department of Environment, Land, Water and Planning website [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection).

Any person who may be affected by the amendment may make a submission to the planning authority about the amendment. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for council to consider submissions and to notify such persons of the opportunity to attend council meetings and any public hearing held to consider submissions. The closing date for submissions is ~~XX~~ 2020. A submission must be sent to the Mitchell Shire Council, Submission to Amendment C155 113 High Street Broadford, VIC, 3658 or via email to [mitchell@mitchellshire.vic.gov.au](mailto:mitchell@mitchellshire.vic.gov.au).

The planning authority must make a copy of every submission available at its office for any person to inspect free of charge for two months after the amendment comes into operation or lapses.

**BRETT LUXFORD**  
**CHIEF EXECUTIVE OFFICER**

