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## 10 ECONOMY, GROWTH AND INFRASTRUCTURE

### 10.1 STAKEHOLDER ENGAGEMENT - KILMORE REJUVENATION

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**Attachments:** 1. Summary of Submissions and Additional Survey Comments  
2. North Section - Car Parking  
3. South Section - Car Parking

#### 1. Purpose

- 1.1 To consider the outcomes for the recent stakeholder engagement for the streetscape upgrades to Sydney Street, Kilmore – Kilmore Rejuvenation.
- 1.2 This report intends to show what engagement has taken place thus far with the Kilmore community and makes recommendations, regarding the endorsement of specified aesthetic design elements within the project plans.

#### 2. Background

- 2.1 Following adoption of the Kilmore Town Centre Plan, Council was successful in receiving \$3.37 million in funding through Victorian State Government's, Growing Suburbs Fund and Regional Infrastructure Fund.
- 2.2 This funding is for the delivery of Essential Projects 1 and 2 within the Kilmore Town Centre Plan and will result in a streetscape upgrade for Sydney Street, between Clarke and Bourke Street.
- 2.3 The Kilmore Town Centre Plan identifies several improvement projects that collectively form the ongoing Kilmore Rejuvenation initiative. The Sydney Street upgrade works are the first step to a greater rejuvenation vision.
- 2.4 As part of the detailed design development process, targeted stakeholder discussion occurred in November and December 2020. This included discussion with local community and business groups.
- 2.5 Following finalisation of the detailed design concepts and the final approval from Regional Roads Victoria, broader stakeholder engagement has now occurred.

#### 3. Key Matters

- 3.1 Based on the results of a project survey which formed part of the stakeholder engagement, there is an understanding of preferred outcomes for; paint colour scheme, new signage design for town entrance (not currently funded) and light pole banners, and historical stories for pavement placement.

## STAKEHOLDER ENGAGEMENT - KILMORE REJUVENATION (CONT.)

- 3.2 During engagement several concerns were raised regarding the loss of 34 car parking spaces. However, many participants also suggested that improvements to accessibility and provision of surrounding off street parking would improve the carparking availability within Sydney Street.
- 3.3 In addition to the streetscape upgrade works, the Kilmore Town Centre Plan identifies the objective of upgrading car parking within Victoria and Patrick Streets and on the Council owned land behind the Royal Oak Hotel. If these upgrades are completed, it is estimated that an additional 66 parking spaces would be created, therefore more than offsetting the short-term loss of 34 parking spaces.
- 3.4 Another commonly raised concern was that the streetscape upgrade should not occur until such time as the Kilmore Bypass is completed. Therefore, removing trucks from Sydney Street and immediately improving the street amenity. Similarly, some participants suggested that the financial spend on the upgrade works did not represent good value, and that this funding should be spent on the Kilmore Bypass project.
- 3.5 Completing this stakeholder engagement and consequently finalising the detailed design, will enable the next steps of project delivery to commence. Given unexpected delays associated with seeking input from Regional Roads Victoria, a variation to the funding agreement milestone timelines will be required. This must be approved by the State Government for the project to be completed.

## Recommendations

### THAT Council:

1. Note the survey responses and written submissions received.
2. Endorse the implementation of the following aesthetic design elements within the current Sydney Street upgrade project plans:
  - Prussian Blue heritage colour scheme for external furnishings such as light poles, bollards and street furniture.
  - Town branding of “1841” for use on street banners.
  - Historical stories identified as; The Mail Run, The 1855 Plan, Colonial Bank and Black Bull Hotel and Stores. Continue to work with the Kilmore Community to develop any additional stories.
3. Continue to advocate for the high priority Kilmore Bypass project.
4. Endorse the concept designs for the streetscape upgrades to allow the tender process to commence.
5. Endorse design Concept 1 (Cursive Script) for the town entry signs and refer this project to future capital works budget development processes.
6. Note the future opportunities that exist to increase car parking throughout the town centre precinct, that support the objectives of the Kilmore Town Centre Plan.

STAKEHOLDER ENGAGEMENT - KILMORE REJUVENATION (CONT.)

7. Seek a variation to the Growing Suburbs Fund Agreement with DELWP to extend the relevant key milestones.

## STAKEHOLDER ENGAGEMENT - KILMORE REJUVENATION (CONT.)

**4. Financial, Resource and Asset Management Implications**

- 4.1 The current project is grant funded and is being project managed by existing resources of the Strategic Planning and Economy and Engineering and Major Projects Departments.
- 4.2 New streetscape assets including footpath pavements, street trees and street furniture created through the delivery of this project will be owned and managed by Council and maintained using existing operational resources.

**5. Consultation**

- 5.1 Stakeholder engagement occurred during July-August 2021. The intent of this engagement was to survey interested stakeholders on preferred elements of aesthetic design (e.g. paint colours), to engage community on the project design plans and to commence an ongoing project dialogue with the Kilmore community.
- 5.2 Awareness of the stakeholder engagement activities was generated via:
- Online – Engaging Mitchell and social media.
  - Letters being sent to all surrounding landowners.
  - Local newspaper advertisements.
  - A trader door knock.
- 5.3 Interested community members were able to engage with Council officers at three drop-in sessions, (one of which was completed online), an information station which was based at the Kilmore library for a period of two weeks and via phone/email or individual appointment.
- 5.4 At the conclusion of the stakeholder engagement 40 surveys (predominantly submitted online) were completed and four separate written submissions had been received.
- 5.5 Stakeholder participation information:

Engagement Type	Participation Information
Landowner letter	130 letters were sent
Three drop-in sessions (including 1 online)	49 people attended; this included several repeat visitors.
Information station at Kilmore Library for two weeks.  This included ongoing attendance by a Council engagement officer and hard copy project information.	7 people visited and 3 hard copy surveys were completed.

## STAKEHOLDER ENGAGEMENT - KILMORE REJUVENATION (CONT.)

Trader Door Knock	73 businesses were provided information, and many participated in general project discussion
Social Media, including various Facebook posts with weblink, videos and photo summaries.	More than 1900 interactions (e.g. comments, shares or likes) with content posts and more than 5000 clicks to see more or follow the links.
Engaging Mitchell	37 surveys were completed online.  A project page was established on Engaging Mitchell, this was participants preferred method for gaining further information.

Survey Results – Design Aesthetics

- 5.6 The survey sought community views on the preferred colour scheme for the key furniture features within the streetscape upgrade. Two colour palettes were identified: Prussian Blue and Indian Red. Of the survey participants, 55.3% preferred the Prussian Blue.
- 5.7 Community input was also sought on the preferred design for potential (subject to further funding) Kilmore town entrance signage. Three designs were: cursive script, Victorian wrought iron and decorative wrought iron. Of the survey participants, 60.5% preferred the cursive script design.
- 5.8 Of the two town centre banner styles (text or illustrations) identified in the survey, 58% preferred the text, with “1851” as the clear preference for preferred text.

Survey Additional Comments and Written Submission Themes

- 5.9 At the conclusion of the survey many participants provided additional commentary regarding the broader streetscape upgrade project. In addition, four separate written submissions were received. Attachment 1 to this report provides a detailed overview of the comments provided and the officer response.
- 5.10 A mixture of feedback has been provided, most participants support the overall intent of the streetscape upgrade, however some concerns have also been identified. The following key themes emerged from the submissions and additional survey comments:

## STAKEHOLDER ENGAGEMENT - KILMORE REJUVENATION (CONT.)

- *Car parking loss* – Concern regarding the loss of on-street parking. However, most participants suggested this could be resolved by providing more off-street parking in the surrounding area and with improved signage and minor upgrades (e.g. pavement, accessibility).
- *Kilmore Bypass* – Some participants would prefer to have the funding utilized for progressing the Kilmore Bypass. Some participants also considered any streetscape upgrade pointless until the bypass was built, therefore taking the trucks away from Sydney Street.
- *Maintenance of heritage buildings and shops* – Concern that existing heritage buildings are not being suitably maintained.
- *Ongoing maintenance of footpaths* – Concern that existing footpaths are not being suitably maintained.

**6. Sustainability Implications (Social and Environmental)**

- 6.1 The upgrade works will provide an improved social and environmental outcome for Sydney Street. Street trees will reduce the heat island effect and will encourage community to gather and spend additional time in Sydney Street.
- 6.2 The construction works associated with the upgrade works will be compliant with all necessary construction management requirements, including environmental impacts.

**7. Policy and Legislative Implications**

- 7.1 The stakeholder engagement was undertaken in accordance with the Mitchell Shire Community Engagement Framework.
- 7.2 The streetscape works as identified in the project plans are consistent with Priority Projects 1 and 2 as identified within the Kilmore Town Centre Plan.
- 7.3 When delivered, the construction of the streetscape upgrade will need to comply with all relevant planning and environmental legislation and permit requirements.

**8. Alignment to Council Plan**

- 8.1 The outcomes sought from the Sydney Street upgrade works align with the following Council Plan 2017-2021 Strategies:
  - Key Strategy 3.9 – Improve the accessibility and connectivity of pedestrian and cycle paths within and between our towns.
  - Key Strategy 5.1 – Facilitate a high level of civic pride in the presentation of public and private land in our towns and communities.

## STAKEHOLDER ENGAGEMENT - KILMORE REJUVENATION (CONT.)

**9. Conflict of Interest**

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

**10. Risk Implications**

10.1 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?
Council does not meet the obligations of the current grant funding agreements	Very High	Council officers will need to seek a variation to the funding agreement with respect to key milestone dates.	Yes
Concerns raised by residents are not addressed	Low	All requests are managed in line with the Customer Service Charter	Yes
Not meeting the milestone obligations under the Funding Agreement	Medium	Seek a variation to the commencement of construction and extend into early 2022	Yes

**11. Discussion**Car Park Demand

11.1 A parking survey was conducted in late 2015 as part of the development of the Kilmore Town Centre Plan. This survey covered the 86 on-street parking spaces in Sydney Street between Bourke Street and Union Street and the 285 publicly available off-street parking spaces in the precinct bound by Bourke Street, Union Street, Melbourne Street and Victoria Street.

11.2 This survey was conducted on a Thursday and a Saturday and revealed the peak occupancy rates did not exceed 66% of the available on-street parking spaces in Sydney Street and 52% of the available off-street parking within the precinct.

11.3 The events of the past 18 months have resulted in a disruption to travel habits which have not had an opportunity to return to 'normal' levels, so opportunities to collect more up to date survey data have been limited. Notwithstanding, the 2015 data is considered to be a reasonably reliable indication of parking supply and demand in this precinct.

11.4 It is also worth noting that since this survey was conducted, two major retail developments have occurred in the north end of the township which may

## STAKEHOLDER ENGAGEMENT - KILMORE REJUVENATION (CONT.)

have reduced the overall demand for parking in the historic town center precinct since this survey was conducted.

Car Parking Reduction

11.5 The proposed streetscape upgrade works will result in a loss of 34 on-street parking spaces on Sydney Street as described in the following table.

South Section		North Section	
Between Bourke and Union Streets		Between Union and Clarke Streets	
Cause of car park reduction	Number	Cause of car park reduction	Number
New bus stops x 2.	4	Pedestrian outstand and informal crossing point	3
Landscaped outstands and crossing points for pedestrians.	17	Tree Island	1
Upgrade to ensure compliance of an existing Disabled parking space.	1	Driveway crossover (no 87)	1
Tree islands	7		
<b>Section Total</b>	<b>29</b>	<b>Section Total</b>	<b>5</b>

The Sydney Street upgrade works form part of a larger Kilmore Rejuvenation initiative, which is based on the projects recommended by the Kilmore Town Centre Plan and Kilmore Structure Plan. Council officers will continue to advocate for project funding for ongoing implementation of the rejuvenation initiative.

11.6 A recent funding submission to the Infrastructure Fastrack Fund has sought \$500,000 for the completion of detailed design and all necessary approvals (cultural heritage and flood plain management) for the Kilmore Creek trail, which is also a recommendation of the Kilmore Town Centre Plan. If successful, this detailed design project may also review how the creek corridor at Patrick and Victoria Streets connect with Sydney Street, including improved pedestrian connectivity and other infrastructure.

## STAKEHOLDER ENGAGEMENT - KILMORE REJUVENATION (CONT.)

11.7 As suggested by many engagement participants, the Kilmore Town Centre Plan also identifies required improvements to existing car parking areas behind the Royal Oak Hotel (Council owned land) and along Patrick Street and Victoria Street.

11.8 The table below summarises the potential increase to the number of car parking spaces at three key locations within the Town Centre precinct if the recommendations of the Kilmore Town Centre Plan are realised in the future. In total, an additional 66 car spaces can be created into the future which will more than offset the reduction in car parking currently proposed in Sydney Street.

	<b>Council land Behind the Royal Oak Hotel</b>	<b>Patrick Street</b>	<b>Victoria Street</b>
Current available parking spaces	45	39	25
Potential available parking spaces	75	55	45
<b>Potential increase</b>	<b>30</b>	<b>16</b>	<b>20</b>

11.9 The changes to car parking behind the Royal Oak Hotel would involve expanding the footprint of the existing car park and the construction of a large retaining wall, car park lighting and improvements to the pedestrian access to this car park.

11.10 The possible increase to car parking in Patrick Street includes the construction of additional indented car parks along the Kilmore Creek. Consistent with the Kilmore Town Centre Plan, the introduction of one-way traffic movement along Patrick Street may also be considered in the future which would free up additional land to improve pedestrian movement along this street.

11.11 The works in Victoria Street would involve the reconfiguration of the 25 existing car parking spaces to provide a row of indented car spaces along Victoria Street. This reconfiguration, along with the closure of Mill Street to vehicle traffic would help to achieve more car parking spaces and increase the amount of 'green space' along the Kilmore Creek corridor.

11.12 This report recommends that all three car parking improvement projects be referred to the long-term capital works budget development processes, for consideration against the objectives of the Kilmore Town Centre Plan.

11.13 Some engagement participants have also indicated that there is a low turnover rate of parking within Sydney Street due to non-compliance with parking restrictions. Greater enforcement of parking restrictions may result in improved availability of parking.

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STAKEHOLDER ENGAGEMENT - KILMORE REJUVENATION (CONT.)

Kilmore Bypass

- 11.14 While there is no confirmed timeline for the bypass road to be built, it is important to progress and improve the look and feel of the town centre as soon as possible.
- 11.15 While the upgrade design does enable trucks to continue to utilize Sydney Street, it is anticipated that over time, the Sydney Street route will continue to become less and less attractive, particularly as the local population grows and Sydney Street becomes more active.
- 11.16 Once the bypass is constructed, improved pedestrian refuges and centre median plantings can occur, therefore completing the boulevard vision within the Kilmore Town Centre Plan.
- 11.17 The Kilmore Bypass is an important advocacy priority for Mitchell Shire Council. Council has been active and will continue to campaign for this piece of major regional transport infrastructure.

New Bus Stops

- 11.18 The Department of Transport have identified two new bus stops which will be delivered as part of the Sydney Street streetscape upgrade. The existing bus stops located in the vicinity of Hudson Park will be retained.
- 11.19 The bus stop locations have been determined by the Department of Transport and have considered matters such as proximity to intersections and service activities (e.g. bank, post office).

Growing Suburbs Fund (GSF)

- 11.20 Council was successful in obtaining a substantial contribution from State Government to design and build the project under the Growing Suburbs Fund (GSF) administered by DELWP.
- 11.21 Under the arrangement, Council has entered into an Agreement with DELWP to deliver the project.
- 11.22 Within the Agreement, there are particular deliverables and milestones to be achieved.
- 11.23 One of the key milestones is to commence construction by the end of 2021.
- 11.24 Given the relatively recent feedback from Regional Roads Victoria, including a request to make alterations to the design, and the most recent consultation, this has meant there has been a delay to the commencement of works on the project.
- 11.25 The next key step in the project is to advertise the tender, review tender submissions and award the project to the successful contractor.

STAKEHOLDER ENGAGEMENT - KILMORE REJUVENATION (CONT.)

- 11.26 This will now likely occur very late this year or early next year.
- 11.27 As a result, Council will now need to formally request a variation to the Agreement in relation to the construction start date.

**Summary of Written Submissions and Citation of Additional Comments Provided by Survey Participants**

The table summarises the additional written comments which were provided by individuals who completed the project survey, these comments have not been paraphrased and are stated as they were provided. In some instances, participants also provided a separate written submission these submissions have also been summarised below.

	Written Submission Summary	Additional Survey Comment	Officer Response
1	Refer to survey comments.	This town is my forever home, please take care of her, and thank you all for the effort you put into keeping her as lovely as she is!	Noted
2	Refer to survey comments.	Kilmore does need better parking areas as you can't always park in the Main Street with all the traffic that in coming through mainly trucks	Noted
4	Refer to survey comments.	Could attention and funding also be directed towards architectural modifications to the facades of some of the newer buildings between Union Street and Bourke Street? ...the facades of some buildings (modern style, building materials used, verandah removed etc...) detract from the historical significance of the precinct, but a creative mindset could (possibly) modify these facades so as to be more in keeping with the aim of the rejuvenation project(?).	Council has limited legislative powers to require a specific level of maintenance on privately owned buildings, Council ability to intervene is generally limited to areas of immediate risk to public safety.
5	Refer to survey comments.	I think the rejuvenation of Hudson park was absolutely overdue and is now beautiful! Anything to enhance local enjoyment and engagement in this area is welcome! Not enough is done to enhance and beautify our beautiful Kilmore creek which runs adjacent to Sydney street and could be landscaped to make it a wonderland instead of so neglected rocks, seating, pedestrian bridges and signage could add diversity and added attraction and appeal to incite locals visitors and passing traffic to stop for lunch etc	Noted.
7	Refer to survey comments.	With all this wonderful work to beautify the town I also hope the towns buildings will be given facelifts to complement the new and improved look of the town. Also something be done with the vacant blocks which are an eyesore.	Refer to officer response to participant 4.

8	Refer to survey comments.	<ul style="list-style-type: none"> <li>▪ I would like to see the existing shops/take-away/buildings be updated to be in keeping with the towns new colour palette/design concept and for something to be done the messy vacant blocks (e.g I loved the idea of having a "Welcome to Thornbury" style food truck area with string lighting &amp; outdoor eating spaces, something like that would bring a lot of visitors and business to our town).</li> <li>▪ When the new trees are planted, I'm hoping they won't be continually cut down to stumps like the current trees.</li> <li>▪ I really like the idea of using the Kilmore motif on mugs, shopping bags etc throughout our shops.</li> <li>▪ It would also be great to see some of the historical stories around the town include some of Kilmore's rich Irish heritage.</li> </ul>	Noted and refer to officer response for participant 9.
9	Refer to survey comments.	I'd like to see a story on Aboriginal heritage included alongside the town history.	<p>The finalisation of the historical stories will continue to occur as part of the project delivery process. The project team will continue to engage on the specific content and number of historical stories which will be utilised.</p> <p>Recognising the indigenous culture and heritage of the area is an important point, that should have been given greater emphasis earlier. The project team will engage with Taungurung Land and Waters Council to determine this.</p>
10	Refer to survey comments.	Will there be signs along the Main Street directing people to other historical sites in Kilmore? There are other historical buildings on the Main Street - Will historic stories be done for all of them?	The finalised detail and design for the historical story elements will occur closer to the development delivery. It is unlikely that all historical buildings in Sydney Street will feature historical stories.
11	Refer to survey comments.	I think the plans look great but I am concerned that we will need to rely on parking that is privately owned (like behind the royal oak) and often poorly maintained. I'm also concerned about the impact the changes will have on many of the businesses in the middle of town. I hope there has been consideration	Refer to officer response to

		of their needs and I also hope this will not impact them negatively in any way particularly during construction. There are so many empty shops and I'm not convinced that the changes being made will make these shops fronts more attractive or viable. Thanks	
12	Refer to survey comments.	Not enough research into all the historic buildings which could be featured such as the bluestone Post Office and the original police station.	Refer to officer response to participant 9.
13	Refer to survey comments.	Update an historical walking tour and include QR codes to a website for further information which can be updated and expanded to include other stories and make a facility for people to add their own personal reminiscences. Social media shareable. Create a hashtag.	There is no proposal to create an updated historical walking tour as part of this project. Such a project would need to be considered as part of future work plans and be provided a budget allocation.
14	Refer to survey comments.	Thank you so much - I am very excited and cannot wait to see the results.	Noted.
15	Refer to survey comments.	I would like farming highlighted, and the history of Mustad Saddleworld, which originated on a farm in Lowden's Road, and then to Sydney Street, before its current position.	Refer to officer response to participant 9.
16	Refer to survey comments.	Although I have zero Aboriginal Heritage to my knowledge, maybe some Totem poles from our local Aboriginal people with information about them would be a great way for us to learn about our local Aboriginals.	Refer to officer response to participant 9.
17	Refer to survey comments.	Need to remove trucks passing through Bypass is necessary first Park there is not enough off main street parking Old residents mainly will suffer Passing traffic will pass through heading on to the next towns Shops need to be occupied and cleaned up with substantial parking easy access and exits	Refer to officer discussion within the Council Report regarding the Kilmore Bypass.
18	Refer to survey comments.	I applaud this proposal which is vital to the town, but trucks still a major problem. Premier of Victoria admits that trucks are noisy, destructive, unhealthy, safety problem, etc. Get on with the bypass which has been happening for 20+ years. Ridiculous and detrimental to our town. Are we waiting for people to be killed on our main congested thoroughfare?	Refer to officer discussion within the Council Report regarding the Kilmore Bypass.

21	Refer to survey comments.	The parking needs to be reviewed. The parks around the bank and post office are already always full, and if the intention is to remove 34 street parks, then these need to be added elsewhere plus additional spaces. The parking also needs to be well sign posted as according to the map, most people won't know where to go.	Refer to officer discussion within the Council Report regarding the car parking reduction.
22	Refer to survey comments.	Clark St to Union St west side - the footpath needs to be done with the rejuvenation to shoppers not to use cars (better for health and pollution reduction). I have to walk slowly so not to damage shopping jeep wheels. Union to Burke needs the walkways to new car parking in Patrick St & well signposted. Need to allow for caravan parking spots. I like pedestrian islands for crossing Sydney St	The project scope does include some footpath renewal, the full extent of this renewal can't be accurately quantified until completion of the competitive construction contractor tender process. Contracted construction price will impact on how much funding can be utilised on footpath renewal.
24	Submission does not support the loss of any on-street car parking and is concerned that the pedestrian refuges are unsafe.	The proposed new refuge areas in centre of the street should be deleted until a bypass is created. The 2 proposed bus stops are unnecessary and should be deleted due to 2 existing bus stops that already exist nearby. The 34 losses of car parks should be minimised and off-street car parks included in scope	Refer to officer discussion within the Council Report regarding the car parking reduction and Kilmore bypass.  The retention of the refuges are not considered to present a safety risk. Their retention will help to reinforce the pedestrianisation of this precinct and encourage slower vehicle speeds. These types of treatments and others being delivered as part of the project are necessary in order to implement a 40km/h zone for Sydney Street into the future. The Department of Transport are the owner and operator of the road and have approved the refuges.
27	Refer to survey comments.	I really feel that the whole project is a huge waste of Govt grant and Shire money as the centre of Kilmore is a desert as far as reasons to stop in the town. The main retail is located either end of the town, shops are empty and closed in the centre of town now and it is also ridiculous to loose so many car parking places, the shops remaining in the centre of town are more specialty shops that mostly only locals people use not the travelling public. If people did want to quickly pull	Noted.

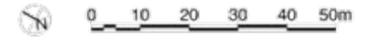
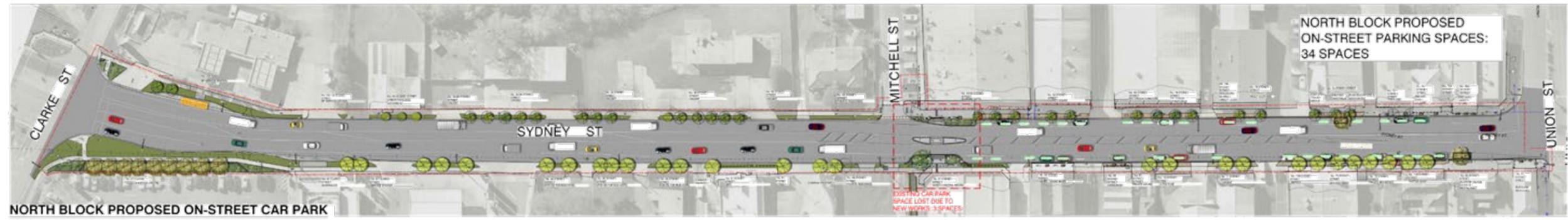
		up and go to a bakery they like to pull up as close as possible not have to park a distance away and then walk back. The Mill street Mall is a perfect example of a huge waste of funds. Except for very short periods of the year when it is fine enough to sit in the area, it is a wind tunnel the rest of the year and too cold to sit there. I think the Shire portion of the money would be far better spent on upgrading local and rural roads for the ratepayers.	
28	Refer to survey comments.	Muted colour is all well and good, but I'm not against bright colours either it would be great if some businesses would add nice old fashioned panelling to the front of stores in the old part of Kilmore. Love the lamp ideas and old fashioned signage. We really need to focus on the history of Kilmore and country charm. We are not a suburb of Melbourne and there is nothing urban about Kilmore, we are a rural country town. Everything we add should add to the charm of Kilmore, not take it away. You could always add covenants to any new builds to make sure they have country facades. Removing parking from the street is problematic and we have no need for islands in the middle of the road. You could just make the crossings beep longer for the oldies. Once the big trucks are off the road it will be much quieter. Businesses with backs to the creek should also be encouraged to expand out the back to look out over the creek. It's wasted opportunity.	Refer to officer discussion within the Council Report regarding the car parking reduction.
30	Refer to survey comments.	Blend it in, make Kilmore as one! An olde Lolly shop, horse and carriage rides behind historic shops in main st.	Noted.
33	Refer to survey comments.	Repainting of all historical facades is in great news of doing, I hope that's part of the improvements. Also the ok'd car yard in the middle of town next to The old Kilmore bakery, needs some serious love. It's an eyesore and could be used as something awesome, a lovely seated area with lots greenery and seating. Large trees and a grass area, you could always put	Refer to office response to participant 4.

		your historical town plan there too. Make it a feature not an embarrassment. Also ensure grants for Local business owners that wish to repaint and improve their business but have no finances to do so. Such as the Old Kilmore Bakery. Quite a asset but needs some serious attention.	
36	Refer to survey comments.	Suggestion for image banners to have small words on base of banner to suggest "eat", "drink" and "shop" to entice visitors or people walking past to stop and buy from local businesses in town	Noted.
38	Refer to survey comments.	The by pass Reviving the town has taken an enormously long time What have you been doing with our rates?	Refer to officer discussion within the Council Report regarding the Kilmore bypass.
39	Refer to survey comments.	The main Street and mill Street walkway could do with some greenery, flora and fauna etc. Currently it's a lot of concrete and stark colours. I believe it would bring a welcoming, homely feel to the town centre that will provide a Warm inviting atmosphere.	Noted.
40	Refer to survey comments.	Repair and level all footpaths. Check kerbing and channelling, especially adjacent to Commonwealth Bank. Check drainage pits. Removing car parking spaces does not encourage future businesses. Whitburgh Cottage Uniting Church part of Kilmore's long history. Need much attention! Old free press building, garage site next door, shop next to mall, kebab van opposite Red Lion hotel, John Hammond Place, Mac's Hotel open space all extremely unsightly, need cleaning up before any future rejuvenation works proceed. Most businesses in Kilmore central are trying very hard to keep the main street looking respectable. Please Council consider all of the above. Thank you.	Refer to officer response to participant 22.
41	Several concerns regarding the project including: <ul style="list-style-type: none"> <li>▪ The project is a waste of taxpayers money.</li> <li>▪ Does not support the loss of any parking within Sydney Street.</li> </ul>	Refer to written submission comments.	Refer to officer response to participant 9 officer discussion within the Council Report regarding the car parking reduction and Kilmore bypass.

	<ul style="list-style-type: none"> <li>▪ The pedestrian refugees in the middle of the street are dangerous and should be replaced with pedestrian lights.</li> <li>▪ Council should prioritise the bypass, once the bypass is completed then improvements to Sydney Street would be worthwhile as trucks would be removed.</li> </ul> <p>The submitter also raised concerns regarding the poor condition of many buildings within Sydney Street and the location of Aldi and Woolworths retail premises.</p>		<p><u>Refuges</u></p> <p>The retention of the refuges are not considered to present a safety risk. Their retention will help to reinforce the pedestrianisation of this precinct and encourage slower vehicle speeds. These types of treatments and others being delivered as part of the project are necessary in order to implement a 40km/h zone for Sydney Street into the future. The Department of Transport are the owner and operator of the road and have approved the refuges.</p>
42	<p>The submission provides commentary on several elements of the project, as follows.</p> <ol style="list-style-type: none"> <li>1. Disappointed there was no public meeting where community opinions could be heard and considered, and questions could be asked, and ideas passed around and discussed as community.</li> <li>2. All centre refuges be deleted as a safety issue until a Kilmore Bypass is provided and in operation. This 2 ½ metre pedestrian refuge is unsafe whilst this is a busy highway.</li> <li>3. Truck drivers needing ‘keys’ to fold down ‘keep left’ signs erected on the safety zones is unrealistic</li> <li>4. That proposed ‘pavement out-stands’ be minimised in length by 50% to reduce car park losses.</li> <li>5. Any losses of Sydney Street parking should be offset by the same number of new car park</li> </ol>	<p>Refer to written submission comments.</p>	<p>Refer to officer response to participants 9 and 41 officer discussion within the Council Report regarding the car parking reduction and Kilmore bypass.</p> <p><u>Removable signage</u></p> <p>It is not uncommon for operators transporting large loads to remove and replace road signage during transportation. The removable signs are only for one vehicle type, the 5m over-size vehicles. Over-size vehicles of this size require a complete road closure through the town centre, travel at less than 20km/hr, and have at least one pilot vehicle. This will accommodate the needs of NVC Precast when they are transport oversized concrete beams from their manufacturing plant in Willowmavin to the specified construction site.</p> <p><u>Pavement Outstands</u></p> <p>The outstands are of a size that provide larger tree planting opportunities, improve pedestrian safety and street amenity are only partially responsible for the loss of carparks.</p>

	<p>provisions nearby, for example behind the Royal Oak Hotel or modifying Patrick Street.</p> <p>6. Additional disabled parking spaces should be provided near Mill Street Mall and existing spaces near the Old Town Hall and RSL should be retained.</p> <p>7. Further consultation with the community be held on the location of new bus stops. The existing bus stops at Hudson Park should be retained.</p> <p>8. The selection of Crepe Myrtle trees needs to be reviewed as they have been replaced in the Broadford Streetscape due to the dropping of berries and continual need for council workers to ‘steam clean’ the pavement. An alternative could be Ornamental Pear Trees or similar.</p> <p>9. Town entry signs Concept 1 read KILMORE 1837, in cursive script, be ‘Victorian cream’, or ‘off white’ with Prussian blue shading, to include readable by-line “Victoria’s Oldest Inland Town” mounted on bluestone pillars at least 1 metre high.</p> <p>10. Banners have a very finite life (up to 3 years). They are only a temporary decoration and a total waste of money. The ‘banners’ should be metal and the colours to be either Prussian Blue or Manor House Red (rust red), as Indian red is too dark and will fade into brown, with black emblems, delete the green option as it is too pale.</p>		<p>To shorten the outstands would significantly reduce the overall benefits of this project as a streetscape enhancement project.</p> <p><u>Disabled Parking</u> The Disabled parking provision in the Sydney Street currently exceeds the Australian Standard for provision, in terms of number of Disabled parks per standard parks. The disabled parking at the Town Hall is being retained and improved.</p> <p><u>Bus Stop Location</u> Bus stop locations and design length is determined by the Department of Transport, which is a State Government authority, and the owner of the road.</p> <p>The Department of Transport had intended to implement new bus stops in 2019/20. Given the ongoing planning and advocacy for the streetscape upgrade works, the Department of Transport delayed their installation to enable coordination with the larger streetscape works.</p> <p>The existing bus stops near Hudson Park will be retained.</p> <p><u>Crepe Myrtle Trees</u> Crepe Myrtles are used north of Union street, on the east side where the overhead powerlines mean tall trees such as those suggested cannot be utilised.</p>
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	<p>11. The banner designs should be in keeping with Kilmore’s heritage. E.g. Coach and horses, Hume &amp; Hovell Monument; Old Town Hall façade; Court House façade; Hospital façade; horse head; horse shoes, gallopers, trotters, miniature railway or similar designs. A choice by the community should be undertaken, the choices given are not acceptable. Indigenous history should also be included.</p>		
43	<p>Strongly supports the project and considers it a necessary investment to ‘rescue the character’ of Kilmore’s town centre.</p>	<p>Refer to written submission comments.</p>	<p>Noted</p>





SOUTH BLOCK EXISTING ON-STREET CAR PARK



SOUTH BLOCK PROPOSED ON-STREET CAR PARK



## 10.2 PLANNING PERMIT APPLICATION PLP339/21 FOR THE DEVELOPMENT OF THE LAND FOR MULTIPLE DWELLINGS AND WAIVER OF VISITOR CAR PARKING AT 21-27 GEORGE STREET KILMORE

**Author:** Rees May - Statutory Planner

**File No:** PLP339/21

**Attachments:**

1. Refusal Grounds
2. Proposed Plans
3. Applicable Policies
4. Clause 55 Assessment
5. Advertising Map

<b>Property No.:</b>	107980 and 107981
<b>Title Details:</b>	Lot 17 on Plan of Subdivision 068711 (Volume 08796 Folio 661), Lot 18 on Plan of Subdivision 068711 (Volume 08796 Folio 663) Lot 19 on Plan of Subdivision 068711 (Volume 08796 Folio 662) and Lot 20 on Plan of Subdivision 068711 (Volume 08796 Folio 66)
<b>Applicant:</b>	Inx (Vic) Pty Ltd
<b>Zoning:</b>	General Residential Zone – Schedule 1
<b>Overlays:</b>	None
<b>Objections Received:</b>	Four objections received.
<b>Cultural Heritage Management Plan Required:</b>	No. The subject site is not located within an area of Aboriginal Cultural Heritage Sensitivity.
<b>Summary Recommendation</b>	Notice of Decision to Refuse to Grant a Planning Permit
<b>Reason Reported to Council</b>	Officers do not have delegation to refuse a planning permit application and the number of objections exceeds officer delegation
<b>Officer Declaration of Conflict of Interest:</b>	No officers involved in the preparation of this report have any direct or indirect interest in this matter

PLANNING PERMIT APPLICATION PLP339/21 FOR THE DEVELOPMENT OF THE LAND FOR MULTIPLE DWELLINGS AND WAIVER OF VISITOR CAR PARKING AT 21-27 GEORGE STREET KILMORE (CONT.)

1. Site Map



Figure 1: Aerial image of the subject site – NearMap March 2021



Figure 2: Aerial image of the subject site and surrounds – NearMap March 2021

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PLANNING PERMIT APPLICATION PLP339/21 FOR THE DEVELOPMENT OF THE LAND FOR MULTIPLE DWELLINGS AND WAIVER OF VISITOR CAR PARKING AT 21-27 GEORGE STREET KILMORE (CONT.)

## 2. Summary

- 2.1 Council has received an application for the development of the land for multiple dwelling and waiver of visitor car parking spaces at 21 – 27 George Street, Kilmore
- 2.2 The site is found within the General Residential Zone – Schedule 1 and is not affected by any planning scheme overlays.
- 2.3 The application was advertised to adjoining landowners and occupiers and a notice was placed on the subject site. A total of four submissions were received objecting to the proposal.
- 2.4 The application was heard at a Delegates Committee Meeting held on 2 July 2021.
- 2.5 This report recommends issuing a Notice of Decision to Refuse a Planning Permit Amendment due to the proposal being an overdevelopment, not responsive to the character or in accordance with the Kilmore Structure Plan.

## RECOMMENDATION

**THAT** Council having complied with the relevant Sections of the *Planning and Environment Act 1987*, resolve to issue a Notice of Decision to Refuse to Grant a Planning Permit in respect of Application No. PLP339/21 for the development of the land for multiple dwellings and waiver of visitor car parking at Lot 17 on Plan of Subdivision 068711 (Volume 08796 Folio 661), Lot 18 on Plan of Subdivision 068711 (Volume 08796 Folio 663) Lot 19 on Plan of Subdivision 068711 (Volume 08796 Folio 662) and Lot 20 on Plan of Subdivision 068711 (Volume 08796 Folio 66), known as 21-27 George Street Kilmore, subject to the reasons for refusal as outlined in Attachment 1.

## Assessment

### 3. Site and Surrounds

#### Subject Site Description

- 3.1 The subject site is located at 21-27 George Street, Kilmore and is legally described as Lot 17 on Plan of Subdivision 068711 (Volume 08796 Folio 661), Lot 18 on Plan of Subdivision 068711 (Volume 08796 Folio 663) Lot 19 on Plan of Subdivision 068711 (Volume 08796 Folio 662) and Lot 20 on Plan of Subdivision 068711 (Volume 08796 Folio 66). The subject site is made up of four parcels of land with an overall area of 4,759sqm.
- 3.2 The site has frontage onto George Street of 69.49 metres and an overall lot depth of 68.51 metres

PLANNING PERMIT APPLICATION PLP339/21 FOR THE DEVELOPMENT OF THE LAND FOR MULTIPLE DWELLINGS AND WAIVER OF VISITOR CAR PARKING AT 21-27 GEORGE STREET KILMORE (CONT.)

- 3.3 The site currently contains two dwellings in the front portion of the site with large associated outbuildings found towards the rear. The site is mostly cleared of vegetation, other than a small amount of planted vegetation surrounding one of the dwellings. The site is sloped with a fall from the high point at the front (east) of the site towards the low point of the site in the rear (southern) corner of the site.
- 3.4 A site inspection has been undertaken and the below images show the existing dwellings located on the site.



Figure 3: Existing dwelling located at 25-27 George Street



Figure 4: Existing dwelling at 21-23 George Street

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PLANNING PERMIT APPLICATION PLP339/21 FOR THE DEVELOPMENT OF THE LAND FOR MULTIPLE DWELLINGS AND WAIVER OF VISITOR CAR PARKING AT 21-27 GEORGE STREET KILMORE (CONT.)

### *Planning Background*

- 3.5 A search of Council's Electronic Record Management System indicates that no previous permit applications have been lodged on the site.

### *Title/Restrictions/Agreements*

- 3.6 The title of the site is not encumbered by any covenants or agreements.
- 3.7 An easement set aside for the purpose of drainage does however traverse along the rear (western) boundary.

### Surrounding Area

- 3.8 The subject site is located approximately 540 metres to the south-east of the Kilmore Town Centre.
- 3.9 Land surrounding the subject site is residentially zoned land and developed with single dwellings, predominantly single-storey weatherboard or brick veneer with gable roof forms.
- 3.10 The surrounding area is characterised by large open lots with a 'country town character' and is typified by single dwellings on lots. Lot sizing in the area ranges from 940sqm directly opposite the subject site, approximately 11sqm within Fitzroy Street and the largest allotment in George Street having an area of over 7000sqm.
- 3.11 Surrounding properties have generous front setbacks and development is setback from side and rear boundaries. Dwelling built form is generally single storey with pitched rooves and eaves incorporated into the design. The below image shows the surrounding context of George Street and Fitzroy Street.
- 3.12 The majority of parcels within the surrounding area contain single detached dwellings. There is a small number of medium density development within the surrounding area. The below image shows a 500m radius around the subject site and identifies existing unit developments.
- 3.13 The existing unit developments within the 500m radius are as follows:
- 4/6 Short Street
  - 17 Gipps Street
  - 35 George Street
  - 37 George Street
  - 59-63 Union Street

PLANNING PERMIT APPLICATION PLP339/21 FOR THE DEVELOPMENT OF THE LAND FOR MULTIPLE DWELLINGS AND WAIVER OF VISITOR CAR PARKING AT 21-27 GEORGE STREET KILMORE (CONT.)

- 63-65 Albert Street
- 39 Albert Street
- 7-9 Gipps Street
- 1 Gipps Street and 40 Victoria Parade
- 33 Albert Street
- 29 Albert Street
- 17 Albert Street
- 13 Albert Street

3.14 These are predominantly 2, 3 or 4 unit developments or subdivisions from single or double lots and are generally in the form of detached dwellings.

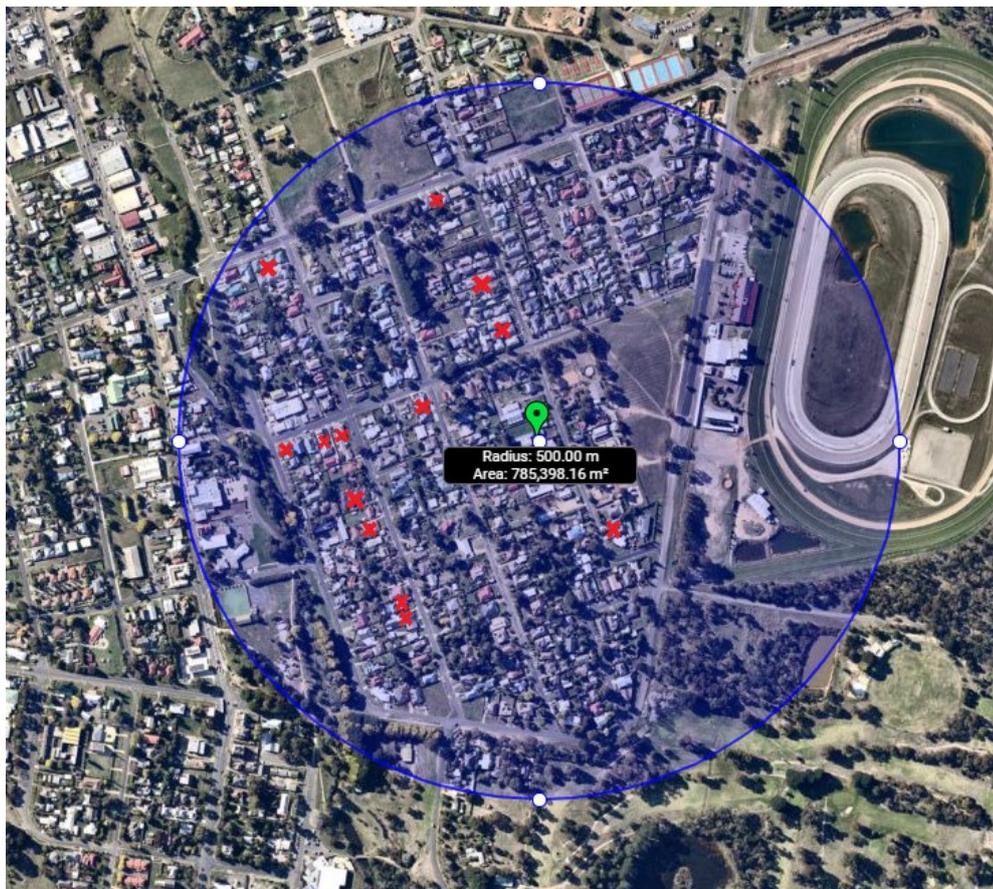


Figure 5: Aerial image of the site and surrounds – 500 m radius with existing unit developments – NearMap March 2021

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PLANNING PERMIT APPLICATION PLP339/21 FOR THE DEVELOPMENT OF THE LAND FOR MULTIPLE DWELLINGS AND WAIVER OF VISITOR CAR PARKING AT 21-27 GEORGE STREET KILMORE (CONT.)

#### **4. Proposal**

- 4.1 The application is proposing development of the land for multiple dwellings. The two existing dwellings on the site are proposed to be retained and an additional 14 dwellings proposed to be constructed on the site, for a total of 16 dwellings.
- 4.2 Each of the dwellings is proposed to be single-storey and will include a variety of internal layouts which incorporate two and three bedroom designs (13 x three bedroom dwellings and 3 x two bedroom dwellings).
- 4.3 Vehicle access to the site is proposed via four vehicle crossings. The existing dwellings are proposed to continue to use existing vehicle access points and two additional vehicle crossovers proposed for the additional dwellings proposed.
- 4.4 Car parking is proposed to be provided in the form of a single garage or carport for each dwelling, with the exception of units 8 and 16 which are provided with a double garage. Each of the three-bedroom dwellings will be provided with two car parking spaces, while each of the two-bedroom dwellings will be provided with a single car parking space. No visitor car parking is proposed to be provided on the site.
- 4.5 The proposed dwellings will be clad in brickwork and rendering. The dwellings will have pitched tiled rooves.
- 4.6 The below images show the proposed site layout and elevation from George Street.

PLANNING PERMIT APPLICATION PLP339/21 FOR THE DEVELOPMENT OF THE LAND FOR MULTIPLE DWELLINGS AND WAIVER OF VISITOR CAR PARKING AT 21-27 GEORGE STREET KILMORE (CONT.)

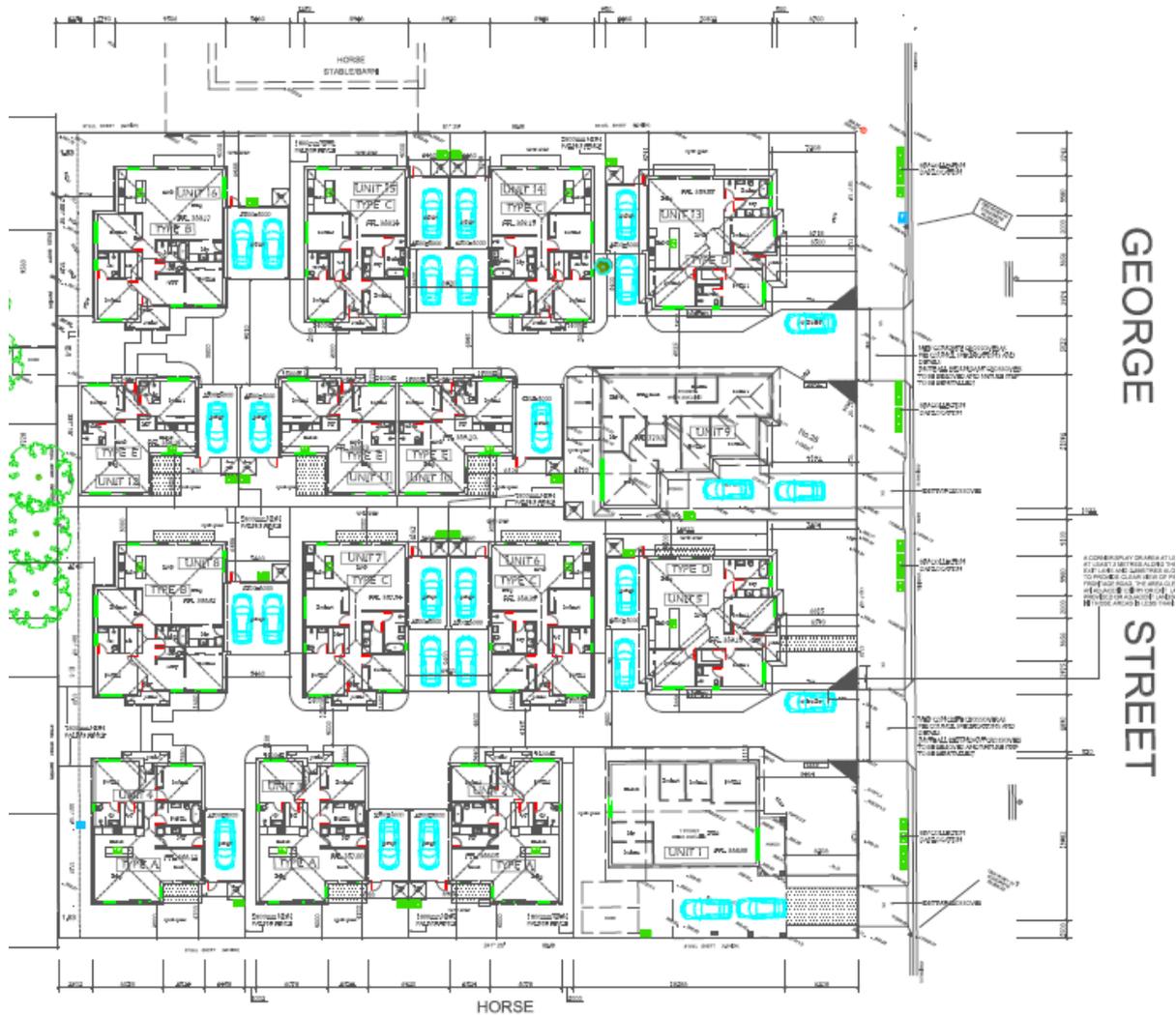


Figure 6: Proposed site layout



Figure 7: Proposed elevation fronting George Street

5. Referrals

External

5.1 The application was not required to be referred to any external referral authorities under section 55 of the Planning and Environment Act 1987 (the Act) pursuant to Clause 66 of the Scheme.

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PLANNING PERMIT APPLICATION PLP339/21 FOR THE DEVELOPMENT OF THE LAND FOR MULTIPLE DWELLINGS AND WAIVER OF VISITOR CAR PARKING AT 21-27 GEORGE STREET KILMORE (CONT.)

*Internal*

- 5.2 The application has been referred to relevant internal Council Units who have provided conditions if a permit were to be issued such as landscaping and engineering matters.
- 5.3 A number of unresolved concerns have been raised by Council's Strategic Planning and Urban Design Units.

## 6. Application history

- 6.1 Planning Permit Application PLP339/20 was received by Council on 4 December 2020.
- 6.2 A further information letter was sent to the applicant on 8 February 2021 raising concerns with proposal.
- 6.3 A response to the further information request was provided on 6 May 2021 which did not address officers concerns. Original concerns were reiterated to the permit applicant.
- 6.4 An additional response to the further information request was provided on 8 June 2021 which also did not address officers concerns.
- 6.5 The application proceeded to notice with concerns on 28 June 2021.
- 6.6 The advertising period concluded on 12 July 2021 with five objections being received. One objection has since been withdrawn.
- 6.7 The application was presented at a Delegates Committee Meeting held on 2 July 2021.

## 7. Planning Policy Assessment

### Planning Policy Framework and Local Planning Policy Framework

- 7.1 There are several planning scheme provisions applicable to the assessment of this application, the most relevant of which are discussed below. For a full list of applicable provisions please refer to attachment 3.

### Zoning

#### *General Residential Zone – Schedule 1*

- 7.2 The site is affected by the General Residential Zone pursuant to Clause 32.08 of the Mitchell Planning Scheme.
- 7.3 Pursuant to Clause 32.08-6 **a planning permit is required** to construct two or more dwellings on a lot.

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PLANNING PERMIT APPLICATION PLP339/21 FOR THE DEVELOPMENT OF THE LAND FOR MULTIPLE DWELLINGS AND WAIVER OF VISITOR CAR PARKING AT 21-27 GEORGE STREET KILMORE (CONT.)

- 7.4 Pursuant to Clause 32.08-4 the proposed development is required to provide a minimum garden area of 35% of the site.

#### Overlays

- 7.5 No overlays affect the site.

#### Particular Provisions

- 7.6 The following Particular Provisions are relevant to this application:

##### *Clause 52.06 – Car parking*

- 7.7 Pursuant to Clause 52.06-2, before a new use commences or where the floor area or site area of an existing use is increased, the number of car parking spaces required under Clause 52.06-5 must be provided to the satisfaction of the responsible authority.
- 7.8 The table to Clause 52.06-5 requires a total of 1 space to be provided to each 1 or 2 bedroom dwelling and 2 spaces to be provided for every 3 or more bedroom dwelling plus 1 visitor space for each 5 dwellings. As such a total of 3 visitor spaces must be provided.
- 7.9 The plans submitted with the application identify that a total of 26 spaces will be provided on the land
- 7.10 Pursuant to Clause 52.06-3 (Car Parking), a permit is required to reduce the required car parking provision set out within 52.06-5 of the Mitchell Planning Scheme. The application is seeking a waiver of the visitor car parking required. The Scheme requires a total of three visitor spaces to be provided on the site and the proposed waiver will be discussed in greater detail in the discussion section of the report.

##### *Clause 55 – Two or more Dwellings on a lot and Residential Buildings*

- 7.11 An application for two or more dwellings on a lot is required to be assessed against Clause 55 of the Scheme. This will be discussed in the discussion section of the report and a detailed Clause 55 assessment will be included at attachment 4.

##### *Kilmore Structure Plan*

- 7.12 The Kilmore Structure Plan is the overarching strategic document for the Kilmore Township. This document provides guidance for land use, development and infrastructure for the growth of the Kilmore Township. This document will be reviewed in greater detail in the discussion section of the report.

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PLANNING PERMIT APPLICATION PLP339/21 FOR THE DEVELOPMENT OF THE LAND FOR MULTIPLE DWELLINGS AND WAIVER OF VISITOR CAR PARKING AT 21-27 GEORGE STREET KILMORE (CONT.)

## 8. Alignment to Council Plan

- 8.1 The recommendation does not align with the Mitchell Shire Council Plan 2017-2021, more specifically with the Responsible Planning strategic objective which is *“to demand best practice outcomes when planning for future growth” and key strategies:*
- Plan for growth and change through best practice design of services, infrastructure, open space and recreation facilities.
  - Plan for a diversity of housing and households.
  - Employ best practice planning tools to achieve desired outcomes.
  - Improve the liveability of Mitchell Shire.
  - Support safe communities through best practice design and planning standards.
  - Protect and enhance local ambience, amenity and character.

## 9. Public Notification

- 9.1 Formal notification of the application was given by means of sending letters to adjoining landowners and occupiers and placing a notice on the site. A total of four objections have been received at the time of writing the report. A map showing the extent of advertising has been provided at attachment 5.
- 9.2 A summary and response to the objections is located within the discussion chapter of the report.

## 10. Discussion

- 10.1 The application is required to be assessed against the relevant Planning Policy Framework, the relevant Local Planning Policy Framework, the General Residential Zone, Clause 52.06 Car Parking and the General Decision Guidelines of Clause 65.

### Response to Planning Policy Framework and Local Planning Policy Framework

- 10.2 The relevant planning policy framework must be taken into consideration when deciding on a planning permit application. As such the following clauses are relevant to the proposal and the decision making of the application.

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PLANNING PERMIT APPLICATION PLP339/21 FOR THE DEVELOPMENT OF THE LAND FOR MULTIPLE DWELLINGS AND WAIVER OF VISITOR CAR PARKING AT 21-27 GEORGE STREET KILMORE (CONT.)

- 10.3 Clause 15.01-2S (Building Design) seeks to achieve building design outcomes that contribute positively to the local context and enhance the public realm.
- 10.4 Clause 15.01-5S (Neighbourhood character) seeks to support and protect neighbourhood character.
- 10.5 Clause 21.07-1 (Residential Development) seeks to provide variety and choice in housing styles and densities and identify preferred areas for increased residential densities in Structure Plans.
- 10.6 Clause 21.11-3 (Local Areas – Kilmore) seeks to ensure that any proposed use or development within Kilmore is generally consistent with the Kilmore Structure Plan, August 2016 which guides preferred growth and development outcomes and prioritises delivery of infrastructure for the town.
- 10.7 The proposal does not align with these policies as the proposal provides a poor response when compared to the existing character of the neighbourhood. The proposed density is considered excessive and an over development and does not align with the vision of the Kilmore Structure Plan.

#### General Residential Zone – Schedule 1

10.8 The purpose of the General Residential Zone seeks to:

- Encourage development that respects the neighbourhood character of the area; and
- Encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.

10.9 The surrounding area is characterised by mainly single storey detached dwellings with lots containing large outbuildings within open and generous rear yards. Lot sizes and rear open spaces allow for hobby farm pursuits. Vegetation including canopy trees are evident throughout the area within the front and rear setbacks of dwelling. Refer to figure 1 and figure 2 for an aerial image of the surrounding area.

10.10 The proposal fails to respect the existing neighbourhood character as it is an overdevelopment of the site due to excessive built form and excessive hard surfaces. As a result of this, open spaces within the development area along the shard accessway, front yards and rear yards do not allow for adequate opportunities for landscaping. This is inconsistent with the surrounding area which is characterised as having spaciousness between built form within generous front, rear and site setbacks.

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PLANNING PERMIT APPLICATION PLP339/21 FOR THE DEVELOPMENT OF THE LAND FOR MULTIPLE DWELLINGS AND WAIVER OF VISITOR CAR PARKING AT 21-27 GEORGE STREET KILMORE (CONT.)

- 10.11 The proposal is inconsistent with the purpose of the zone which seeks to provide a diversity of housing types and housing growth within an area with good access to services and transport.
- 10.12 Diversity in lot types is limited with 13 of 16 dwellings to be three-bedroom product, and the remainder being two bedroom product.
- 10.13 Future residents and visitors are unable to rely on pedestrian or cycling infrastructure linking the site to the town centre, located approximately 540 metres to the Kilmore Town Centre and or the nearest bus stop 340 metres to the north.
- 10.14 Due to the distance from the town centre and the site having limited pedestrian and public transport access the proposal is not considered appropriate for housing diversity and growth of such a scale and intensity and is therefore inconsistent with the purpose of the General Residential Zone.
- 10.15 As such, the proposal does not meet the purpose and decision guidelines of the General Residential Zone.

Clause 55 Two or More Dwellings on a lot

- 10.16 A development must meet the objectives and standards specified in Clause 55 (Two or more dwellings on a lot) of the Mitchell Planning Scheme. The proposal fails to comply with the objectives:
  - Clause 55.02-1 (Neighbourhood character objectives);
  - Clause 55.02-2 (Residential policy objectives);
  - Clause 55.03-10 (Parking location objectives); and
  - Clause 55.06-1 (Design detail objectives).
- 10.17 The layout of the dwellings resulting in continuous built form, excessive density and lack of landscaping opportunities is inconsistent with the existing neighbourhood character and jarring compared to the existing character of the surrounds.
- 10.18 Whilst there is policy for dwelling diversity and variety in housing stock, the design response provides an inadequate outcome. A development such as this is best located in areas subject to public transport, community infrastructure and services where existing or envisaged built form and density outcomes are envisaged.
- 10.19 Furthermore, the proposed development does not provide any visitor car parking on site and does not comply with the objective seeking to provide convenient parking for visitor vehicles. The proposal will result in

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PLANNING PERMIT APPLICATION PLP339/21 FOR THE DEVELOPMENT OF THE LAND FOR MULTIPLE DWELLINGS AND WAIVER OF VISITOR CAR PARKING AT 21-27 GEORGE STREET KILMORE (CONT.)

additional car parking demand and adversely affect the amenity of the area due to additional on street car parking.

- 10.20 The proposal does not meet the design detail objectives. The design response has not considered the prevailing elements of built form in the surrounding area which include generous setbacks, pitched rooves, eaves and open rear yards. The built form proposed is considered to be an overdevelopment and at odds with the existing character due to the density proposed, continuous built form and lack of landscaping opportunities within the front setback and along the accessways.
- 10.21 As such the proposal is inconsistent with the purpose of the General Residential Zone and relevant standards and objectives to Clause 55 of the Mitchell Planning Scheme.

#### Kilmore Structure Plan

- 10.22 The proposal is inconsistent with the Kilmore Structure Plan. The application is proposing medium density development within an area comprising of larger residential blocks with poor walkability to community services and facilities.
- 10.23 Section 3.2.6 of this documents relates to residential development and outlines the objective to encourage development within Kilmore's established areas which provides diverse housing in proximity to the town centre and existing services and facilities but responds to existing heritage places and precincts.
- 10.24 A tool towards directing these diverse housing options is the nomination of Strategic Infill Development Sites via Figure 12 (p.37). The subject site is not nominated as a Strategic Infill Development Site as shown in the below figure.

PLANNING PERMIT APPLICATION PLP339/21 FOR THE DEVELOPMENT OF THE LAND FOR MULTIPLE DWELLINGS AND WAIVER OF VISITOR CAR PARKING AT 21-27 GEORGE STREET KILMORE (CONT.)

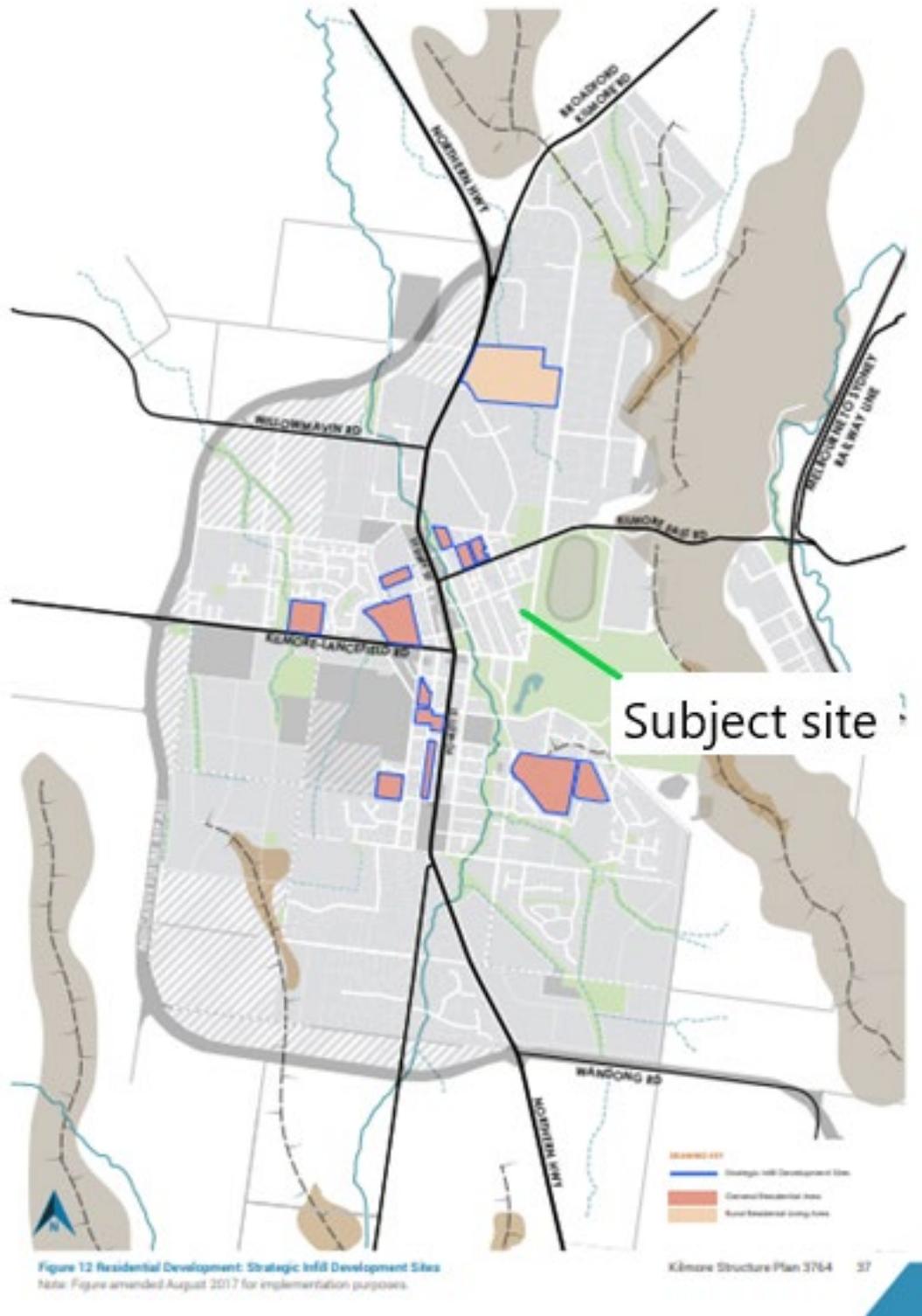


Figure 8: Strategic In fill Sites – Kilmore Structure Plan

10.25 The site is within the established residential area which the Kilmore Structure Plan anticipates will be subject to incremental infill opportunities. However, the site is on the periphery of this area and is

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PLANNING PERMIT APPLICATION PLP339/21 FOR THE DEVELOPMENT OF THE LAND FOR MULTIPLE DWELLINGS AND WAIVER OF VISITOR CAR PARKING AT 21-27 GEORGE STREET KILMORE (CONT.)

outside of a 400m walking distance of the town centre or public transportation (with an existing bus stop along Union Street).

- 10.26 The extent of medium density development proposed is not appropriate as the site is not a Strategic Infill Development Site nor within 400 metres of the town centre, existing services and facilities or public transportation. The proposal is not considered to be 'incremental' in its built form or density outcome.
- 10.27 The Kilmore Structure Plan also identifies the site as being located within the 'Equine Precinct' which surrounds the Kilmore Racecourse.
- 10.28 The Kilmore Structure Plan seeks to maintain and strengthen Kilmore's equine industry as an important employment generator. Strategies include the upgrading of roads to facilitate the safe passage for horse floats and vehicles in and around the Kilmore equine precinct and to support the co-location of land uses within the Equine Precinct which will contribute to strengthening the horse racing industry in Kilmore. As the proposal is for multi-dwellings it is considered that the proposal does not meet relevant objectives and strategies of the Kilmore Structure Plan.
- 10.29 The figure below shows the subject site being located within the Equine Precinct. It is noted this is not a formal overlay within the Mitchell Planning Scheme.

PLANNING PERMIT APPLICATION PLP339/21 FOR THE DEVELOPMENT OF THE LAND FOR MULTIPLE DWELLINGS AND WAIVER OF VISITOR CAR PARKING AT 21-27 GEORGE STREET KILMORE (CONT.)

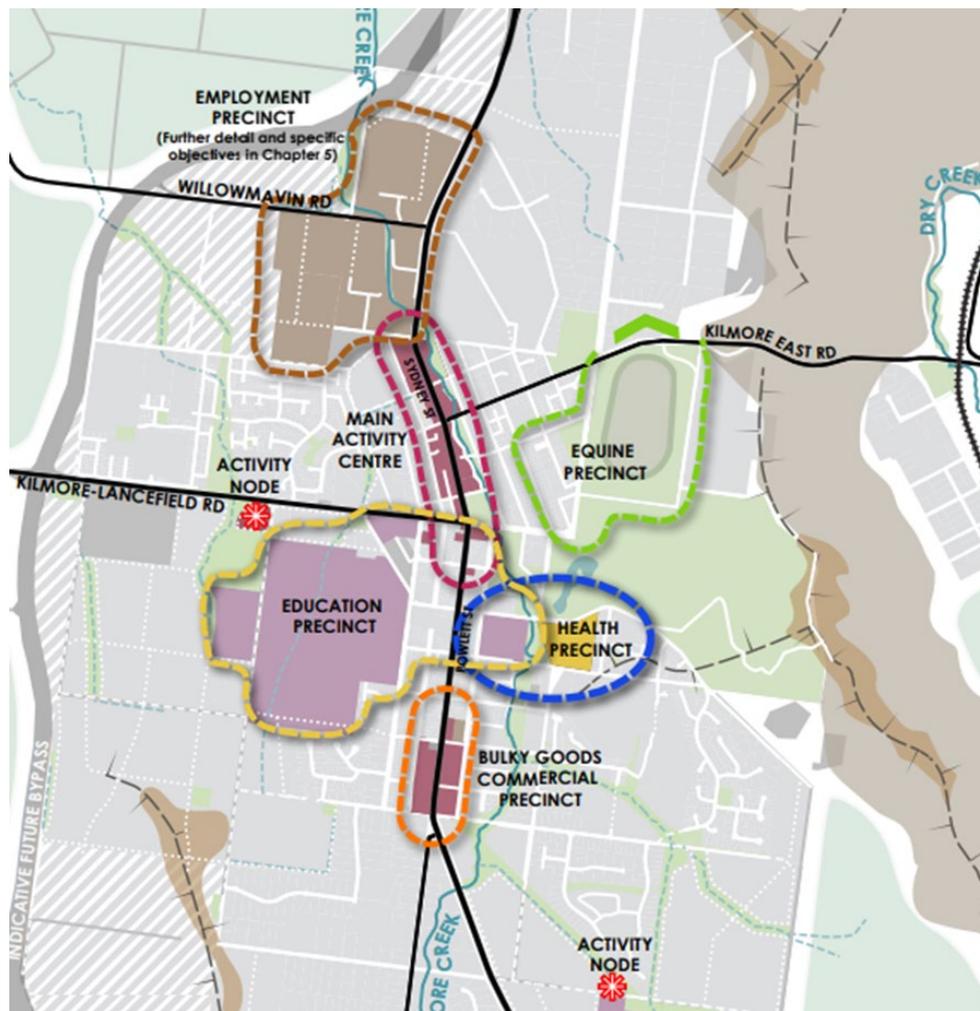


Figure 9: Kilmore Structure Plan showing the subject located within the Equine Precinct

### Clause 52.06 - Car parking

- 10.30 The proposal is inconsistent with the purpose and decision guidelines of Clause 52.06 (Car parking) of the Scheme. This clause specifies the car parking requirements for the proposed development. The Scheme requires to a total of 1 space to be provided to each 1 or 2 bedroom dwelling and 2 spaces to be provided for every 3 or more bedroom dwelling plus 1 visitor space for each 5 dwellings.
- 10.31 A total of three visitor car parking spaces are required for the proposed development. The required visitor car parking spaces have not been provided and a waiver cannot be supported in this circumstance.
- 10.32 Due to the location of the site being a distance from the Kilmore town centre, with limited pedestrian and public transport connectivity it is likely that future residents and visitors will be reliant of vehicles to park vehicles within the site.

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PLANNING PERMIT APPLICATION PLP339/21 FOR THE DEVELOPMENT OF THE LAND FOR MULTIPLE DWELLINGS AND WAIVER OF VISITOR CAR PARKING AT 21-27 GEORGE STREET KILMORE (CONT.)

- 10.33 The proposal does not meet the purpose or decision guidelines of the Car parking provision. The proposal does not provide an appropriate number of car parking spaces or have regard to the demand of visitor car parking likely to be generated as a result of the development. Providing no visitor car parking on site will adversely affect the amenity of the local area by increasing the demand for on street car parking.

Clause 65 General Decision Guidelines

- 10.34 The application has been assessed against the matters set out in section 60 of the Act, the relevant Planning Policy Framework and the relevant Local Planning Policy Framework.
- 10.35 The proposal will not contribute to the orderly planning of the area and is at odds with the character of the area, resulting in an outcome that is not responsive to its surrounds.

PLANNING PERMIT APPLICATION PLP339/21 FOR THE DEVELOPMENT OF THE LAND FOR MULTIPLE DWELLINGS AND WAIVER OF VISITOR CAR PARKING AT 21-27 GEORGE STREET KILMORE (CONT.)

**11. Response to objections**

PLANNING PERMIT APPLICATION PLP339/21 FOR THE DEVELOPMENT OF THE LAND FOR MULTIPLE DWELLINGS AND WAIVER OF VISITOR CAR PARKING AT 21-27 GEORGE STREET KILMORE (CONT.)

Objection	Response
<p>Amenity impacts</p> <ul style="list-style-type: none"> <li>• The proposal is incompatible with the established equine precinct.</li> <li>• The proposal will impact existing residential area due to the lack of infrastructure.</li> </ul>	<ul style="list-style-type: none"> <li>• There is potential for land use conflict with the existing equine precinct and the intensification of residential land use.</li> </ul>
<p>Safety impacts</p> <ul style="list-style-type: none"> <li>• No pedestrian infrastructure in George Street. Additional traffic poses a safety issue to pedestrians and horses which use the road.</li> </ul>	<ul style="list-style-type: none"> <li>• It is considered that additional vehicle movements to and from the site with the addition of on street car parking is a safety concern due to the lack of pedestrian infrastructure.</li> </ul>

PLANNING PERMIT APPLICATION PLP339/21 FOR THE DEVELOPMENT OF THE LAND FOR MULTIPLE DWELLINGS AND WAIVER OF VISITOR CAR PARKING AT 21-27 GEORGE STREET KILMORE (CONT.)

<p>Built form and character impacts</p> <ul style="list-style-type: none"> <li>• The development is inconsistent with the surrounding character due to the proposed density.</li> <li>• The proposal is likely to cause drainage issues.</li> <li>• The proposal does not allow for meaningful landscaping opportunities.</li> <li>• The proposal does not provide onsite visitor car parking which will result in additional on street car parking.</li> <li>• The development is at odds with the large surrounding allotments.</li> </ul>	<ul style="list-style-type: none"> <li>• The proposed dwelling density and almost continuous built form is at odds with the surrounding residential context.</li> <li>• Any drainage issues can be appropriately addressed through engineering conditions.</li> <li>• It is officers view that the site lacks opportunity for meaningful landscaping. Particularly along the accessways which are dominated by hard surfaces.</li> <li>• Visitor car parking should be provided on site in accordance with the scheme requirements. As no onsite car parking is provided it is likely to cause car parking issues within the street.</li> <li>• The surrounding area is characterised by large allotments containing single dwellings. The proposal is inconsistent with the surrounds.</li> </ul>
<p>Other considerations</p> <ul style="list-style-type: none"> <li>• The proposal will lead to property devaluation.</li> <li>• The existing buildings are known to contain asbestos and the removal does not address safety during any removal.</li> </ul>	<ul style="list-style-type: none"> <li>• Property devaluation is not a planning consideration.</li> <li>• This issue is not a planning consideration and any removal of asbestos would need to be compliant with relevant legislation.</li> </ul>

**12. Conclusion**

12.1 The application has been assessed against the relevant Planning Policy Framework, the relevant Local Planning Policy Framework, the General Residential Zone – Schedule 1, Clause 52.06 Car parking, Clause 55 Two or more dwellings on a lot and the General Decision Guidelines of Clause 65.

PLANNING PERMIT APPLICATION PLP339/21 FOR THE DEVELOPMENT OF THE LAND FOR MULTIPLE DWELLINGS AND WAIVER OF VISITOR CAR PARKING AT 21-27 GEORGE STREET KILMORE (CONT.)

- 12.2 It is considered that the proposal is inconsistent with relevant provisions of the Mitchell Planning Scheme predominantly due to the density and proposed layout being inconsistent with the existing character of the area. As such, the proposal should not be supported in this instance.

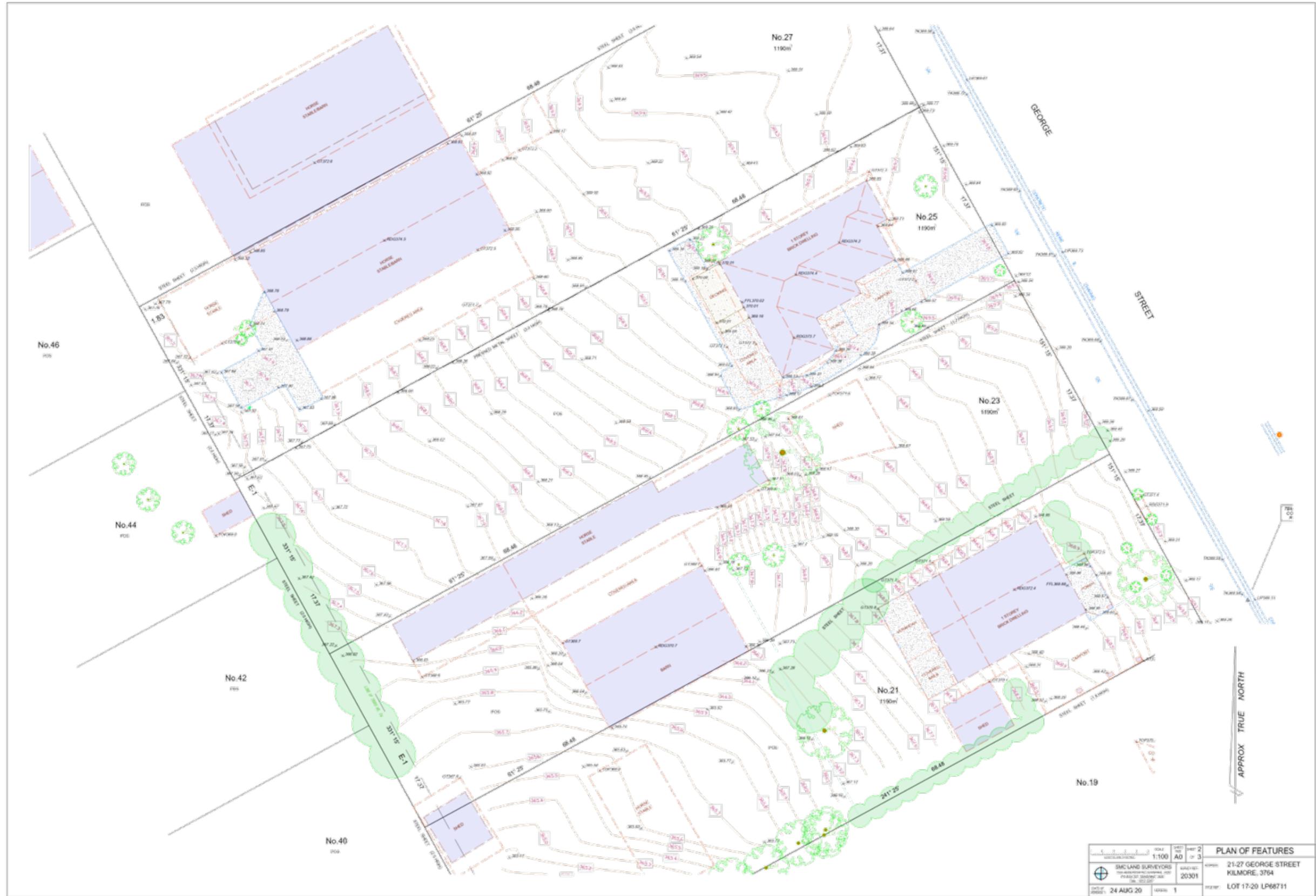
**Reasons for Refusal – PLP339/21 – 21-27 George Street Kilmore**

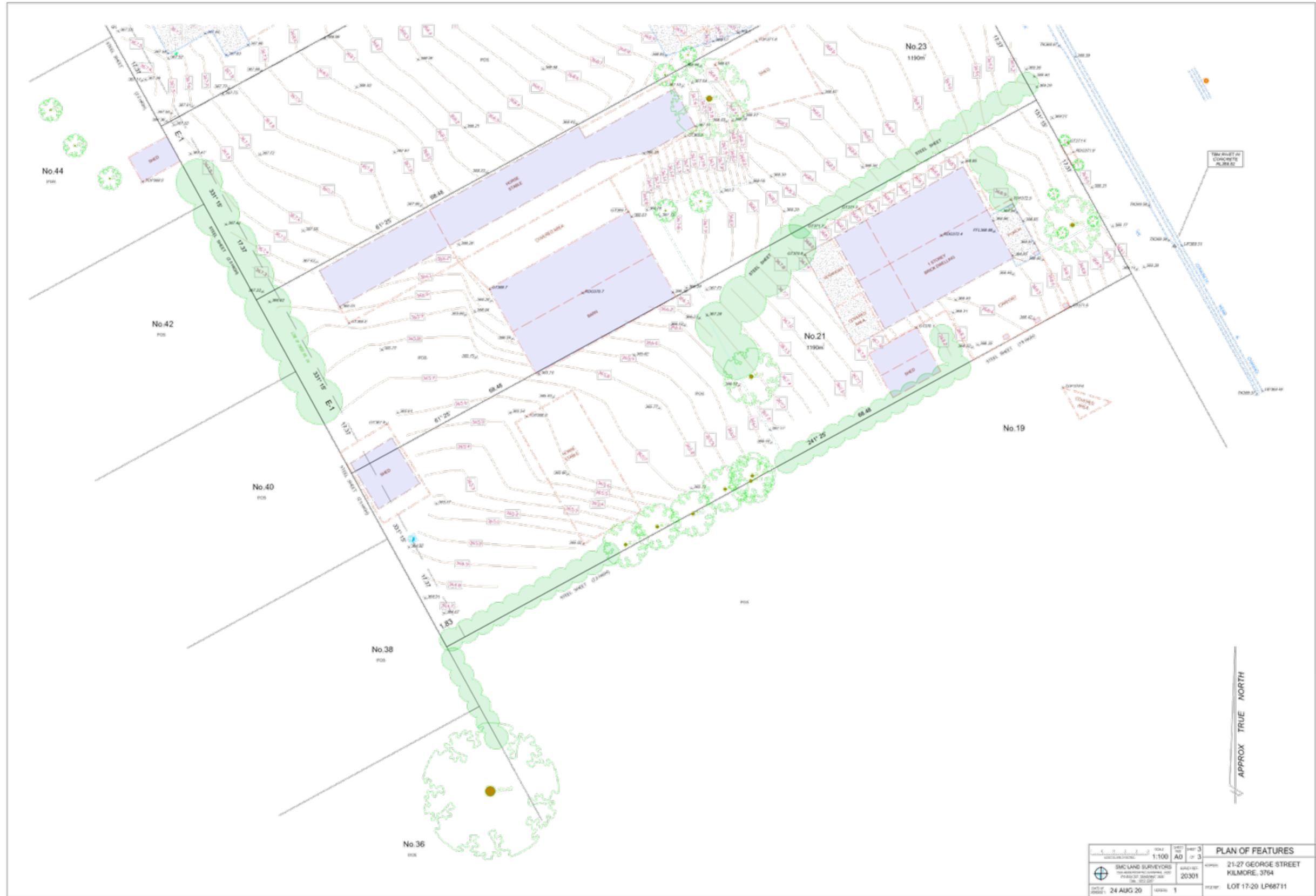
1. The proposal is inconsistent with the following Planning Policy of the Mitchell Planning Scheme as follows:
  - a. Clause 15.01-2S (Building design);
  - b. Clause 15.01-5S (Neighbourhood character); and
  - c. Clause 21.07-1 (Residential development).
2. The proposal is inconsistent with the Local Planning Policy of the Mitchell Planning Scheme at Clause 21.11-3 (Local Areas – Kilmore).
3. The proposed development is inconsistent with the purpose and decision guidelines of Clause 32.08 (General Residential Zone) of the Mitchell Planning Scheme.
4. The proposal does not meet the following Clause 55 objectives:
  - a. Clause 55.02-1 (Neighbourhood character objectives);
  - b. Clause 55.02-2 (Residential policy objectives);
  - c. Clause 55.03-10 (Parking location objectives); and
  - d. Clause 55.06-1 (Design detail objectives).
5. The proposal does not provide visitor car parking in accordance with Clause 52.06 requirements.
6. The proposal does not meet the decision guidelines of Clause 65.01 (Approval of an Application or Plan) of the Mitchell Shire Planning Scheme.
7. The proposal is inconsistent with the Kilmore Structure Plan.
8. The proposal is an overdevelopment of the site.







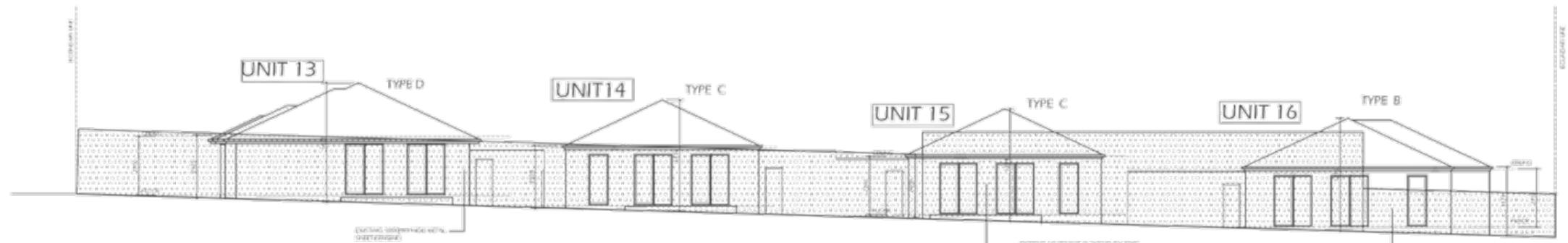








INNER SOUTH ELEVATION (U13, 14, 15, 16)



NORTH ELEVATION (U13, 14, 15, 16)

PROPOSED MULTI UNIT DEVELOPMENT  
 21 -27 GEORGE STREET  
 KILMORE

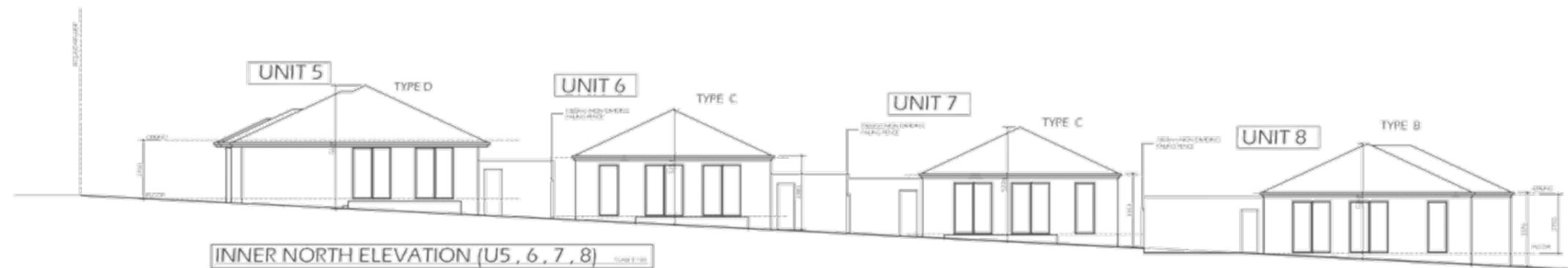
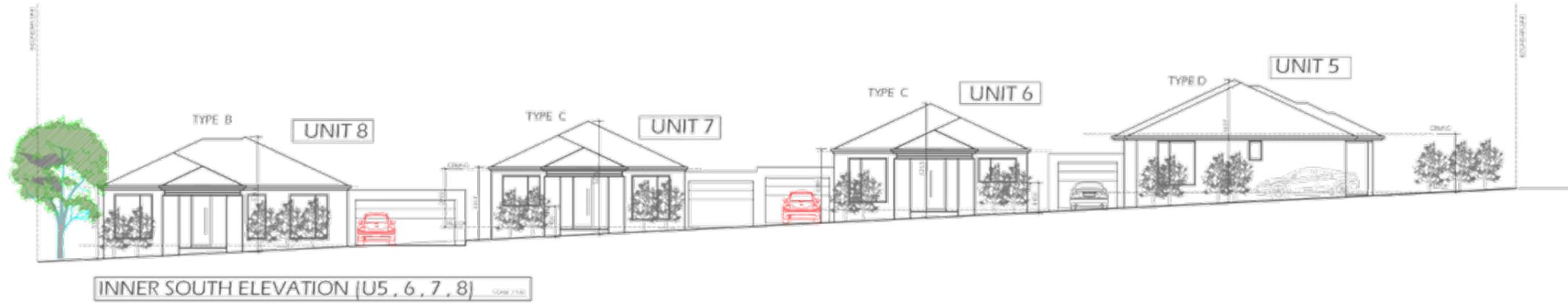
ELEVATIONS  
 SCALE 1:100

CD1995-11



A - DESIGNING BY DATE 2011  
 B - DESIGNING BY DATE 2011

INTERIOR & EXTERIOR  
 BUILDING DESIGN  
 mob: 0418 531 628  
 email: inexc@bigpond.com



PROPOSED MULTI UNIT DEVELOPMENT  
21-27 GEORGE STREET  
KILMORE

ELEVATIONS  
SCALE 1:100

CD1995-9



A - DESIGNER'S SEAL  
B - DESIGNER'S NAME

INTERIOR & EXTERIOR  
BUILDING DESIGN

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email: inexciv@bigpond.com



PROPOSED MULTI UNIT DEVELOPMENT  
 21-27 GEORGE STREET  
 KILMORE

ELEVATIONS  
 SCALE 1:100

CD1995-7



A - DRAWING BY DATE 2011  
 B - CHECKED BY DATE 2011

INTERIOR & EXTERIOR  
 BUILDING DESIGN

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 email: inexc@bigpond.com



**TYPE A** UNITS 2, 3, 4

FLOOR AREA 110.65SQM  
GARAGE AREA 22.85SQM  
PORTICO AREA 3.16SQM



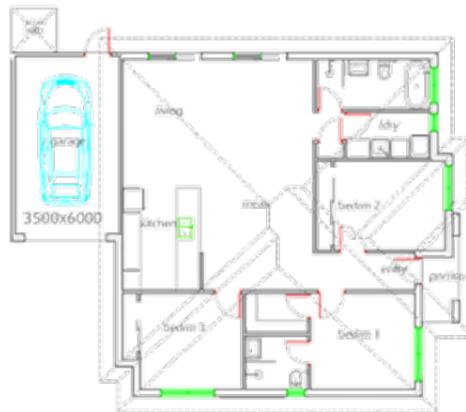
**TYPE B** UNITS 8, 16

FLOOR AREA 139.90SQM  
GARAGE AREA 35.55SQM  
PORTICO AREA 3.40SQM



**TYPE C** UNITS 6, 7, 14, 15

FLOOR AREA 116.15SQM  
GARAGE AREA 22.85SQM  
PORTICO AREA 3.15SQM



**TYPE D** UNITS 6, 7, 14, 15

FLOOR AREA 122.10SQM  
GARAGE AREA 22.85SQM  
PORTICO AREA 3.05SQM



**TYPE E** UNITS 10, 11, 12

FLOOR AREA 87.10SQM  
GARAGE AREA 22.85SQM  
PORTICO AREA 3.85SQM



PROPOSED MULTI UNIT DEVELOPMENT  
21 -27 GEORGE STREET  
KILMORE

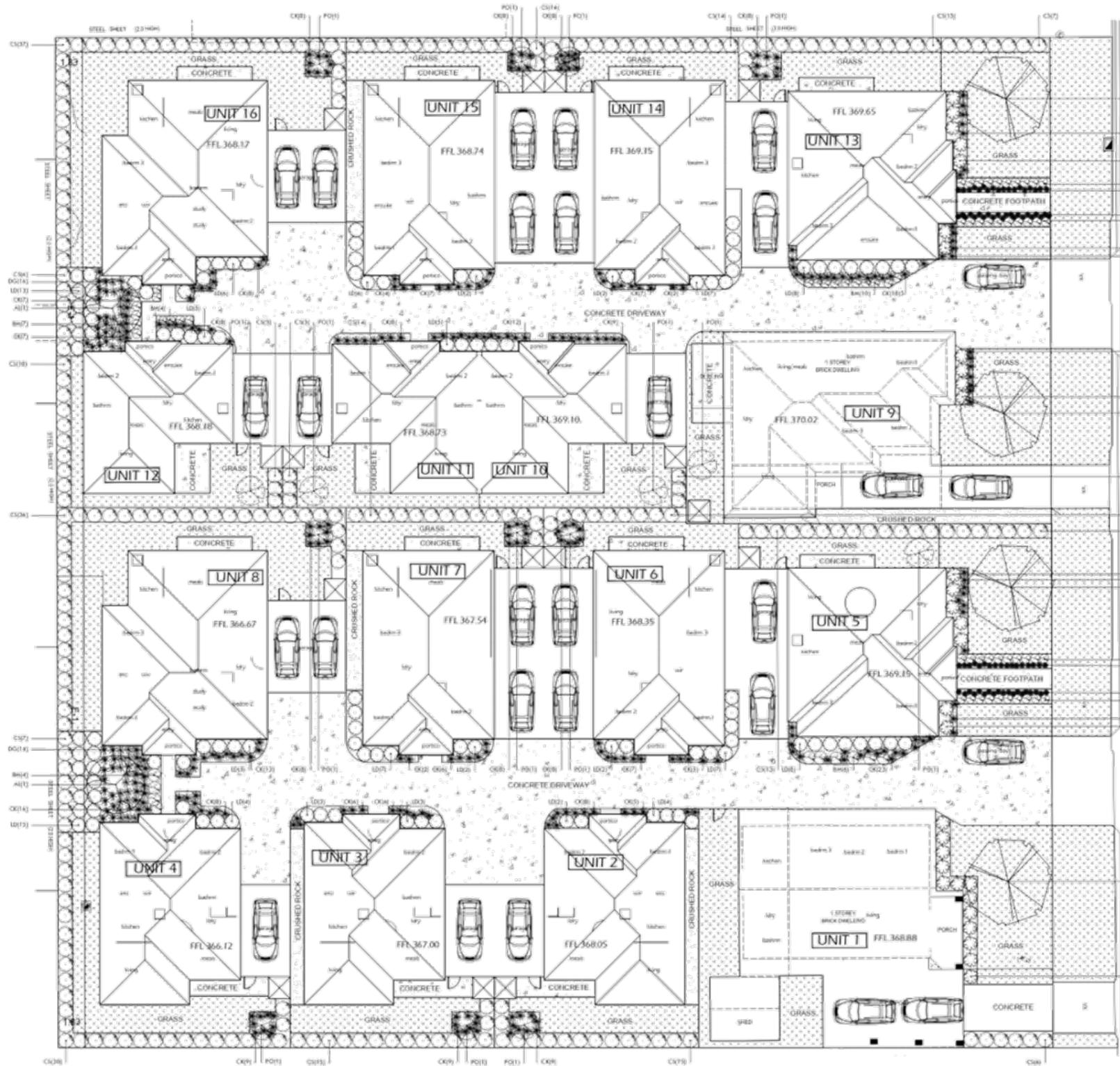
FLOOR PLANS  
SCALE 1:100

CD2058-6

A - TOP PLAN (RHS) IN 1:50 SCALE  
B - TOP PLAN (LHS) IN 1:50 SCALE

INTERIOR & EXTERIOR  
BUILDING DESIGN

mob: 0418 531 628  
email: inexc@bigpond.com

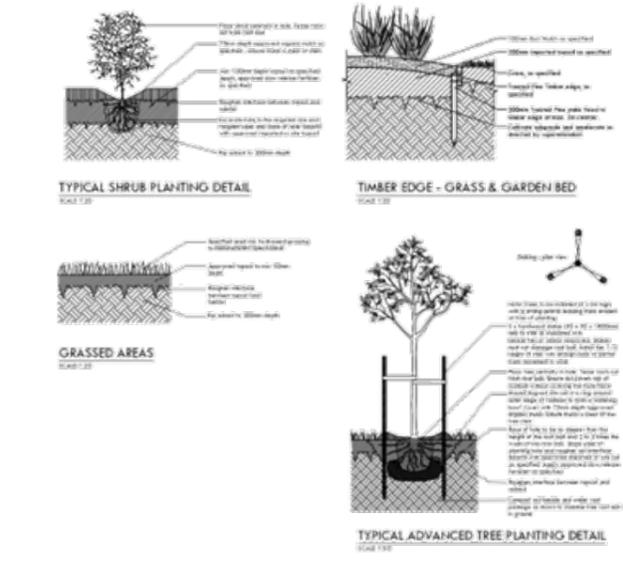


CONSTRUCTION NOTES

- GENERAL NOTES**
- Before commencement of works it is the responsibility of the Contractor to confirm that before you dig (up to 1.0m or more) you must check for information on services (cables and pipes) immediately surrounding the extent of works.
  - The Contractor shall verify the location and depth of all services prior to commencing work.
  - The Contractor shall be liable for any damage to services during or as a result of landscaping works.
  - The Contractor shall verify the location of any existing trees shown to be retained and protect them during works.
  - All trees shall be planted in locations shown on the plan unless otherwise directed by the Landscape Superintendent.
  - Any change to plant species requires the approval of the Landscape Superintendent.
  - Trees shall be planted at a minimum of the following distances from structures elements:
    - Streetlights: 1.5m
    - Driveway/Concrete: 3.0m
    - Storeyman & Storage pit: 2.0m
    - Retention: 1.0m
    - Street Enclosure: 2.0m
    - Walls & Sheds: 2.0m
    - Street Light: 4.0m
- SUBSOIL PREPARATION**
- Excavate all existing ground services and ensure that there are not disturbed during laying or cultivation. Remove all weeds, roots, stumps and other foreign debris from the area. Cultivate to give the required depth. Do not disturb services or tree roots or any vegetation to remain on site. If necessary relocate these areas by hand. During cultivation thoroughly mix in any materials required for the incorporated site. The soil shall be cultivated to a minimum depth of 300mm at 100mm intervals. Remove stones exceeding a diameter of 25mm, clods of earth exceeding 100mm in diameter, and any weeds, rubbish or other debris material brought to the surface during cultivation. Turn the surface to the required design finish after cultivation.
- IMPORTED TOPSOIL**
- Imported topsoil brought onto the site must contain no organic matter and is free from unexcavated matter such as:
- stones (over 50-60mm diameter);
  - weeds and tree roots;
  - sticks and rubbish; and
  - material toxic to plants.
- All imported topsoil must be imported and approved by the Superintendent.
- EXISTING TOPSOIL**
- Where existing topsoil is to be used throughout the project it is the contractor's responsibility to ensure that the topsoil is suitable. The contractor shall allow for a 100mm topsoil layer under all paved areas unless the soil is appropriate.
- GRASS AREAS**
- Grass (Hardy Soil) or medium (Hardy Loam) soil to meet the relevant Australian Standards and which comply generally with the relevant classifications and uses under AS 2222 (Table B3).
- Ensure that grass areas are finished flush with adjacent paths or as indicated on the Drawing.
- Grass and grade evenly to ensure that the required levels and contours are achieved following light compaction. To be hand sown with a seed rate appropriate to the seed. Seed applied to suppliers specification.
- WATER**
- All planted areas are to be irrigated to a min. depth of 75mm. The Contractor shall use mulch that is free of chemicals and excessive matter such as oil, weeds and sticks with a neutral pH range.
- Special soil/mulch so that after setting in:
- mulch and evenly graded between design surface levels;
  - is flush with adjacent finished levels;
  - is of the correct depth; and
- PLANTING DETAIL**
- A clear trench to the base of plant stems in plantation beds, but not in contact with the stem, generally 75mm clear of plant stems.
- TIMBER EDGE**
- All plant material to be of high quality installed in detail according to contractor site and in compliance with AS 2222-2015 Free Stock for Landscape Use.
- CONCRETE FOOTPATH**
- To be 100mm depth 20Mpa reinforced exposed aggregate concrete. Subject to owners specification.
- ESTABLISHMENT BRIGADE**
- The planting works are to occur during the summer months. The landscape contractor is to undertake a 12 week establishment period and make reference to organic and hard off mulch plant material affixed to demonstrate active growth and vigor.
- LETTER BOX**
- As shown.

PLANT SCHEDULE

CODE	BOTANICAL NAME	COMMON NAME	POI	H x W	QTY
<b>GRASSES AND STRAPPY LEAVES</b>					
CK	Calamagrostis 'Karl Foerster'	Feather Reed Grass	4.5m	1.5 x 0.7m	286
DG	Dactylis glomerata	Wild Ryegrass	4.5m	0.8 x 0.8m	30
<b>GROUND COVERS</b>					
EM	Brachycome multifida	Cat's Paw	1.40m	0.2 x 0.75m	71
OJ	Ophiosporon japonicus	Tray	0.15 x 0.3m		76
<b>SHRUBS</b>					
CS	Callistemon verticillatus 'Slim'	Callistemon Slim	1.40m	3 x 1.3m	245
SL	Salvia leucantha	Mexican Bush Sage	1.40m	1 x 1.5m	31
AL	Asclepias tuberosa 'Map Top'	Map Top PER	1.40m	1 x 1m	2
LD	Lavandula demissa	French Lavender	1.40m	0.75 x 1m	116
<b>TREES</b>					
PC	Pyrus 'Chandler'	Ornamental Pear	4.5L	1.1 x 6m	4
PO	Prunus cerasifera 'Ginkgo-Crimson Spire'	Flowering Plum	4.5L	6 x 2m	15

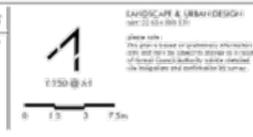


Landscape Plan

21- 27 George Street, Kilmore

ref: WC2021/12 drawing no. 01  
 rev: A sheet no. 1 of 1  
 date: 20 April 2021  
 drawn: JW  
 checked: HW

REV	DESCRIPTION	DATE	INIT
A	For endorsement	Apr 21	JW



LANDSCAPE & URBAN DESIGN  
 001 25 551 551  
 design | construct | grow



**ANALYSIS**

SITE AREA 4,759 SQ.M

BUILDING COVERAGE 2318.48 SQ.M (48.71%)

DRIVEWAY/PAVING COVERAGE 830.35 SQ.M (17.44%)

PERMEABLE AREA 1610.17 SQ.M (33.83%)

GARDEN AREA 1696 SQ.M (35.63%)

<b>UNIT 1 (EXISTING)</b>	FLOOR AREA 11800 SQ.M	<b>UNIT 9 (EXISTING)</b>	FLOOR AREA 13000 SQ.M
	PORCH AREA 1156 SQ.M		PORCH / CARPORT AREA 3400 SQ.M
	CARPORT AREA 5150 SQ.M		REAR OPEN SPACE 4435 SQ.M
	REAR OPEN SPACE 5008 SQ.M		FRONT OPEN SPACE 6952 SQ.M
	FRONT OPEN SPACE 8830 SQ.M		
<b>UNIT 2 (TYPE A)</b>	FLOOR AREA 11065 SQ.M	<b>UNIT 10 (TYPE E)</b>	FLOOR AREA 8710 SQ.M
	PORCH AREA 336 SQ.M		PORCH AREA 185 SQ.M
	GARAGE AREA 2285 SQ.M		GARAGE AREA 2285 SQ.M
	REAR OPEN SPACE 6668 SQ.M		REAR OPEN SPACE 4513 SQ.M
	FRONT OPEN SPACE 1033 SQ.M		FRONT OPEN SPACE 765 SQ.M
<b>UNIT 3 (TYPE A)</b>	FLOOR AREA 11065 SQ.M	<b>UNIT 11 (TYPE E)</b>	FLOOR AREA 8710 SQ.M
	PORCH AREA 336 SQ.M		PORCH AREA 185 SQ.M
	GARAGE AREA 2285 SQ.M		GARAGE AREA 2285 SQ.M
	REAR OPEN SPACE 6668 SQ.M		REAR OPEN SPACE 4513 SQ.M
	FRONT OPEN SPACE 1033 SQ.M		FRONT OPEN SPACE 765 SQ.M
<b>UNIT 4 (TYPE A)</b>	FLOOR AREA 11065 SQ.M	<b>UNIT 12 (TYPE E)</b>	FLOOR AREA 8710 SQ.M
	PORCH AREA 336 SQ.M		PORCH AREA 185 SQ.M
	GARAGE AREA 2285 SQ.M		GARAGE AREA 2285 SQ.M
	REAR OPEN SPACE 6668 SQ.M		REAR OPEN SPACE 4513 SQ.M
	FRONT OPEN SPACE 1033 SQ.M		FRONT OPEN SPACE 765 SQ.M
<b>UNIT 5 (TYPE D)</b>	FLOOR AREA 12210 SQ.M	<b>UNIT 13 (TYPE D)</b>	FLOOR AREA 12210 SQ.M
	PORCH AREA 305 SQ.M		PORCH AREA 305 SQ.M
	GARAGE AREA 2285 SQ.M		GARAGE AREA 2285 SQ.M
	REAR OPEN SPACE 4285 SQ.M		REAR OPEN SPACE 5469 SQ.M
	FRONT OPEN SPACE 10564 SQ.M		FRONT OPEN SPACE 10876 SQ.M
<b>UNIT 6 (TYPE C)</b>	FLOOR AREA 11615 SQ.M	<b>UNIT 14 (TYPE C)</b>	FLOOR AREA 11615 SQ.M
	PORCH AREA 345 SQ.M		PORCH AREA 345 SQ.M
	GARAGE AREA 2285 SQ.M		GARAGE AREA 2285 SQ.M
	REAR OPEN SPACE 4987 SQ.M		REAR OPEN SPACE 4987 SQ.M
	FRONT OPEN SPACE 12505 SQ.M		FRONT OPEN SPACE 12505 SQ.M
<b>UNIT 7 (TYPE C)</b>	FLOOR AREA 11615 SQ.M	<b>UNIT 15 (TYPE C)</b>	FLOOR AREA 11615 SQ.M
	PORCH AREA 345 SQ.M		PORCH AREA 345 SQ.M
	GARAGE AREA 2285 SQ.M		GARAGE AREA 2285 SQ.M
	REAR OPEN SPACE 4987 SQ.M		REAR OPEN SPACE 4987 SQ.M
	FRONT OPEN SPACE 12505 SQ.M		FRONT OPEN SPACE 12505 SQ.M
<b>UNIT 8 (TYPE B)</b>	FLOOR AREA 13990 SQ.M	<b>UNIT 16 (TYPE B)</b>	FLOOR AREA 13990 SQ.M
	PORCH AREA 340 SQ.M		PORCH AREA 340 SQ.M
	GARAGE AREA 3550 SQ.M		GARAGE AREA 3550 SQ.M
	REAR OPEN SPACE 12987 SQ.M		REAR OPEN SPACE 12665 SQ.M
	FRONT OPEN SPACE 1415 SQ.M		FRONT OPEN SPACE 1680 SQ.M

PROPOSED MULTI UNIT DEVELOPMENT  
21 -27 GEORGE STREET  
KILMORE

COVER PAGE/ ANALYSIS

CD2058-1

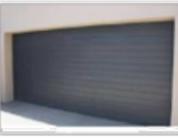
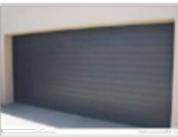
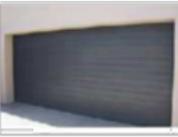
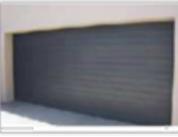


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**INTERIOR & EXTERIOR  
BUILDING DESIGN**

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email: inovic@bigpond.com



<p>TYPE A</p> 	 <p>AUSTRIAL FACE BRICKWORK</p>	 <p>BORAL CONCRETE ROOF TILE</p>	 <p>COLORBOND METAL ROOF</p>	 <p>LIGHT GREY RENDERS FINISH</p>	 <p>COLORBOND METAL WINDOWS/DOORS</p>	 <p>COLORBOND METAL GARAGE DOOR</p>
<p>TYPE B</p> 	 <p>AUSTRIAL CREAM BRICKWORK</p>	 <p>BORAL CONCRETE ROOF TILE</p>	 <p>COLORBOND METAL ROOF</p>	 <p>CHARCOAL RENDERS FINISH</p>	 <p>COLORBOND METAL WINDOWS/DOORS</p>	 <p>COLORBOND METAL GARAGE DOOR</p>
<p>TYPE C</p> 	 <p>AUSTRIAL BLACK BRICKWORK</p>	 <p>BORAL CONCRETE ROOF TILE</p>	 <p>COLORBOND METAL ROOF</p>	 <p>LIGHT GREY RENDERS FINISH</p>	 <p>COLORBOND METAL WINDOWS/DOORS</p>	 <p>COLORBOND METAL GARAGE DOOR</p>
<p>TYPE D</p> 	 <p>AUSTRIAL RED BRICKWORK</p>	 <p>BORAL CONCRETE ROOF TILE</p>	 <p>COLORBOND METAL ROOF</p>	 <p>CHARCOAL RENDERS FINISH</p>	 <p>COLORBOND METAL WINDOWS/DOORS</p>	 <p>COLORBOND METAL GARAGE DOOR</p>
<p>TYPE E</p> 	 <p>AUSTRIAL CREAM BRICKWORK</p>	 <p>BORAL CONCRETE ROOF TILE</p>	 <p>COLORBOND METAL ROOF</p>	 <p>CHARCOAL RENDERS FINISH</p>	 <p>COLORBOND METAL WINDOWS/DOORS</p>	 <p>COLORBOND METAL GARAGE DOOR</p>

PROPOSED MULTI UNIT DEVELOPMENT  
21-27 GEORGE STREET  
KILMORE

MATERIALS/COLORS

CD1995-12



A - 10/11/2018 (M) 1:00 PM

INTERIOR & EXTERIOR  
BUILDING DESIGN  
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email: inexc@bigpond.com



PROPOSED MULTI UNIT DEVELOPMENT  
 21 -27 GEORGE STREET  
 KILMORE

SHADOW DIAGRAMS

CD1995-13



A - 10/20/2018 (REVISED) 04/11/2017 (REV)

INTERIOR & EXTERIOR  
 BUILDING DESIGN

mob: 0418 531 628  
 email: inexciv@bigpond.com



PROPOSED MULTI UNIT DEVELOPMENT  
 21-27 GEORGE STREET  
 KILMORE

SHADOW DIAGRAMS

CD1995-14



A - 10/21/2018 10:00 AM 10/21/2018

INTERIOR & EXTERIOR  
 BUILDING DESIGN

mob: 0418 531 628  
 email: inexciv@bigpond.com





Planning Policy Framework (PPF) and Local Planning Policy Framework (LPPF)

The following clauses of the PPF and LPPF are considered relevant to this application	
Clause 11.01-1S Settlement	This clause is relevant and has the following objective:  <i>To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.</i>
Clause 11.02-2S Structure planning	This clause is relevant and has the following objective:  <i>To facilitate the orderly development of urban areas.</i>
Clause 13.07-1S Land use compatibility	This clause is relevant and has the following objective:  <i>To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.</i>
Clause 15.01-1S Urban design	This clause is relevant and has the following objective:  <i>To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.</i>
Clause 15.01-2S Building design	This clause is relevant and has the following objective:  <i>To achieve building design outcomes that contribute positively to the local context and enhance the public realm.</i>
Clause 15.01-4S Healthy neighbourhoods	This clause is relevant and has the following objective:  <i>To achieve neighbourhoods that foster healthy and active living and community wellbeing.</i>
Clause 15.01-5S Neighbourhood character	This clause is relevant and has the following objective:  <i>To recognise, support and protect neighbourhood character, cultural identity, and sense of place</i>
Clause 15.02-1S Energy and resource efficiency	This clause is relevant and has the following objective:  <i>To encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions.</i>
Clause 16.01-1S Housing supply	This clause is relevant and has the following objective:  <i>To facilitate well-located, integrated and diverse housing that meets community needs.</i>
Clause 16.01-2S Housing affordability	This clause is relevant and has the following objective:  <i>To deliver more affordable housing closer to jobs, transport and services.</i>
Clause 21.02-1 Urban growth	This clause is relevant and has the following objective:  <ul style="list-style-type: none"> <li>• <i>To plan for the orderly development of existing settlements.</i></li> <li>• <i>To manage urban growth.</i></li> </ul>
Clause 21.02-3 Open space	This clause is relevant and has the following objective:  <i>To ensure that public open space and recreation facilities are provided in accordance with the needs of the community and planned in accordance with the Mitchell Open Space Strategy 2013-2023 vision principles:</i> <ul style="list-style-type: none"> <li>• <i>Diversity,</i></li> </ul>

Planning Policy Framework (PPF) and Local Planning Policy Framework (LPPF)

	<ul style="list-style-type: none"> <li>• <i>Appropriateness,</i></li> <li>• <i>Co-location and multiple use,</i></li> <li>• <i>Access and inclusion,</i></li> <li>• <i>Tailored delivery,</i></li> <li>• <i>Community and stakeholder partnerships,</i></li> <li>• <i>Protection and enhancement of natural and cultural heritage,</i></li> <li>• <i>Affordability.</i></li> </ul>
Clause 21.04-1 Climate change	<p>This clause is relevant and has the following objective:</p> <p><i>To reduce greenhouse gas emissions.</i></p>
Clause 21.06-1 Urban environment	<p>This clause is relevant and has the following objective:</p> <ul style="list-style-type: none"> <li>• <i>To enhance the presentation of towns and their main road entrances.</i></li> <li>• <i>To enhance the safety of neighbourhoods.</i></li> </ul>
Clause 21.06-2 Sustainable development	<p>This clause is relevant and has the following objective:</p> <p><i>To minimise the production of greenhouse gas emissions.</i></p>
Clause 21.07-1 Residential development	<p>This clause is relevant and has the following objective:</p> <p><i>To provide variety and choice in housing styles and densities.</i></p>
Clause 21.09-1 Road network	<p>This clause is relevant and has the following objective:</p> <p><i>To ensure that the improvement and upgrading of transport infrastructure is commensurate with the expected impacts of use and development.</i></p> <p><i>To ensure that the use and development of land does not prejudice the levels of service, safety and amenity of the Hume Freeway and Goulburn Valley Highway</i></p>
Clause 21.11-3 Kilmore	<p>This clause is relevant and has the following objective:</p> <ul style="list-style-type: none"> <li>• <i>Ensure that any proposed use or development within Kilmore is generally consistent with the Kilmore Structure Plan, August 2016 and the Kilmore Infrastructure Framework, August 2017 which guides preferred growth and development outcomes and prioritises delivery of infrastructure for the town.</i></li> <li>• <i>Facilitate planning and delivery of Kilmore's infill precinct and growth precincts that will provide balanced and diverse housing opportunities to cater for the needs of current and future residents in locations as shown on the Kilmore Framework Plan.</i></li> <li>• <i>Support well designed growth precincts that represent 'complete neighbourhoods' and are connected to the established areas of Kilmore including the Sydney Street town centre and existing facilities via establishment of an integrated open space and movement network.</i></li> <li>• <i>Encourage diverse housing opportunities and densities, particularly within walkable proximity to the Sydney Street town centre.</i></li> <li>• <i>Support infill development that improves connectivity and gaps in infrastructure such as pedestrian/shared paths, roads and drainage.</i></li> <li>• <i>Ensure development has regard to prevailing built form elements such as setbacks and site coverage, and enhances the surrounding neighbourhood character.</i></li> <li>• <i>Encourage contemporary style buildings that embrace high quality façade treatments and sustainable building elements such as eaves.</i></li> </ul>

Planning Policy Framework (PPF) and Local Planning Policy Framework (LPPF)

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|  | <ul style="list-style-type: none"><li>• <i>Support Kilmore's equine industry and equine related industry.</i></li></ul> |
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## Clause 55 Two or more dwellings on a lot - Assessment

<p><b>Clause 55.02-1</b> <b>Neighbourhood character objectives</b></p> <p>To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.</p> <p>To ensure that the design responds to the features of the site and the surrounding area.</p>	<p><b>Standard B1</b></p> <p>The design response must be appropriate to the neighbourhood and the site.</p> <p>The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.</p>	<p><b>Does not comply</b></p> <p>The permit applicant has provided a design response that is considered to be inconsistent with the existing and preferred character of the neighbourhood.</p> <p>The proposal is seeking to retain the existing dwellings with the inclusion of 14 additional dwellings.</p> <p>The layout of the built form is inconsistent with the layout of the neighbourhood in the immediate area due to the density and continuous form proposed.</p>
<p><b>Clause 55.02-2</b> <b>Residential policy objectives</b></p> <p>To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</p> <p>To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.</p>	<p><b>Standard B2</b></p> <p>An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</p>	<p><b>Does not comply</b></p> <p>It is considered that the proposal is in accordance with policy as the policy aims to encourage infill development and promote development on various lot sizes.</p> <p>Policies seek to provide a sufficient supply of urban land and encourage the provision of well designed in-fill residential development within the existing urban areas of townships within the Municipality. This however must be balanced against the neighbourhood character of the area, the ability to adequately service such a development and aspects of orderly and proper planning.</p> <p>Although the development provides for medium density housing in an zoned appropriately, it is not considered that the dwellings respect the neighbourhood character or improves the energy efficiency of housing. The adjoining walls and mostly continuous built form reduces the potential amount</p>

		of windows and sunlight within the dwellings.
<p><b>Clause 55.02-3</b></p> <p><b>Dwelling diversity objective</b></p> <p>To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</p>	<p><b>Standard B3</b></p> <p>Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:</p> <ul style="list-style-type: none"> <li>▪ Dwellings with a different number of bedrooms.</li> <li>▪ At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.</li> </ul>	<p><b>Complies</b></p> <p>The design response provides diversity in the housing stock. The development will be provided with three two bedroom dwellings and 13 three bedroom dwellings. Due to the variety in bedroom yields it is considered that the development complies with this standard.</p>
<p><b>Clause 55.02-4</b></p> <p><b>Infrastructure objectives</b></p> <p>To ensure development is provided with appropriate utility services and infrastructure.</p> <p>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</p>	<p><b>Standard B4</b></p> <p>Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.</p> <p>Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.</p> <p>In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.</p>	<p><b>Complies</b></p> <p>The subject site has full access to reticulated servicing and all dwellings will be connected to these services.</p> <p>It is considered that the services have the capacity to service the additional load required by the development.</p>
<p><b>Clause 55.02-5</b></p> <p><b>Integration with the street objectives</b></p> <p>To integrate the layout of development with the street.</p>	<p><b>Standard B5</b></p> <p>Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.</p> <p>Development should be oriented to front existing and proposed streets.</p>	<p><b>Complies</b></p> <p>The development has been designed to integrate with George Street. The two existing dwellings front George Street and are proposed to be retained. Two additional dwellings (dwellings 5 and 13) are proposed to also front George Street.</p>

	<p>High fencing in front of dwellings should be avoided if practicable.</p> <p>Development next to existing public open space should be laid out to complement the open space.</p>	<p>No front fencing is proposed with the development.</p>
<p><b>Clause 55.03-1</b> <b>Street setback objective</b></p> <p>To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</p>	<p><b>Standard B6</b></p> <p>Walls of buildings should be set back from streets the distance specified below:</p> <p>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</p> <p>The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.</p> <p>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner:</p> <ul style="list-style-type: none"> <li>▪ The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</li> </ul> <p>There is no existing building on either of the abutting allotments facing the same</p>	<p><b>Complies</b></p> <p>Both adjoining parcels of land do not contain dwellings, with the adjoining parcel of land to the north containing a large shed to the rear of the site and the southern parcel containing horse stables.</p> <p>As previously mentioned the two existing dwellings on the site are proposed to be retained. These dwellings have front setbacks of 6.2 metres and 7.17 metres.</p> <p>The proposal includes an additional two dwellings to front George Street being dwellings 5 and 13. These dwellings will have setbacks of 6.5 metres and 6.59 metres. The setbacks proposed are in excess of the minimum 4 metre setback and considered appropriate. The development is able to comply with this standard.</p>

	<p>street, and the site is not on a corner.</p> <p>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</p> <p>The site is on a corner.</p> <p>Min front setback if there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</p> <p>Min front setback if there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</p> <p>Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.</p> <p>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing</p>	
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	<p>building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</p> <p>Porches, pergolas and verandahs that are &lt; 3.6m high and eaves may encroach <math>\leq 2.5m</math> into the setbacks of this standard</p>	
<p><b>Clause 55.03-2</b> <b>Building height objectives</b> To ensure that the height of buildings respects the existing or preferred neighbourhood character.</p>	<p><b>Standard B7</b> The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land. If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres. Changes of building height between existing buildings and new buildings should be graduated.</p>	<p><b>Complies</b> The maximum building height is 11 metres. All dwellings proposed on the site will be single storey with a maximum building height of 5.6 metres. Therefore, the proposal complies with this standard.</p>
<p><b>Clause 55.03-3</b> <b>Site coverage objective</b> To encourage development that respects the landscape character of the neighbourhood.</p>	<p><b>Standard B8</b> The site area covered by buildings should not exceed 60 per cent.</p>	<p><b>Complies</b> The maximum site coverage allowable is 60% of the site. The development proposed a site coverage of 48.71% of the site complying with this standard.  The site does not contain any significant or native vegetation on the site. There is</p>

To encourage the retention of significant trees on the site.		some planted exotic vegetation found on lot 17 and 18.
<p><b>Clause 55.03-4</b></p> <p><b>Permeability objectives</b></p> <p>To reduce the impact of increased stormwater run-off on the drainage system.</p> <p>To facilitate on-site stormwater infiltration.</p>	<p><b>Standard B9</b></p> <p>At least 20 per cent of the site should not be covered by impervious surfaces.</p>	<p><b>Complies</b></p> <p>In this instance the proposed permeability is 33.83 percent. This figure accords with the minimum suggested permeability of 20 percent.</p>
<p><b>Clause 55.03-5</b></p> <p><b>Energy efficiency objectives</b></p> <p>To achieve and protect energy efficient dwellings and residential buildings.</p> <p>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</p>	<p><b>Standard B10</b></p> <p>Buildings should be:</p> <ul style="list-style-type: none"> <li>▪ Oriented to make appropriate use of solar energy.</li> <li>▪ Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</li> </ul> <p>Living areas and private open space should be located on the north side of the development, if practicable.</p> <p>Developments should be designed so that solar access to north-facing windows is maximised.</p>	<p><b>Complies</b></p> <p>The development proposes two shared accessways which run from the east of the site fronting George Street to the west of the site.</p> <p>The proposed dwellings found along the southern side of the accessways will have northern facing windows facing the north to ensure suitable solar access.</p> <p>The proposed dwellings on the northern side of the accessway will have secluded private open space areas and habitable room windows orientated towards the north of the site to ensure suitable solar access.</p> <p>Dwellings 1 and 9 (the existing dwellings) will receive solar access to the private open space areas to the rear of the dwellings, along with the habitable room windows along the northern side of the dwellings.</p>
<p><b>Clause 55.03-6</b></p> <p><b>Open space objective</b></p> <p>To integrate the layout of development with any public and communal open space</p>	<p><b>Standard B11</b></p> <p>If any public or communal open space is provided on site, it should:</p>	<p><b>Complies</b></p> <p>The application does not propose communal open space. It should be noted that that shared accessways will likely be come common property if the</p>

<p>provided in or adjacent to the development.</p>	<ul style="list-style-type: none"> <li>▪ Be substantially fronted by dwellings, where appropriate.</li> <li>▪ Provide outlook for as many dwellings as practicable.</li> <li>▪ Be designed to protect any natural features on the site.</li> <li>▪ Be accessible and useable.</li> </ul>	<p>development is to be subdivided in the future.</p>
<p><b>Clause 55.03-7</b> <b>Safety objective</b> To ensure the layout of development provides for the safety and security of residents and property.</p>	<p><b>Standard B12</b> Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways. Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. Private spaces within developments should be protected from inappropriate use as public thoroughfares.</p>	<p><b>Complies</b> The development has been designed to address the safety objective. Dwellings 1, 5, 9 and 13 will be fronted towards George Street and all other dwellings designed to front the shared accessways. The design will ensure that vehicle and pedestrian movements are safe and provide passive surveillance on to the street and shared accessway.</p>
<p><b>Clause 55.03-8</b> <b>Landscaping objectives</b> To encourage development that respects the landscape character of the neighbourhood. To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</p>	<p><b>Standard B13</b> The landscape layout and design should:</p> <ul style="list-style-type: none"> <li>▪ Protect any predominant landscape features of the neighbourhood.</li> <li>▪ Take into account the soil type and drainage patterns of the site.</li> <li>▪ Allow for intended vegetation growth and structural protection of buildings.</li> </ul>	<p><b>Complies</b> The application has accompanied by a landscape plan. The application has been referred to Council's Landscape Planner who has provided consent to the proposal subject to an amended landscape plan being submitted for approval prior to the commencement of the development. Conditions will be included on the permit accordingly.</p>

<p>To provide appropriate landscaping.</p> <p>To encourage the retention of mature vegetation on the site.</p>	<ul style="list-style-type: none"> <li>▪ In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.</li> <li>▪ Provide a safe, attractive and functional environment for residents.</li> </ul> <p>Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.</p> <p>Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.</p> <p>The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.</p>	<p>It is considered that the design response will allow for a suitable landscaping response with space available for landscaping within the front setback of the development, along the shared accessway and within the private open space areas of each dwelling.</p>
<p><b>Clause 55.03-9</b></p> <p><b>Access objectives</b></p> <p>To ensure vehicle access to and from a development is safe, manageable and convenient.</p> <p>To ensure the number and design of vehicle crossovers respects the neighbourhood character.</p>	<p><b>Standard B14</b></p> <p>Accessways should:</p> <ul style="list-style-type: none"> <li>▪ Be designed to allow convenient, safe and efficient vehicle movements and connections within the development and to the street network.</li> <li>▪ Be designed to ensure vehicles can exit a development in a forwards direction if the access way serves five or more car spaces, three or more dwellings, or connects to a road in a Road Zone.</li> <li>▪ Be at least 3 metres wide.</li> </ul>	<p><b>Complies</b></p> <p>Vehicle access to the site will be provided via four separate vehicle crossovers with four dwellings fronting the street.</p> <p>The site plan provided shows vehicle turning circles which demonstrate that vehicles can enter and exit the site a forward direction.</p> <p>The vehicle crossovers for the existing dwellings will be retained and two additional vehicle crossovers proposed to provide shared access to the additional dwellings proposed.</p>

	<ul style="list-style-type: none"> <li>▪ Have an internal radius of at least 4 metres at changes of direction.</li> <li>▪ Provide a passing area at the entrance that is at least 5 metres wide and 7 metres long   the access way serves ten or more spaces and connects to a road in a Road Zone.</li> </ul> <p>The width of accessways or car spaces should not exceed:</p> <ul style="list-style-type: none"> <li>▪ 33 per cent of the street frontage, or</li> <li>▪ if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.</li> </ul> <p>No more than one single-width crossover should be provided for each dwelling fronting a street.</p> <p>The location of crossovers should maximise the retention of on-street car parking spaces.</p> <p>The number of access points to a road in a Road Zone should be minimised.</p> <p>Developments must provide for access for service, emergency and delivery vehicles.</p>	<p>The four accessways proposed will have a 17.2 percentage of the street frontage which complies with the standard maximum of 33%. It is considered that the crossover widths will ensure an ample amount of on street car parking is retained.</p>
<p><b>Clause 55.03-10</b> <b>Parking location objectives</b> To provide convenient parking for resident and visitor vehicles. To avoid parking and traffic difficulties in the</p>	<p><b>Standard B15</b> Car parking facilities should:</p> <ul style="list-style-type: none"> <li>▪ Be reasonably close and convenient to dwellings and residential buildings.</li> <li>▪ Be secure.</li> <li>▪ Be designed to allow safe and efficient movements within the development.</li> </ul>	<p><b>Does not comply</b> The development proposed provides for convenient car parking for residents in the form of attached car ports or garages. The spaces will be within proximity to dwelling entrances, be secure and unlikely to cause adverse impacts to other residents. A number of habitable room windows are located within 1.5m of the shared</p>

<p>development and the neighbourhood. To protect residents from vehicular noise within developments.</p>	<ul style="list-style-type: none"> <li>▪ Be well ventilated if enclosed.</li> </ul> <p>Large parking areas should be broken up with trees, buildings or different surface treatments.</p> <p>Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.</p>	<p>accessway. It is considered appropriate to reduce the setback to 1m where the sill height of windows are 1.4m above the accessway. This can be achieved through the conditioning of the permit.</p> <p>It should be noted that the proposed development does not provide any visitor car parking on site. Therefore it does not comply with the objective seeking to provide convenient parking for visitor vehicles.</p>
<p><b>Clause 55.04-1</b> <b>Side and rear setbacks objective</b> To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</p>	<p><b>Standard B17</b> A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:</p> <ul style="list-style-type: none"> <li>▪ At least the distance specified in a schedule to the zone, or</li> <li>▪ If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.</li> </ul> <p>Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not</p>	<p><b>Complies</b> The proposal is able to comply with this standard. Side and rear setbacks are considered appropriate. The elevation plans submitted are compliant with the B1 diagram for the setback requirements.</p>

	<p>more than 0.5 metres into the setbacks of this standard.</p> <p>Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.</p>	
<p><b>Clause 55.04-2</b></p> <p><b>Walls on boundaries objective</b></p> <p>To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</p>	<p><b>Standard B18</b></p> <p>A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:</p> <ul style="list-style-type: none"> <li>▪ For a length of more than the distance specified in a schedule to the zone; or</li> <li>▪ If no distance is specified in a schedule to the zone, for a length of more than:             <ul style="list-style-type: none"> <li>○ 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or</li> <li>○ Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.</li> </ul> </li> </ul>	<p><b>Complies</b></p> <p>The application is able to comply with this standard. Only one wall is proposed on boundary. The wall is for a car port of the existing dwelling. it should be noted that the car port already exists on site. the car port will have a length of approximately 9.75 metres which is compliant with this standard.</p>

	<p>A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.</p> <p>A building on a boundary includes a building set back up to 200mm from a boundary.</p>	
<p><b>Clause 55.04-3</b>  <b>Daylight to windows objective</b>                  To allow adequate daylight into existing habitable room windows.</p>	<p><b>Standard B19</b>                  Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.</p> <p>Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.</p> <p>Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.</p>	<p><b>Complies</b>                  The application complies with this standard. There are not habitable room windows located on the adjoining property to the south. The development proposed is setback a suitable distance from title boundaries to ensure that daylight to habitable room windows on adjoining properties are not impacts.</p>

<p><b>Clause 55.04-4</b></p> <p><b>North facing windows objective</b></p> <p>To allow adequate solar access to existing north-facing habitable room windows.</p>	<p><b>Standard B20</b></p> <p>If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.</p>	<p><b>Complies</b></p> <p>There are no north facing windows on the abutting lot to the south. The development complies with this standard.</p>
<p><b>Clause 55.04-5</b></p> <p><b>Overshadowing open space objective</b></p> <p>To ensure buildings do not significantly overshadow existing secluded private open space.</p>	<p><b>Standard B21</b></p> <p>Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.</p> <p>If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.</p>	<p><b>Complies</b></p> <p>The application has been provided with shadowing diagrams. Due to the single storey development proposed, the slope of the land and the setback from boundaries the overshadowing impacts will be minimal and able to comply with this standard.</p>

<p><b>Clause 55.04-6</b></p> <p><b>Overlooking objective</b></p> <p>To limit views into existing secluded private open space and habitable room windows.</p>	<p><b>Standard B22</b></p> <p>A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.</p> <p>A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:</p> <ul style="list-style-type: none"> <li>▪ Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.</li> <li>▪ Have sill heights of at least 1.7 metres above floor level.</li> <li>▪ Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.</li> <li>▪ Have permanently fixed external screens to at least 1.7 metres above floor level and be no</li> </ul>	<p><b>Complies</b></p> <p>It is considered that the proposal complies with this standard.</p> <p>Overlooking impacts as a result of the proposal will be minimal. The subject site is sloped from the front of the site towards the rear and the dwellings proposed will be single storey with a relatively low finished floor level. The site boundary will be provided with fencing with a minimum height of 1.8 metres to act as a barrier to prevent overlooking.</p>
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	<p>more than 25 per cent transparent.</p> <p>Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.</p> <p>Screens used to obscure a view should be:</p> <ul style="list-style-type: none"> <li>▪ Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.</li> <li>▪ Permanent, fixed and durable.</li> <li>▪ Designed and coloured to blend in with the development.</li> </ul> <p>This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.</p>	
<p><b>Clause 55.04-7</b></p> <p><b>Internal views objective</b></p> <p>To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.</p>	<p><b>Standard B23</b></p> <p>Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.</p>	<p><b>Complies</b></p> <p>Internal views have been considered. As the proposal is for single storey dwellings 1.8m high timber paling fencing has been provided to act as a screen for the private open space areas of each dwelling.</p>
<p><b>Clause 55.04-8</b></p> <p><b>Noise impacts objective</b></p>	<p><b>Standard B24</b></p> <p>Noise sources, such as mechanical plant, should not</p>	<p><b>Complies</b></p> <p>Any noise created as a result of this proposal can be directly attributed to</p>

<p>To contain noise sources in developments that may affect existing dwellings.</p> <p>To protect residents from external noise.</p>	<p>be located near bedrooms of immediately adjacent existing dwellings.</p> <p>Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.</p> <p>Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.</p>	<p>typical residential noises associated with typical residential land use. It is not anticipated that the proposal will result in any increased noise levels internally or externally other than increased vehicle movements.</p>
<p><b>Clause 55.05-1</b></p> <p><b>Accessibility objective</b></p> <p>To encourage the consideration of the needs of people with limited mobility in the design of developments.</p>	<p><b>Standard B25</b></p> <p>The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.</p>	<p><b>Complies</b></p> <p>As the dwellings are single storey entries will be easily accessible or made easily accessible for people with limited mobility.</p>
<p><b>Clause 55.05-2</b></p> <p><b>Dwelling entry objective</b></p> <p>To provide each dwelling or residential building with its own sense of identity.</p>	<p><b>Standard B26</b></p> <p>Entries to dwellings and residential buildings should:</p> <ul style="list-style-type: none"> <li>▪ Be visible and easily identifiable from streets and other public areas.</li> <li>▪ Provide shelter, a sense of personal address and a transitional space around the entry.</li> </ul>	<p><b>Complies</b></p> <p>Are all dwelling entries clearly visible and identifiable from the street providing for a sense of identity for each dwelling?</p>
<p><b>Clause 55.05-3</b></p> <p><b>Daylight to new windows objective</b></p> <p>To allow adequate daylight into new habitable room windows.</p>	<p><b>Standard B27</b></p> <p>A window in a habitable room should be located to face:</p> <ul style="list-style-type: none"> <li>▪ An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and</li> </ul>	<p><b>Complies</b></p> <p>Adequate daylight will be provided to habitable room windows. Appropriate separation between the dwellings will ensure that the proposal is able to comply with this standard.</p>

	<p>minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or</p> <ul style="list-style-type: none"> <li>▪ A verandah provided it is open for at least one third of its perimeter, or</li> <li>▪ A carport provided it has two or more open sides and is open for at least one third of its perimeter.</li> </ul>	
<p><b>Clause 55.05-4</b> <b>Private open space objective</b> To provide adequate private open space for the reasonable recreation and service needs of residents.</p>	<p><b>Standard B28</b> A dwelling or residential building should have private open space of an area and dimensions specified in the schedule to the zone. If no area or dimensions are specified in the schedule to the zone, a dwelling or residential building should have private open space consisting of:</p> <ul style="list-style-type: none"> <li>▪ An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or</li> <li>▪ A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or</li> <li>▪ A roof-top area of 10 square metres with a minimum width of 2</li> </ul>	<p><b>Complies</b>  Each dwelling will be provided in excess of the minimum private open space area of 40sqm. All dwellings will be provided with secluded open space with a minimum dimension and in excess of the minimum 25sqm.</p>

	metres and convenient access from a living room.	
<p><b>Clause 55.05-5</b></p> <p><b>Solar Access to Open Space</b></p> <p>To allow solar access into the secluded private open space of new dwellings and residential buildings.</p>	<p><b>Standard B29</b></p> <p>The private open space should be located on the north side of the dwelling or residential building, if appropriate.</p> <p>The southern boundary of secluded private open space should be set back from any wall on the north of the space at least <math>(2+0.9h)</math> metres, where 'h' is the height of the wall.</p>	<p><b>Variation required</b></p> <p>The proposal is mostly compliant with this standard and secluded private open space has been located to the north where possible. There are two rows of dwellings where the private open space is located to the south due to the orientation of the lot. Most of the dwellings are able to comply with the minimum required setback for private open space located to the south. Dwelling 11 is the only dwelling which does not comply with this standard. The setback provided is 4.5 metres and the setback required is 4.52 metres. The proposal is unable to comply by 20mm. As the design of the dwelling has been amended to reduce the bedrooms it is considered appropriate to support the variation in this circumstance. 20mm is not considered to make a significant difference in relation to solar access.</p>
<p><b>Clause 55.05-6</b></p> <p><b>Storage</b></p> <p>To provide adequate storage facilities for each dwelling.</p>	<p><b>Standard B30</b></p> <p>Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.</p>	<p><b>Complies</b></p> <p>Have the appropriate storage areas been provided in accordance with the standard?</p> <p>All dwellings have been provided within appropriate storage areas in the form of a storage shed. The shedding will meet the minimum 6m<sup>3</sup> requirement.</p>
<p><b>Clause 55.06-1</b></p> <p><b>Design Detail</b></p> <p>To encourage design detail that respects the existing or preferred neighbourhood character.</p>	<p><b>Standard B31</b></p> <p>The design of buildings, including:</p> <ul style="list-style-type: none"> <li>▪ Façade articulation and detailing,</li> <li>▪ Window and door proportions,</li> <li>▪ Roof form, and</li> </ul>	<p><b>Does not comply</b></p> <p>The design detail is appropriate in terms of overall height, the use of colours and materials and the incorporating of pitched rooves. However, due to the density proposed, continuous built form and lack of landscaping opportunities it</p>

	<ul style="list-style-type: none"> <li>▪ Verandahs, eaves and parapets, should respect the existing or preferred neighbourhood character.</li> </ul> <p>Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.</p>	is considered that the proposed is inconsistent with the prevailing character.
<p><b>Clause 55.06-2</b></p> <p><b>Front Fences</b></p> <p>To encourage front fence design that respects the existing or preferred neighbourhood character.</p>	<p><b>Standard B32</b></p> <p>The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.</p> <p>A front fence within 3 metres of a street should not exceed:</p> <ul style="list-style-type: none"> <li>▪ Streets in a Road Zone, Category 1: 2 metres.</li> <li>▪ Other streets: 1.5 metres.</li> </ul>	<p><b>Complies</b></p> <p>No front fencing is proposed for the development.</p>
<p><b>Clause 55.06-3</b></p> <p><b>Common Property</b></p> <p>To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.</p> <p>To avoid future management difficulties in areas of common ownership.</p>	<p><b>Standard B33</b></p> <p>Development should clearly delineate public, communal and private areas.</p> <p>Common property, where provided, should be functional and capable of efficient management.</p>	<p><b>Complies</b></p> <p>The proposed development does not include subdivision and therefore no common property is proposed. The majority of dwellings will be accessible via two shared accessways. It is considered that if the site is to be subdivided into the future that the shared accessways would function and operate as suitable common property.</p>
<p><b>Clause 55.06-4</b></p> <p><b>Site Services</b></p> <p>To ensure that site services can be installed and easily maintained.</p> <p>To ensure that site facilities are accessible, adequate and attractive.</p>	<p><b>Standard B34</b></p> <p>The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.</p>	<p><b>Complies</b></p> <p>It is considered that the subject site will have good access to services.</p> <p>Mailboxes have been sited appropriately at the front of the site. Bin enclosures are also sited appropriately for convenient access.</p>

	<p>Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.</p> <p>Bin and recycling enclosures should be located for convenient access by residents.</p> <p>Mailboxes should be provided and located for convenient access as required by Australia Post.</p>	
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**10.3 PLANNING PERMIT APPLICATION PLP333/20 FOR DEVELOPMENT OF THE LAND FOR MULTIPLE RESTRICTED RETAIL PREMISES' & OFFICES AND A REDUCTION IN CAR PARKING AT 4-12 CRAWFORD STREET, SEYMOUR**

**Author:** Ben Micallef - Principal Planner

**File No:** PLP333/20

**Attachments:**

1. Attachment 1 - Permit Conditions
2. Attachment 2 - Plans
3. Attachment 3 - Traffic Impact Assessment
4. Attachment 4 - Planning Policy Framework

<b>Property No.:</b>	100312
<b>Title Details:</b>	Lot 2, 3, 4, 5, 6, 7, 8, 9 & 10 on Plan of Subdivision 519991
<b>Applicant:</b>	Stephen D'Andrea Pty Ltd C/O RSVPlanning Pty Ltd
<b>Zoning:</b>	Commercial 1 Zone
<b>Overlays:</b>	Design & Development Overlay – Schedule 9
<b>Objections Received:</b>	Yes, 1 objection received
<b>Cultural Heritage Management Plan Required:</b>	No
<b>Summary Recommendation</b>	Recommendation to issue a Notice of Decision to Grant a Planning Permit
<b>Reason Reported to Council</b>	Application called in by Councillors
<b>Officer Declaration of Conflict of Interest:</b>	No officers involved in the preparation of this report have any direct or indirect interest in this matter

PLANNING PERMIT APPLICATION PLP333/20 FOR DEVELOPMENT OF THE LAND FOR MULTIPLE RESTRICTED RETAIL PREMISES' & OFFICES AND A REDUCTION IN CAR PARKING AT 4-12 CRAWFORD STREET, SEYMOUR (CONT.)

## 1. Site Map



Figure 1 - Annotated aerial of the subject site and surrounds (Source: Nearmap, 2021)

## 2. Summary

2.1 The application is for the development of the land for:

- Five restricted retail premises' fronting Crawford Street (180-200sqm), each with associated mezzanine office (55sqm)
- Four offices 85-152sqm fronting McIntyre Street

2.2 The proposal has been refined and improved throughout the application process, with the final iteration providing an activated built form response to Crawford Street and Pioneer Park, while providing a logical extension to the existing Seymour commercial core.

2.3 A dispensation of 25 on-site car parking spaces is also requested. In this instance, a dispensation is appropriate and is supported by relevant data within Traffic Impact Assessment Reports and is supported by Council's Engineering Unit.

2.4 The proposal is supported by all relevant internal departments and external referral authorities.

2.5 This application is proceeding to Council as Councillors called in the application.

2.6 The officer recommendation is for the approval of the development because of the quality built form response that seeks to accommodate two employment generating uses within a well serviced and central location in Seymour, and broad positive response to the relevant planning policy.

PLANNING PERMIT APPLICATION PLP333/20 FOR DEVELOPMENT OF THE LAND FOR MULTIPLE RESTRICTED RETAIL PREMISES' & OFFICES AND A REDUCTION IN CAR PARKING AT 4-12 CRAWFORD STREET, SEYMOUR (CONT.)

## RECOMMENDATION

**THAT** Council having complied with the relevant Sections of the *Planning and Environment Act 1987*, resolve to issue a Notice of Decision to Grant a Planning Permit in respect of Application No. P333/20 for Development of the land for multiple restricted retail premises' & offices and a reduction in car parking at 4-12 Crawford Street, Seymour, subject to the conditions outlined in Attachment 1.

## ASSESSMENT

### 3. Site and Surrounds

#### Subject Site Description

- 3.1 The subject site at 4-12 Crawford Street, Seymour (legally described as Lots 2-10 on Plan of Subdivision 519991) is irregular in shape and is located on the eastern side of Crawford Street. The site is dual fronted, with a Crawford Street frontage to the west for a length of 49.7 metres, a McIntyre Street frontage of 92.7 metres and a total area of 3,165sqm.
- 3.2 The site is currently devoid of structures. There are five existing crossovers along the Crawford Street frontage and two crossovers along the McIntyre Street frontage. The site features a number of scattered trees, concentrated towards the northern (Pioneer Park).



*Figure 2 - Street elevation of the subject site (behind building at 2 Crawford Street) as viewed from the corner of Crawford Street and McIntyre Street*

PLANNING PERMIT APPLICATION PLP333/20 FOR DEVELOPMENT OF THE LAND FOR MULTIPLE RESTRICTED RETAIL PREMISES' & OFFICES AND A REDUCTION IN CAR PARKING AT 4-12 CRAWFORD STREET, SEYMOUR (CONT.)



Figure 3 - Crawford Street facing north - subject site right of frame



Figure 4 - McIntyre Street facing north - subject site left of frame

PLANNING PERMIT APPLICATION PLP333/20 FOR DEVELOPMENT OF THE LAND FOR MULTIPLE RESTRICTED RETAIL PREMISES' & OFFICES AND A REDUCTION IN CAR PARKING AT 4-12 CRAWFORD STREET, SEYMOUR (CONT.)

- 3.3 The site is located approximately 200 metres east of the Seymour Railway Station and 470 metres east of the Wallis Street/Bishop Street intersection (centre of Seymour Commercial Area).

Planning Background

- 3.4 No previous/relevant planning related outcomes have been determined for the site.

Title/Restrictions/Agreements

- 3.5 The copy of title submitted with the application indicates that 30 McIntyre Street (one of multiple parcels that comprise the subject site) is affected by Covenant AD914642P. The covenant seeks to guide material treatment for any built form within the parcel. Two drainage/pipeline easements run through the site in favour of Goulburn Valley Water and Council as per Figure 5.

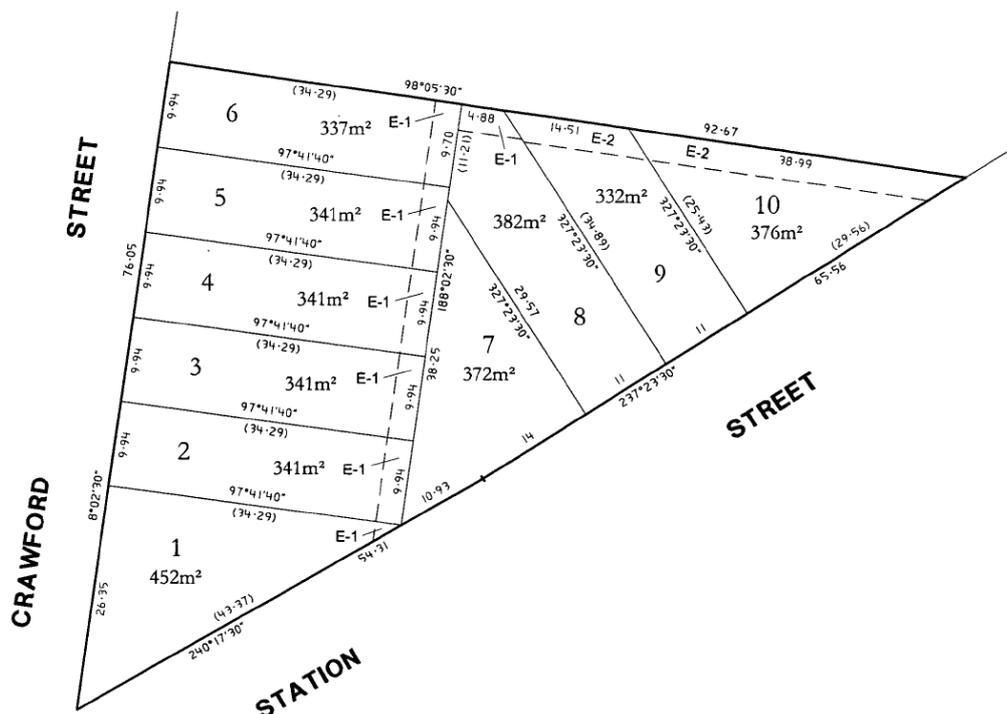


Figure 5 - Excerpt from the title plan showing two drainage easements within the site (E-1= North-South, E-2= East-West)

Surrounding Area

- 3.6 The surrounding area has a mixed character comprising residential, commercial, civic and public uses. The subject site directly abuts Pioneer Park, which comprises extensive mature vegetation and notably, a number of historical headstones/graves remnant from the site’s previous use as a Pioneer’s Cemetery.

PLANNING PERMIT APPLICATION PLP333/20 FOR DEVELOPMENT OF THE LAND FOR MULTIPLE RESTRICTED RETAIL PREMISES' & OFFICES AND A REDUCTION IN CAR PARKING AT 4-12 CRAWFORD STREET, SEYMOUR (CONT.)

- 3.7 The north-western portion of Crawford Street comprises a number of established (1950's onwards) single storey residential dwellings. The residential area continues north-westward.
- 3.8 South west of the site are a number of peripheral commercial/non-residential uses such as the VicRoads service centre, the Seymour RSL and the Seymour Uniting Church.
- 3.9 South-east of the site, McIntyre Street has a distinct commercial character, with the CFA Headquarters fronting the subject site and a few light commercial uses east of the site. Further north on McIntyre Street (separated by Pioneer Park) is St Mary's College.
- 3.10 2 Crawford Street (directly south of the subject site) currently operates as an office, specifically as a recruitment service.



Figure 6 - Broad annotated aerial of the subject site and surrounds (Source: Nearmap, 2021)

#### 4. Proposal

- 4.1 The application is seeking approval for the development of the land for five restricted retail premises', four offices and a car parking dispensation. Specifically, this entails:
- Provision of five, rear loaded restricted retail premises (definition discussed within the Chapter 8 of the report) fronting Crawford Street, ranging from 180-200sqm, each with associated 55sqm mezzanine office with an outlook to Crawford Street;
  - Provision of four offices fronting McIntyre St, ranging from 85-152sqm;



PLANNING PERMIT APPLICATION PLP333/20 FOR DEVELOPMENT OF THE LAND FOR MULTIPLE RESTRICTED RETAIL PREMISES' & OFFICES AND A REDUCTION IN CAR PARKING AT 4-12 CRAWFORD STREET, SEYMOUR (CONT.)



Figure 8 - Render of the proposal as viewed from Crawford Street

**5. Referrals**

External

5.1 The application was referred to external authorities who have consented to the proposal subject to conditions.

Internal

5.2 The application was referred to Council Strategic Planning, Landscape, Urban Design and Engineering departments who have consented to the proposal subject to standard conditions.

**Planning Policy Assessment**

Zoning – Clause 34.01: Commercial 1 Zone.

5.3 The subject site is affected by the Commercial 1 Zone, pursuant to Clause 34.01 of the Mitchell Planning Scheme. The Commercial 1 Zone seeks to create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.

PLANNING PERMIT APPLICATION PLP333/20 FOR DEVELOPMENT OF THE LAND FOR MULTIPLE RESTRICTED RETAIL PREMISES' & OFFICES AND A REDUCTION IN CAR PARKING AT 4-12 CRAWFORD STREET, SEYMOUR (CONT.)

- 5.4 Pursuant to Clause 34.01-1 **a planning permit is not required** for the use of the land for the purposes of a Restricted Retail Premises or Office.
- 5.5 Pursuant to Clause 34.01-4 **a planning permit is required** for buildings and works associated with the use of the land for the purposes of a Restricted Retail Premises or Office.

Design & Development Overlay

- 5.6 The subject site is affected by the Design & Development Overlay – Schedule 9: Seymour Hospital Emergency Flight Path, pursuant to Clause 43.02-9 of the Mitchell Planning Scheme.
- 5.7 Pursuant to Clause 43.02-2 **a planning permit is not required** as the proposal does not exceed 10 metres in height.

Particular Provisions

- 5.8 The following Particular Provisions are relevant to this application:

*Clause 52.06 (Car Parking).*

- 5.9 A **permit is required** to reduce the number of car parking spaces required in accordance with the table of uses in Clause 52.06. Pursuant to the table the following car parking spaces are required:

Use	Parking Rate	Area	Requirement	Provision
Retail	4 spaces per 100sqm leasable floor area	1,239sqm net floor area	49	24
Office	3.5 spaces per 100sqm leasable floor area	448sqm net floor area	15	15

- 5.10 As such, a total of 64 car parking spaces are required, and a total of 39 car parking spaces are provided on-site, resulting in an on-site dispensation of 25 car spaces being requested.
- 5.11 The applicant proposes to formalise a total of 14 on-street car parks directly abutting the subject site (including due to the removal of the redundant crossovers) and as such the **practical dispensation equates to 11 car spaces.**

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PLANNING PERMIT APPLICATION PLP333/20 FOR DEVELOPMENT OF THE LAND FOR MULTIPLE RESTRICTED RETAIL PREMISES' & OFFICES AND A REDUCTION IN CAR PARKING AT 4-12 CRAWFORD STREET, SEYMOUR (CONT.)

Planning Policy Framework (PPF) & Local Planning Policy Framework (LPPF)

5.12 A number of Planning Policies have been considered through the assessment of this application the most relevant of which are discussed later in this report. For a complete list of applicable policies refer to Attachment 4.

Other Considerations

*Seymour Structure Plan*

5.13 The Seymour Structure Plan identifies the subject site as being a “mixed use – retail/commercial/residential”, one of only three sites identified within central Seymour for mixed-use development.

5.14 The Structure Plan identifies a number of key objectives, the objectives and strategies of relevance to the proposal include:

- 02.2 - Encourage a diverse mix of land uses to foster prosperity and activate the streets through the day and night.
- 02.4 - Improve the amenity, vibrancy and appearance of activity centres.
- 02.6 - Create people focused activity centres and public spaces through streetscape upgrades and small landscape interventions.
- 03.1 – Ensure sufficient and well serviced land is available for future employment and industry development.
- 03.8 - Encourage investment and development in Seymour that contribute positively to the emergence of an iconic and distinctive image for the town and its economy.
- S3.7 - Investigate the feasibility of a business hub/ incubator in close proximity to existing activity centres and services that includes both permanent and temporary office space.

PLANNING PERMIT APPLICATION PLP333/20 FOR DEVELOPMENT OF THE LAND FOR MULTIPLE RESTRICTED RETAIL PREMISES' & OFFICES AND A REDUCTION IN CAR PARKING AT 4-12 CRAWFORD STREET, SEYMOUR (CONT.)

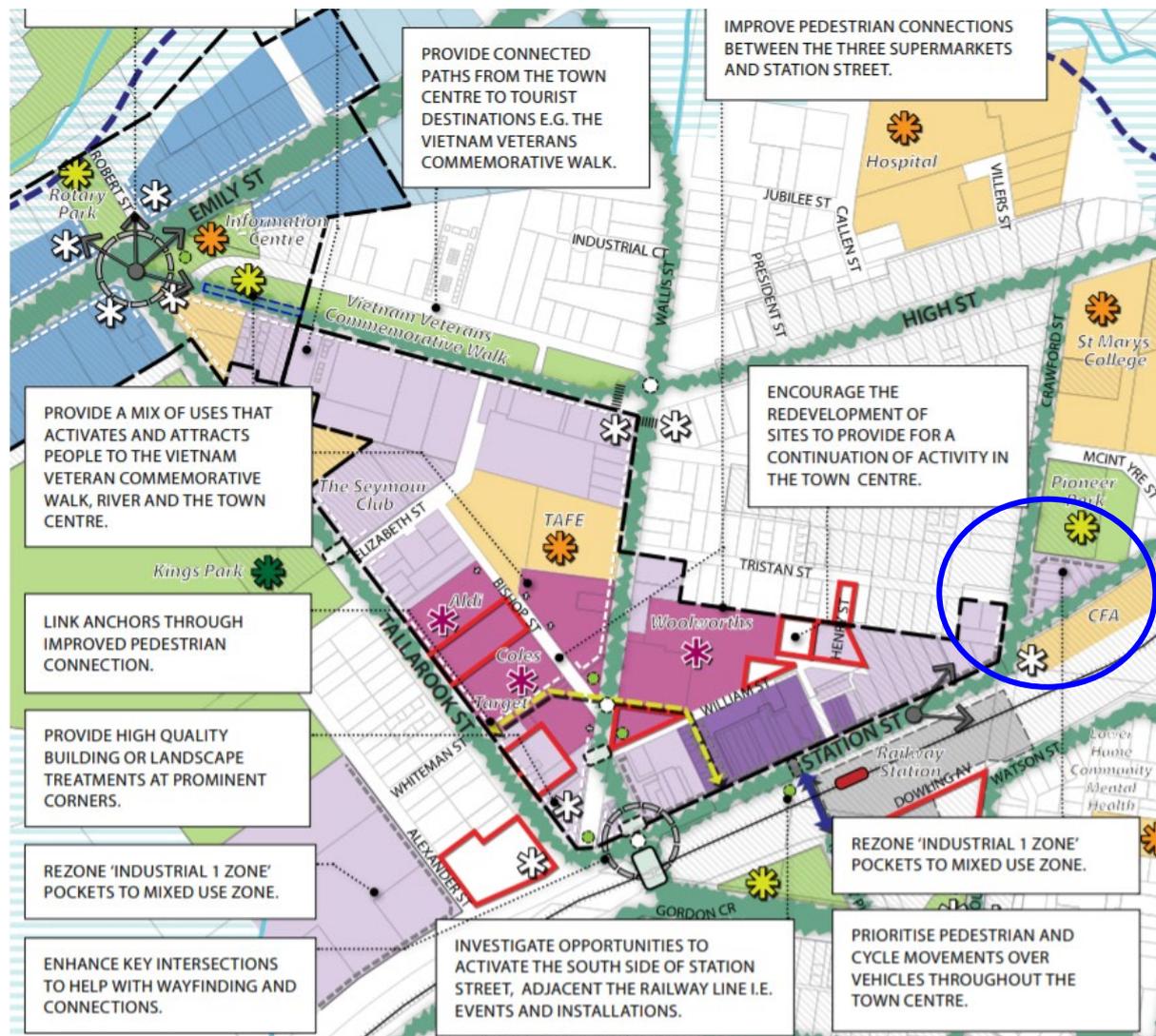


Figure 9 - Excerpt from the Structure Plan showing the Seymour Activity Centre - subject site nominated in blue circle

**6. Alignment with Council Plan**

6.1 The proposal accurately aligns with the Mitchell Shire Council Plan 2017-2021, more specifically with the Responsible Planning strategic objective which is “To demand best practice outcomes when planning for future growth” and key strategies:

- 3.2 – Plan for growth and change through best practice design of services, infrastructure, open space and recreation facilities.
- 3.3 – Prioritise environmental sustainability outcomes in planning decisions.
- 3.7 – Improve the liveability of Mitchell Shire; and

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PLANNING PERMIT APPLICATION PLP333/20 FOR DEVELOPMENT OF THE LAND FOR MULTIPLE RESTRICTED RETAIL PREMISES' & OFFICES AND A REDUCTION IN CAR PARKING AT 4-12 CRAWFORD STREET, SEYMOUR (CONT.)

- 3.8 – Support safe communities through best practice design and planning standards.

## 7. Public Notification

7.1 The proposal received a total of one (1) objection during the public notification period. The submission can be summarised by the following concerns raised:

- Height of the proposal; and
- The potential increase in traffic generated by the proposal.

7.2 A response to these concerns is provided at Section 9 of this report.

## 8. Discussion

### Proposed Land Uses

8.1 The proposal seeks to use the land for the purposes of five restricted retail premises and four offices within the Commercial 1 Zone. The provision of 'restricted retail premises' in lieu of conventional 'retail' at this site is reflective of the site's location on the peripheral of the commercial core, meaning these tenancies are not typical key High Street retailers but for larger format ancillary commercial purposes.

8.2 The definition of restricted retail premises as listed in the Mitchell Planning Scheme is:

*Land used to sell or hire:*

*a) automotive parts and Party supplies accessories;*

*b) camping, outdoor and recreation goods*

*c) electric light fittings;*

*d) animal supplies including equestrian and pet goods;*

*e) floor and window coverings;*

*f) furniture, bedding, furnishings, fabric and manchester and homewares;*

*g) household appliances, household electrical goods and home entertainment goods;*

*h) party supplies;*

*i) swimming pools;*

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PLANNING PERMIT APPLICATION PLP333/20 FOR DEVELOPMENT OF THE LAND FOR MULTIPLE RESTRICTED RETAIL PREMISES' & OFFICES AND A REDUCTION IN CAR PARKING AT 4-12 CRAWFORD STREET, SEYMOUR (CONT.)

*j) office equipment and supplies;*

*k) baby and children's goods, children's play equipment and accessories;*

*l) sporting, cycling, leisure, fitness goods and accessories; or*

*m) goods and accessories which:*

- Require a large area for handling, display and storage of goods; or*
- Require direct vehicle access to the building by customers for the purpose of loading or unloading goods into or from their vehicles after purchase or hire.*

*It does not include the sale of food, clothing and footwear unless ancillary to the primary use.*

### Response to Local Policy

8.3 The proposed commercial development provides an appropriate response to Local Planning Policy objectives, with specific reference to Objective 1 of Clause 21.08, which is '*To facilitate new development and employment opportunities in business, industry and tourism*'.

8.4 Furthermore, Clause 21.11 – Local Areas: Seymour seeks to guide the growth and development of the Seymour Township. The proposal aligns with the following policy objectives:

- Settlement: Encourage the growth of Seymour as a dynamic economic centre for the region.*
- Built Environment & Heritage: Encourage high standards of urban design and architecture in the development of new buildings.*
- Economic Development: Promote and strengthen Seymour as a regional centre.*
- Economic Development: Support businesses that complement the existing industrial and manufacturing base.*
- Economic Development: Strengthen Seymour's position as a preferred location for industrial enterprises based on the availability of infrastructure, work forces and transportation.*

8.5 It has been acknowledged by Council's Economic Development Unit that there is an existing shortage of office space in Seymour, and that two recent employers/agencies have been unable to find appropriate office areas and are now located outside of Mitchell Shire. The proposal directly responds to

PLANNING PERMIT APPLICATION PLP333/20 FOR DEVELOPMENT OF THE LAND FOR MULTIPLE RESTRICTED RETAIL PREMISES' & OFFICES AND A REDUCTION IN CAR PARKING AT 4-12 CRAWFORD STREET, SEYMOUR (CONT.)

this identified shortage and aligns with the economic development objectives of the Shire.

- 8.6 It is not common place for Council to receive private sector proposals for commercial/office space and is important to local job creation. Proposals like this that have the potential to play a catalyst role and begin to reinforce positive change in the township and drive additional localised employment opportunities.

Response to Seymour Structure Plan

- 8.7 The Seymour Structure Plan identifies the subject site in multiple plans with various designations. Within Plan 5 – The Structure Plan, the site is identified as one of three 'mixed use – retail/commercial /residential' areas. To guide the development of these strategic redevelopment sites within established areas the structure plan notes the following:

*Strategic redevelopment sites are identified in established areas of Seymour to allow for the delivery of mixed use housing outcomes (i.e. student accommodation, home offices, shop top housing, medium density housing and retirement living), to utilise existing infrastructure, as well as provide more activity on the streets*

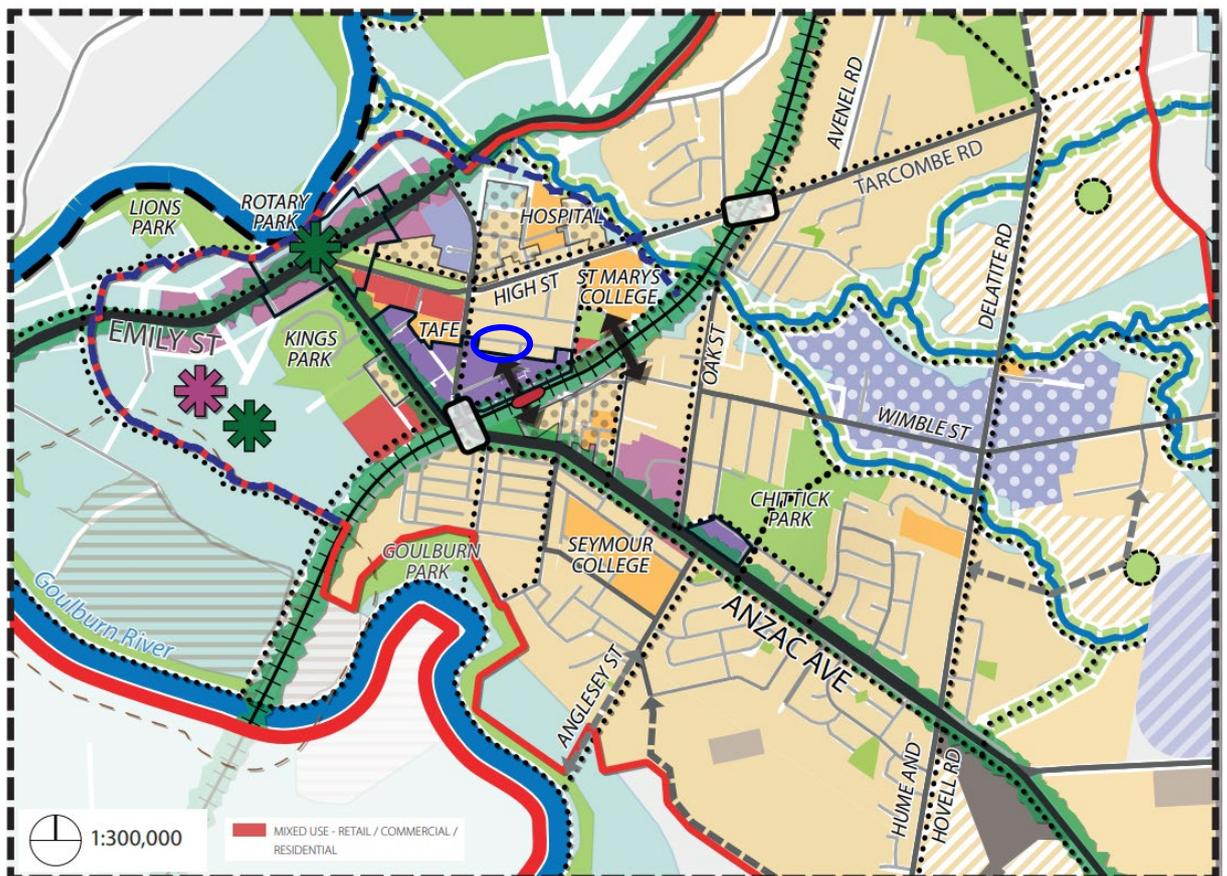


Figure 10 - Plan 5 of the Seymour Structure Plan - subject site nominated in blue circle

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PLANNING PERMIT APPLICATION PLP333/20 FOR DEVELOPMENT OF THE LAND FOR MULTIPLE RESTRICTED RETAIL PREMISES' & OFFICES AND A REDUCTION IN CAR PARKING AT 4-12 CRAWFORD STREET, SEYMOUR (CONT.)

- 8.8 While the proposal seeks to deliver a commercial land use outcome it is acknowledged that the proposal responds to the key built form/land use elements sought for these strategic redevelopment sites, which is to provide an activated frontage and upper level built form and to facilitate the location of employment generating uses within well-serviced locations.
- 8.9 In consideration of present market conditions, specifically the lack of restricted retail/showroom/office within Seymour and the minimal/non-existent demand for medium/high density residential development – this response is an acceptable variation to the broad vision set for the strategic redevelopment sites. Further to Paragraph 8.3, Council has identified a lack of suitable employment land within Seymour, the proposal is well placed to facilitate a range of local/small business opportunities and meet this demand.
- 8.10 Furthermore, the proposed land uses of restricted retail and offices complements the existing and envisioned function of the Seymour Town Centre. Local Policy and the Seymour Structure Plan actively encourages the establishment/facilitation of employment generating uses within the well-serviced locations.
- 8.11 Given the site's location on the peripheral of the town centre and the eclectic land use mix within the immediate surrounding area, the subject site is a logical extension to the commercial town centre, while facilitating secondary/peripheral uses such as restricted retail/showrooms for large retail uses and the provision of offices.

#### Response to the Commercial 1 Zone

- 8.12 The proposed development directly responds to the two relevant purposes of the Commercial 1 Zone being:
- *To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.*
  - *To provide for residential uses at densities complementary to the role and scale of the commercial centre.*
- 8.13 The proposal provides an appropriate response to the decision guidelines for buildings and works in the Commercial 1 Zone, particularly " *The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road*" – which is evident in the built form response provided across both street frontages.

#### Built Form Response

PLANNING PERMIT APPLICATION PLP333/20 FOR DEVELOPMENT OF THE LAND FOR MULTIPLE RESTRICTED RETAIL PREMISES' & OFFICES AND A REDUCTION IN CAR PARKING AT 4-12 CRAWFORD STREET, SEYMOUR (CONT.)

- 8.14 The development provides for a high degree of articulation and appropriately presents to it's primary (Crawford Street) and secondary (McIntyre Street) frontage.
- 8.15 Both facades provide for an improved streetscape experience, with the provision of rear loaded vehicle access allowing for an increase in glazing, which activates these frontages and provides passive surveillance opportunities.
- 8.16 This is particularly applicable to the restricted retail component of the proposal, which also provides an activated upper level office component which provides outlook to Crawford Street and to Pioneer Park through the inclusion of north-facing windows to the Retail 1 mezzanine.



Figure 11 - Render of the two storey (single storey + mezzanine) Crawford Street frontage

- 8.17 The frontages incorporate a mixture of materials, provision of awnings and articulation through indentation (see spacing between tenancies in Figure 10) to provide for a well-presented commercial development. Additionally, these frontages provide opportunities for kerbside landscaping and on-street parking opportunities.

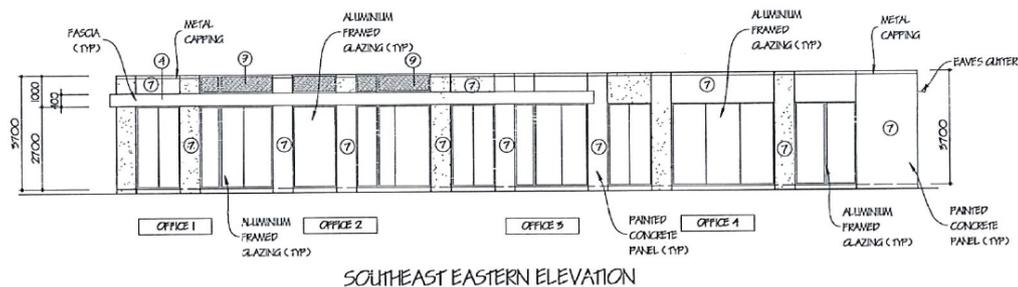


Figure 11 - Elevation of the single storey McIntyre Street frontage

PLANNING PERMIT APPLICATION PLP333/20 FOR DEVELOPMENT OF THE LAND FOR MULTIPLE RESTRICTED RETAIL PREMISES' & OFFICES AND A REDUCTION IN CAR PARKING AT 4-12 CRAWFORD STREET, SEYMOUR (CONT.)



*Figure 12 - Render of the Pioneer Park (left of frame) and Crawford Street frontages - noting the upper level window providing outlook to Pioneer Park*

### Response to Covenant AD914642P

8.18 The covenant affecting one of the parcels that comprises the subject site seeks to guide the material treatment of built form, requiring *no less than 75% of the external walls (excluding glazing) to be constructed of kiln dried brick, stone or masonry*. Following review of the submitted plans the proposal accords with this requirement.

### Impact on neighbouring trees

8.19 It is acknowledged that the subject site shares an interface with Pioneer Park, which features a number of established trees along the shared interface, within close proximity to the subject site. While the potential impact of the development on these trees has not been implicitly provided, a number of planning permit conditions seek to manage this outcome, specifically through:

- The nomination of tree protection zones for the trees abutting the northern boundary of the subject site to ensure no more than 10% of the calculated tree protection zone is encroached in accordance with Australian Standard AS4970:2009 – Protection of Trees on Development Sites
- Requiring a tree protection management plan prior to the commencement of works, outlining proposed construction methodology along the northern boundary to ensure impact is minimised and carefully delivered.

PLANNING PERMIT APPLICATION PLP333/20 FOR DEVELOPMENT OF THE LAND FOR MULTIPLE RESTRICTED RETAIL PREMISES' & OFFICES AND A REDUCTION IN CAR PARKING AT 4-12 CRAWFORD STREET, SEYMOUR (CONT.)



Figure 14 - Photo of the subject site/Pioneer Park interface facing west from McIntyre Street

### Car Parking

8.20 The proposal seeks an on-site car parking dispensation of 25 car parking spaces across the site. Further to Section 5.7 of this report, in consideration of the on-street car parking provision directly abutting the subject site (14 spaces), this reduces the **practical dispensation to 11 spaces**.

8.21 Council's Planning and Engineering Department have assessed the submitted development plans and the Traffic Impact Assessment *prepared by Ratio Consultants* and considered the car parking dispensation acceptable based on the following:

#### *On-Street Car Parking Across the Site's Interfaces*

PLANNING PERMIT APPLICATION PLP333/20 FOR DEVELOPMENT OF THE LAND FOR MULTIPLE RESTRICTED RETAIL PREMISES' & OFFICES AND A REDUCTION IN CAR PARKING AT 4-12 CRAWFORD STREET, SEYMOUR (CONT.)

8.22 Based on the proposed removal of five existing crossovers across the McIntyre Street frontage, the subject site features 130 metres of kerb and channel street frontages across its two interfaces, which provides opportunities for 14 car parking spaces as identified in Figure 15.

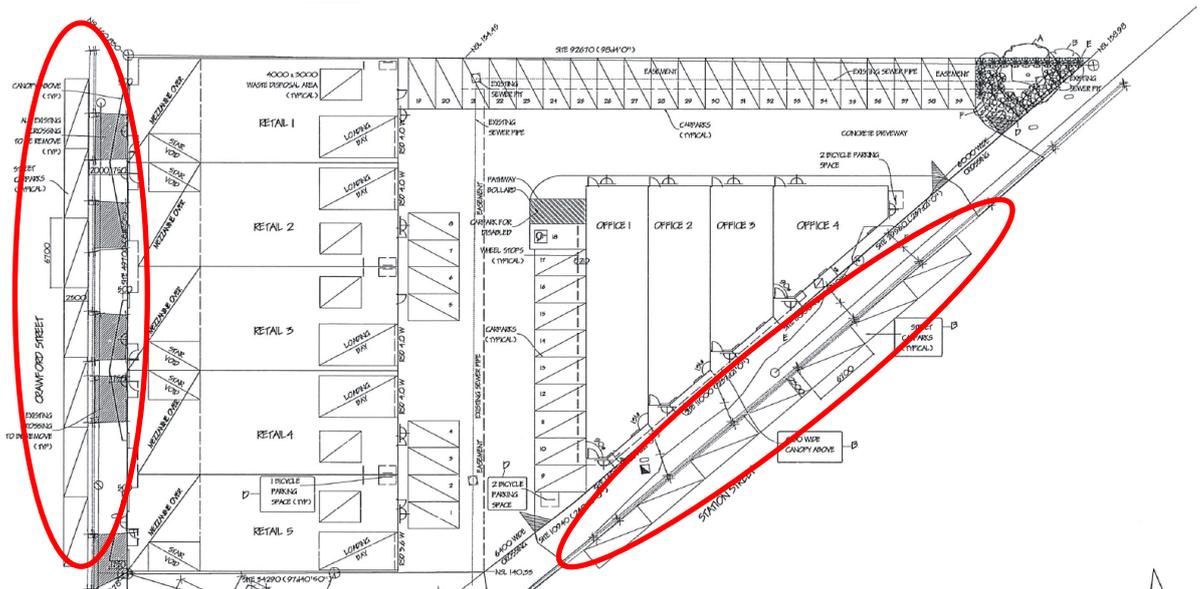


Figure 15 - Excerpt from the development plan - on-street parking shown in red

**Supply of On-Street Car Parking in the Immediate Surrounding Area**

8.23 The two street frontages of the subject site vary in intensity and existing operation. Crawford Street carries more traffic of the two streets and accommodates a range of uses on the western side of the street, while the abutting Pioneer Park frontage of the eastern side of the street provides for approximately 15 on-street car parks directly north of the subject site.

8.24 McIntyre Street primarily comprises commercial uses south and east of the subject site. Each of these uses features on-site car parking facilities, with considerable on-street car parking supply along this interface.

8.25 From a review of aerial imagery, multiple site visits and drawing on the findings of the submitted Traffic Impact Assessment it is noted that existing on-street car parking supply is significantly underutilised on McIntyre Street as shown in Figures 16 to 18.

PLANNING PERMIT APPLICATION PLP333/20 FOR DEVELOPMENT OF THE LAND FOR MULTIPLE RESTRICTED RETAIL PREMISES' & OFFICES AND A REDUCTION IN CAR PARKING AT 4-12 CRAWFORD STREET, SEYMOUR (CONT.)



Figure 16 - View of on street car parking utilization on McIntyre Street at 2pm Thursday 28 January 2021

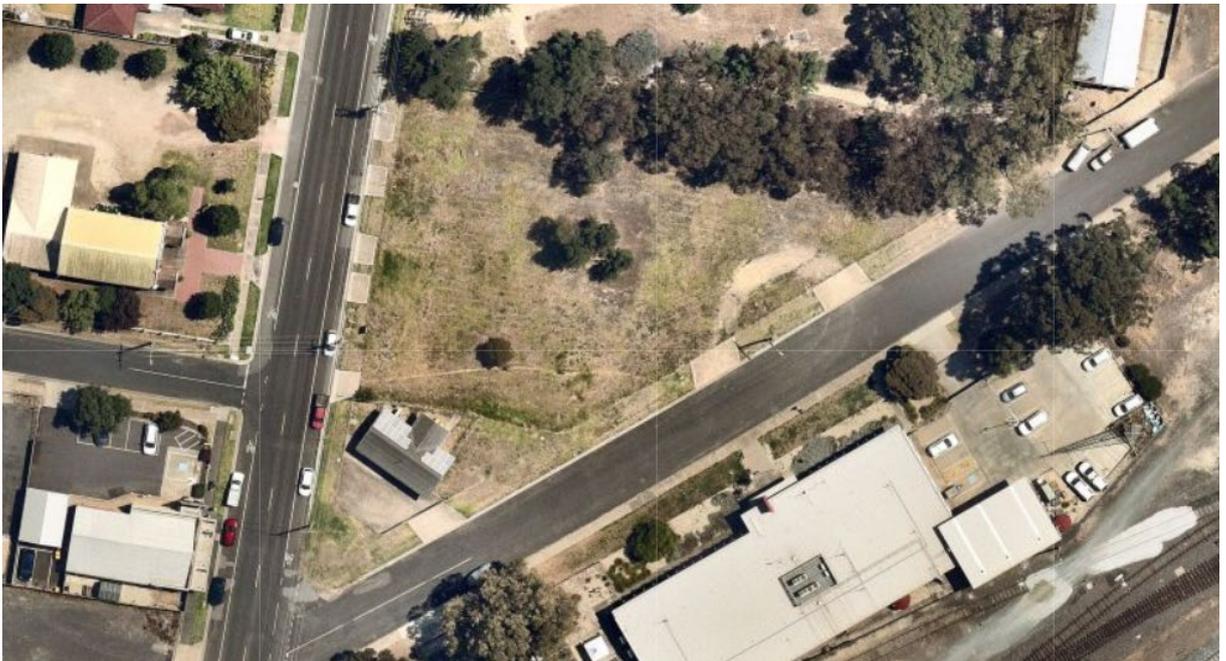


Figure 17 - Aerial of subject site and surrounds on Wednesday 30 December 2020 (time unknown) showing availability of on-street car parking

PLANNING PERMIT APPLICATION PLP333/20 FOR DEVELOPMENT OF THE LAND FOR MULTIPLE RESTRICTED RETAIL PREMISES' & OFFICES AND A REDUCTION IN CAR PARKING AT 4-12 CRAWFORD STREET, SEYMOUR (CONT.)



Figure 18 - Aerial of subject site and surrounds on Tuesday 21 January 2020 (time unknown) showing availability of on-street car parking

### *Suitability of an On-site Car Parking Reduction*

8.26 The proposed dispensation pertains to the restricted retail premises component of the development, with the provision of car parking for the office component meeting demand. With the provision of 24 spaces for the retail component (4 per tenancy), this seeks to accommodate car parking demand generated by employees and customers with on-street car parking proposed to supplement this supply and accommodate short-term customers of the retail component of the development.

8.27 This is identified in the submitted Traffic Impact Assessment prepared by Ratio Consultants, which notes *“the reliance on on-street parking for the short-term customers of the retail component of the development is considered an appropriate outcome in this instance given the Commercial 1 Zoning of the site and the reliance on parking directly along the site frontages only which is not expected to impact on the parking needs of surrounding land uses.”*

8.28 Additionally, the dimension of all car parking provided, both on-site and on-street complies with the requirements of the Mitchell Planning Scheme at Clause 52.06-9: Car Parking – Design Standard.

## **9. Consideration of Submissions**

9.1 The application received one (1) objection during the public notification period. The objections typically cover similar concerns and are addressed below:

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*The impact of the development on the habitable amenity of the abutting property to the south*

9.2 The subject site and abutting properties are Commercial 1 Zoned properties, with the abutting single storey building (formally a dwelling) within immediate proximity of the subject site's southern boundary. In consideration of the site's commercial operation the overshadowing standards of Clause 55 do not apply. An amendment or variation from the current proposal (with respect to its southern interface) would likely result in a compromised streetscape outcome, accordingly it is not recommended to vary the existing design in consideration of this item raised.

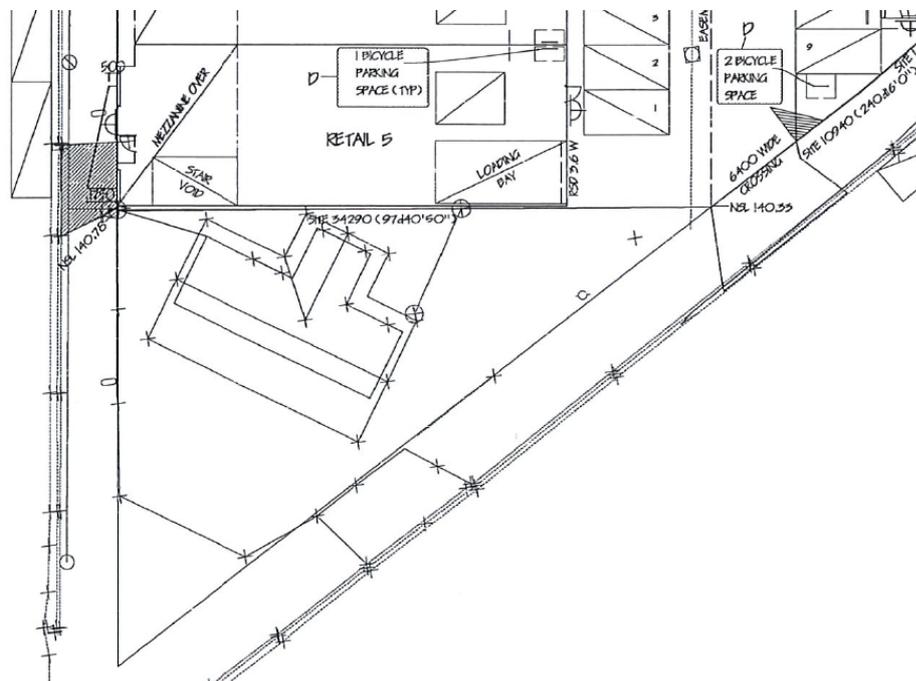


Figure 19 - Excerpt from the plan showing the interface with the property directly south of the subject site

*The potential increase in traffic generated by the proposal.*

9.3 Council's Engineering Department consented to the application when considering the existing surrounding road network and the nature and expected intensity of the proposed development. The added vehicular movement will not detrimentally impact on the existing road infrastructure and has been considered acceptable.

**10. Conclusion**

10.1 This report establishes the planning basis to support the proposal at 4-12 Crawford Street, Seymour. In particular, this proposed development should be supported for the following reasons:

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PLANNING PERMIT APPLICATION PLP333/20 FOR DEVELOPMENT OF THE LAND FOR MULTIPLE RESTRICTED RETAIL PREMISES' & OFFICES AND A REDUCTION IN CAR PARKING AT 4-12 CRAWFORD STREET, SEYMOUR (CONT.)

- The proposal directly responds to the purposes and objectives of the Commercial 1 Zone, numerous Local Planning Policies and the Seymour Structure Plan;
- The proposal provides a positive contribution to the Crawford Street streetscape, incorporating a range of design elements to provide an activated and pedestrian focussed street frontage.
- The proposed car parking dispensation is an appropriate and acceptable variation to the Clause 52.06 Car Parking requirements. The balance of on-site and on-street car parking will sufficiently meet expected car parking demand; and
- The proposed use of the land is appropriately located and will not result in unreasonable detrimental impacts to the surrounding area.

**PLP333/20 – 4-12 Crawford Street, Seymour – Proposed Permit Conditions****General Requirements**

1. Before the development starts, amended plans (and documents) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and an electronic copy must be provided. The plans must be generally in accordance with the advertised plans but further modified to show:
  - a) The nomination of tree protection zones for the trees abutting the northern boundary of the subject site to ensure no more than 10% of the calculated tree protection zone is encroached in accordance with Australian Standard AS4970:2009 – *Protection of Trees on Development Sites*.
2. The layout of the use and the development as shown on the endorsed plans must not be altered or modified unless otherwise agreed in writing by the Responsible Authority.
3. The use and development must be managed so that the amenity of the area is not detrimentally affected though the:
  - a) transport of materials, goods or commodities to or from the land;
  - b) appearance of any buildings, works or materials;
  - c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
  - d) the presence of vermin; and
  - e) in any other way.To the satisfaction of the Responsible Authority.
4. Any materials or goods must be stored internal to the building or screened from public view to the satisfaction of the Responsible Authority.
5. All buildings must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
6. All loading and unloading must be carried out within the designated loading areas to the satisfaction of the Responsible Authority.
7. The loading areas must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
8. External lighting must be designed, baffled and located so as to prevent any adverse effect from light spill on adjoining land to the satisfaction of the Responsible Authority.

9. Noise emanating from the development, including plant and other equipment, must comply with the State Environment Protection Policy N-1 to the satisfaction of the Responsible Authority.
10. All mechanical plant and ventilation equipment must be adequately screened from public view to the satisfaction of the Responsible Authority.
11. No external sound amplification equipment or loudspeakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose except for emergency safety messages or use of drive thru equipment, unless otherwise agreed in writing by the Responsible Authority.
12. Alarms associated with the commercial premises must be directly connected to a security service and must not produce noise beyond the premises.

#### **Landscape Conditions**

13. Prior to the commencement of any works associated with the development, a tree protection management plan must be submitted to and approved by the Responsible Authority. The plan must outline the construction methodology for any works along the northern boundary, within the tree protection zone.
14. Before the works start, tree protection fence(s) must be erected within the subject site to define a Tree Protection Zone. The Tree Protection Zone must be erected at a radius of 12 times the diameter at breast height (DBH) to a maximum of 15 metres but no less than 2 metres from the base of the trunk. The fence must be constructed to the satisfaction of the Responsible Authority. The tree protection fence(s) must remain in place until the completion of the development unless otherwise agreed in writing by the Responsible Authority.
15. Before development starts, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plan will be endorsed and will then form part of the permit. The landscape plan must be prepared by a person suitably qualified or experienced in landscape design and must be drawn to scale with dimensions and an electronic copy must be provided. The landscape plan must show:
  - a) the locations of all landscaping works to be provided on the land and streetscape
  - b) the locations of any trees to be retained or removed from the land and streetscape  
(including details of species and size)
  - c) a detailed schedule of all proposed trees, shrubs and groundcovers, including botanical names, common names, pot sizes, sizes at maturity and quantities of each plant
  - d) details of the proposed surface finishes of pathways and driveways
  - e) details of the irrigation system to be used on land following completion of the landscaping works
  - f) the provision of street trees across both road frontages

16. Before the buildings are occupied, all landscaping works as shown on the endorsed plan must be carried out and completed to the satisfaction of the Responsible Authority. When the landscaping works have been completed, written confirmation must be provided to the satisfaction of the Responsible Authority that landscaping of the land has been undertaken in accordance with the endorsed landscaping plans.
17. All landscaping works as shown on the endorsed plans must be maintained, including that any dead, diseased or damaged plants are to be replaced, to the satisfaction of the Responsible Authority.
18. Before the use starts the permit holder must pay Council an applicable Street Tree Planting Fee. Street tree locations must be nominated on the endorsed landscape and/or site plan, with a notation to this effect.

**Waste Conditions**

19. Before the shops are occupied or the use of the centre starts, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and form part of the planning permit. All waste management for the shops and centre must be undertaken in accordance with the endorsed Waste Management Plan.

The Waste Management Plan for the shops and service station must include:

- a) Details of how and where waste will be stored and collected for each premises, including their car parking areas; and
  - b) Identify the frequency for the removal of such refuse and recycling including collection times.
  - c) Demonstrated compliance with conditions 15 and 16.
20. Provision must be made on the land for the storage and collection of waste and recyclables. This area must be graded and drained and screened from public view to the satisfaction of the Responsible Authority.
  21. All waste material not required for further onsite processing must be regularly removed from the land. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled or dust or odour is created to the satisfaction of the Responsible Authority.

**Access Requirements**

22. Before the use starts, the permit holder must construct each vehicle crossing to the development to an industrial standard in accordance with Mitchell Shire Council's Standard Drawings to the satisfaction of the Responsible Authority, unless otherwise agreed in writing by the Responsible Authority.

23. The internal common driveway/carpark area must be constructed to an appropriate all-weather finish with drainage provided to adequately drain the areas to the satisfaction of the Responsible Authority.

**Drainage Requirements**

24. Before the use starts, the permit holder must construct at no cost to Council, drainage works between the proposed development and the Council nominated point of discharge to the satisfaction of the Responsible Authority
25. The discharge of water from each of the proposed lots must be controlled around its limits to prevent any discharge onto any adjacent property or streets other than by means of an approved drainage system discharged to an approved outlet in a street or to an underground pipe drain to the satisfaction of the Responsible Authority.
26. Before the use starts, the subject must be connected to an underground drainage system including an on-site detention system to control flows to pre-development levels and treat stormwater wholly within the boundaries of the subject land, to the satisfaction of the Responsible Authority.

**Carpark Requirements**

27. Before the use starts, the permit holder shall design and construct a fully sealed car park in general accordance with the Mitchell Shire Planning Scheme and/or with AS/NZS 2890.1 and AS/NZS 2890.6 to the satisfaction of the Responsible Authority.

**Upgrade Requirements**

28. Unless otherwise agreed in writing by the Responsible Authority, before the use starts, the permit holder must construct a footpath along both the Crawford Street and McIntyre Street frontages adjacent the development to the satisfaction of the Responsible Authority.

**Fees and charges**

29. Unless otherwise agreed to in writing by the Responsible Authority, prior to the assessment of the detailed construction plans, the permit holder must pay a design checking for civil works fee as per the adopted Council fees and charges to the satisfaction of the Responsible Authority.
30. Unless otherwise agreed to in writing by the Responsible Authority, prior to the occupancy of the new dwellings, the permit holder must pay a supervision of civil works fee of 2.50% of the costs of assets handed over to council for the development as per the adopted Council fees and charges to the satisfaction of the Responsible Authority.

**Construction Plan Requirements**

31. Prior to the commencement of any works associated with the development, detailed construction plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must include:
- a) Crossover details,
  - b) Driveway and car parking construction and drainage details including grades and indication of fall,
  - c) Underground drainage details and supporting calculations, and
  - d) Any external civil works.
32. Before the use starts, all works shown on the approved construction plans must be constructed or carried out in accordance with the plans to the satisfaction of the Responsible Authority.

#### **Construction Management Plan**

33. Prior to the commencement of any works associated with the development, a Construction Management Plan must be submitted to, and be to the satisfaction of the Responsible Authority. The Construction Management Plan must include details of:
- a) Working hours;
  - b) Haulage routes to the land;
  - c) Methods to contain dust, dirt and mud within the subject land, and the method and frequency of clean up procedures;
  - d) Sediment control;
  - e) A liaison officer for contact by residents and the Responsible Authority in the event of relevant queries or problems experienced with construction activity.
  - f) Methods to ensure the recommendations of any approved Cultural Heritage Management Plan applying to the land are carried out.
  - g) Detail of any required Tree Protection Zones.
  - h) Methods to ensure that all machinery brought onto the land is weed and pathogen free.
  - i) Methods to ensure that all machinery wash down, lay down and personnel rest areas are clearly fenced and located in disturbed areas wherever possible.
  - j) Methods to ensure that contractors working on the land are aware of the requirements of the Construction Management Plan and any other obligations of the planning permit
  - k) Provision of best practice erosion and sediment control techniques to protect any native flora and fauna.
  - l) Appropriate mechanisms for protecting environmental and heritage assets during the construction phase of the subdivision.
34. All works must be undertaken in accordance with the approved Construction Management Plan to the satisfaction of the Responsible Authority.

#### **Reinstatement Requirements**

35. Any road(s), footpath(s) and/or other infrastructure damaged as a result of the construction works (including but not limited to trenching and excavation for utility service connections, movement of vehicles and the likes), must be reinstated to the satisfaction of the Responsible Authority and at the cost of the permit holder.

**Permit Expiry**

36. This permit will expire if one of the following circumstances applies:
- a) The development is not started within two years of the date of this permit.
  - b) The development is not completed within four years of the date of this permit.
  - c) The use is not started within four years of the date of this permit.
  - d) The use is discontinued for a period of two years.

The Responsible Authority may extend the permit if a request is made in writing in accordance with Section 69 of *Planning and Environment Act 1987*.



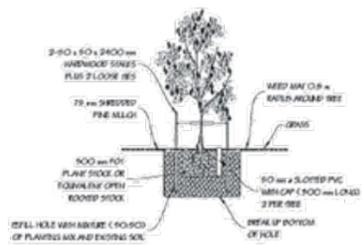


FIGURE 1

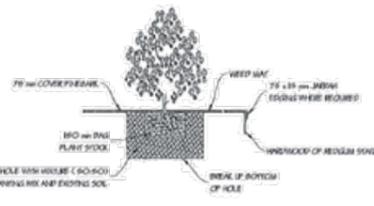
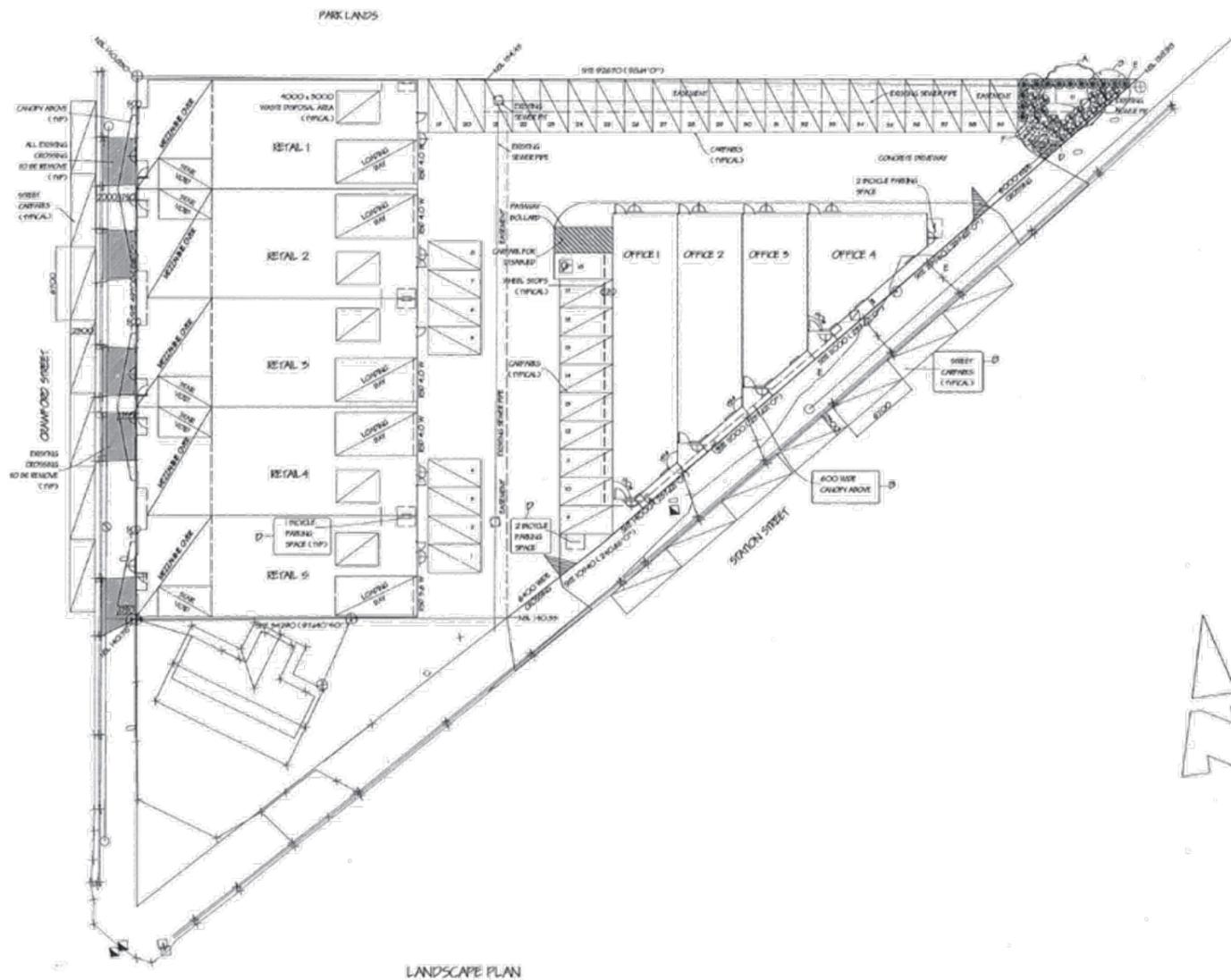


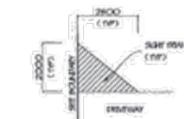
FIGURE 2

LANDSCAPING SCHEDULE				
GENERIC NAME	COMMON NAME	H x W	POT SIZE	QTY.
A. EUCALYPTUS RADIXA	NARROW LEAVED PEPPERCORN	15m x 10m	45L	1
B. ACACIA MELANOPHLOEA	BLACKWOOD	10m x 5m	45L	1
C. CASSINIA ACULEATA	COMMON CASSINA	2m x 2.5m	500	5
D. ILICOMANDA FLIPLOIDIS	WATTLE MAY BUSH	5m x 1m	15L	20
E. STIPA NOLII	SOFT SPEAR GRASS	1.5m x 1m	15L	15
F. SPANELLA REVOLUTA	BLACK ANIBER LLY	2m x 2.5m	15L	12

\* DENOTES INDIGENOUS PLANTS TO BE SOURCED LOCALLY.  
 (ALL CANOPY TREES TO BE MINIMUM 2m TALL WHEN PLANTED)



NOTE:  
 FRONT OF 2000 x 2000 SIGN BOARD  
 TO BE IN ACCORDANCE WITH AS 2890.2 2002, FIGURE 5.4  
 SIGN BOARD TO BE 100% CLEAR OF VISUAL OBSTRUCTIONS  
 AND UNOCCUPIED SIGN BOARD TO BE MINIMUM OF  
 1000mm HEIGHT AT MARKET GROUND LEVEL.



TYPICAL LINE OF SIGHT TRIANGLE DETAIL  
 (Scale 1:100)

LANDSCAPING NOTES

- 1. MAINTENANCE**  
 - MAINTENANCE TO BE PROVIDED THROUGHOUT PERIOD OF CONTRACT AND BEYOND ON A MONTHLY BASIS.
- 2. LANDSCAPING SCHEDULE**  
 - TREE SCHEDULES TO BE USED PROVIDED BY CONTRACTOR.  
 - NEW PLANTINGS TO BE DONE ONCE PER WEEK FROM ONSET PERIOD. THIS MAY VARY ACCORDING TO THE TYPE OF THE WEATHERING OCCURS. I.E. CROWN TREES REQUIRE LESS WATER IN WINTER THAN IN SUMMER.
- 3. WATERING**  
 - ALL LAWN AREAS TO BE WATERED ON THE FOLLOWING SCHEDULE:  
 WINTER: 1 x EVERY 3 WEEKS  
 SPRING: 1 x EVERY 2 WEEKS  
 SUMMER: 1 x EVERY 2 WEEKS  
 AUTUMN: 1 x EVERY 2 WEEKS  
 - TREES TO BE WATERED AS PER RECOMMENDATIONS.  
 - ALL TREES TO BE WATERED FROM SITE.  
 - LAWN AREAS TO BE WATERED IN SPOTS AND AREAS AS PER RECOMMENDATIONS.  
 - FERTILISER AND INSECTICIDES TO BE APPLIED AS PER RECOMMENDATIONS.
- 4. SITE & SHARP PLANTING**  
 - ALL NEW TREES TO BE PLANTED IN ACCORDANCE WITH FIGURE 1.  
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PLANNING ISSUE

NO.	DATE	ISSUE
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2	20/07/20	ISSUED PLAN
3	20/07/20	ISSUED PLAN
4	20/07/20	ISSUED PLAN
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**PROJECT**  
 PROPOSED RETAIL AND OFFICE  
 AT CRAWFORD STREET  
 SEYMOUR

**CLIENT**

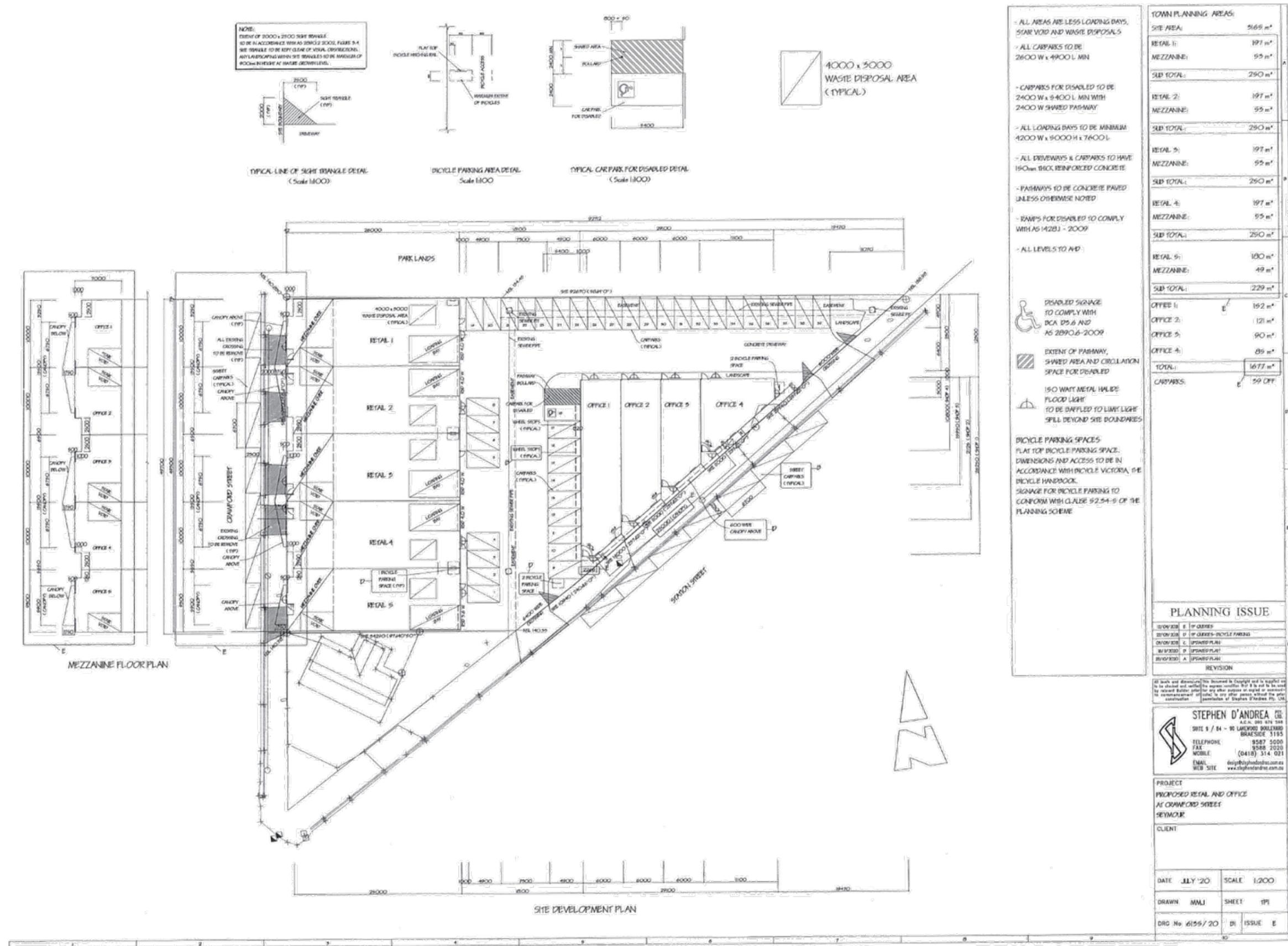
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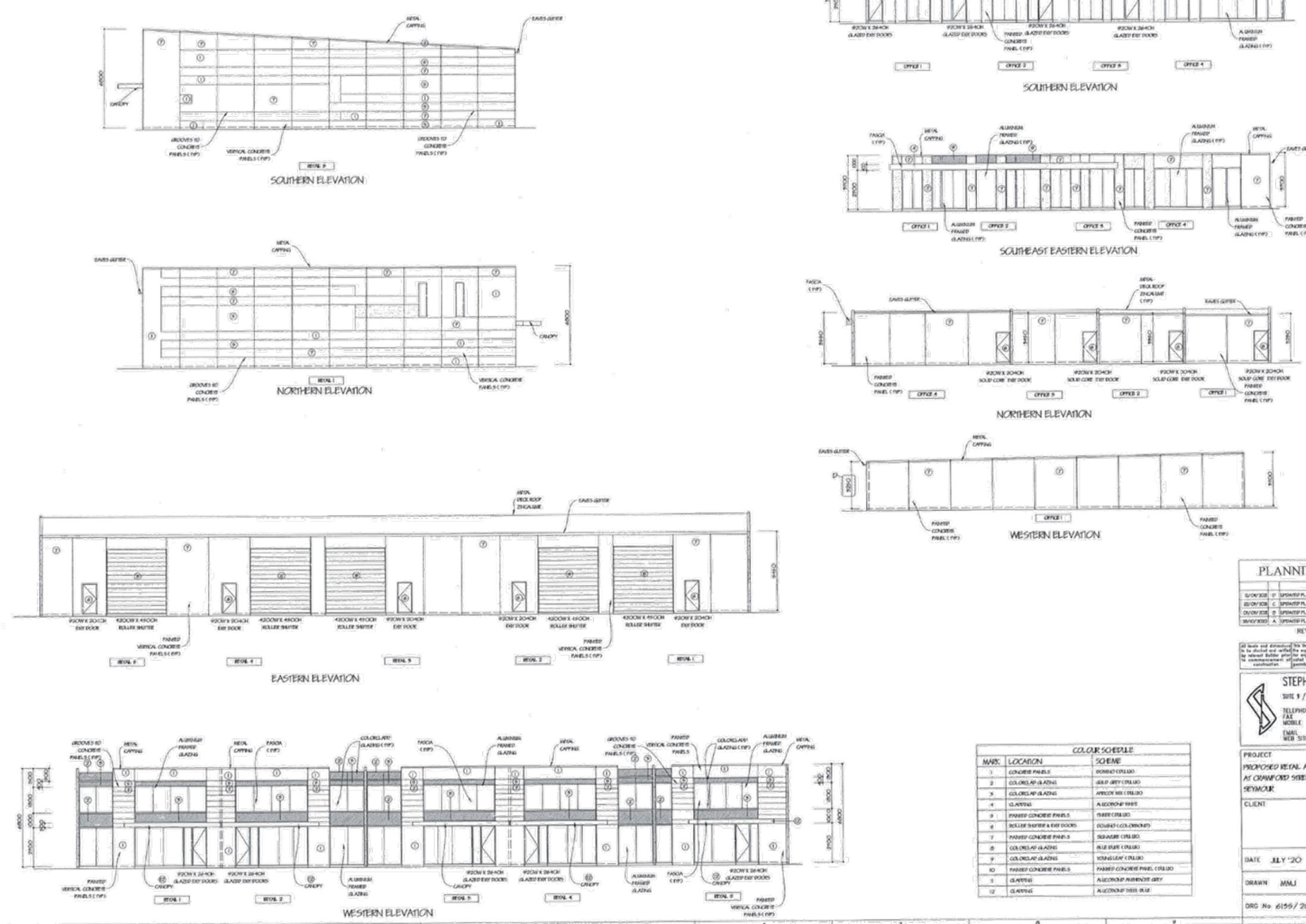
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PLANNING ISSUE

DATE/ISSUE	DESCRIPTION
12/01/2018	A. UPDATED PLAN
12/01/2018	B. UPDATED PLAN
12/01/2018	C. UPDATED PLAN
12/01/2018	D. UPDATED PLAN
12/01/2018	A. UPDATED PLAN

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**PROJECT**  
 PROPOSED RETAIL AND OFFICE  
 AT CRANFORD STREET  
 SEYMOUR  
**CLIENT**  
  
**DATE** JULY '20 **SCALE** 1:100  
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**1 Introduction:**

Ratio Consultants have been engaged by the Permit Applicant to prepare a Traffic Impact Assessment for the proposed mixed-use development at the corner of Crawford Street and McIntyre Street, in Seymour.

In the course of preparing this assessment, plans of the development have been reviewed and relevant parking data has been analysed.



## 2 Existing Conditions:

### 2.1 Site Location

The subject site is located at the corner of Crawford Street and McIntyre Street, in Seymour. The site is irregular in shape and has two frontages of approximately 50 metres to Crawford Street and approximately 110 metres to McIntyre Street. The site has an overall area of approximately 3,165 sqm.

The site is located within the Commercial 1 Zone (C1Z) and is subject to a Design and Development Overlay – Schedule 9 (DDO9).

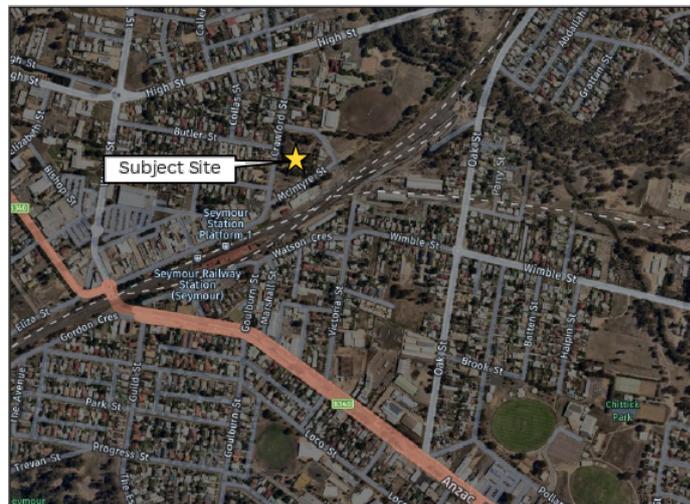
The subject site is currently vacant. Land use within the immediate vicinity of the subject site is a mix of commercial and public use in addition to residential uses located to the west of the site. The site is in very close proximity to the Seymour Railway Station which is located approximately 200 metres to the south of the subject site.

Some other key non-residential land uses in the vicinity include:

- Pioneer Park located directly to the north of the subject site;
- A small single storey office building located directly to the south of the subject site;
- CFA District 12 Headquarters, located directly opposite the site's McIntyre Street frontage;
- Seymour Uniting Church, located directly opposite the site's Crawford Street frontage;
- VicRoads – Seymour Customer Service Centre located 50 metres to the south of the subject site;
- Several commercial and retail tenancies, located approximately 150 metres to the south of the subject site;
- St Mary's Parish Seymour located 150 metres to the north of the subject site; and
- St Mary's College located 400 metres to the north of the subject site.

Figure 2.1 demonstrates the site location with respect to the surrounding road network.

**Figure 2.1: Site Location & Surrounding Network**



### 2.2 Road Network

**Crawford Street** is a Council managed Local Road that essentially runs in a north-south alignment between High Street to the north and Station Street to the south. Crawford Street has an approximate carriageway width of 12.6 metres accommodating one lane in each direction along with kerbside parallel parking along both sides of the road. Crawford Street has a default speed restriction of 50 km/hr applicable to a built-up area.

**McIntyre Street** is a Council managed Local Road that runs in an irregular C-shaped alignment with access to and from Crawford Street. McIntyre Street has an approximate carriageway width of 9.4 metres accommodating one lane in each direction along with kerbside parallel parking along both sides of the road. McIntyre Street has a default speed restriction of 50 km/hr applicable to a built-up area.

A close-up aerial view of the site and surrounds are presented in Figure 2.2 below:

**Figure 2.2: Aerial View of the Site and Surrounds**



### 2.3 Sustainable Transport

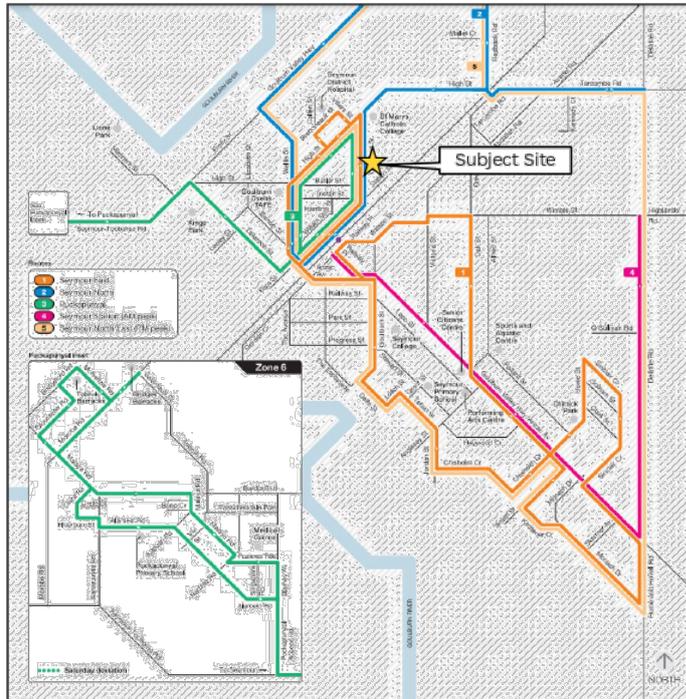
The subject site has some access to the public transport services primarily via Seymour Railway Station, located approximately 200 metres from the subject site. The public transport services available in close proximity of the subject site are summarised in Table 2.1 and illustrated in Figure 2.3:



**Table 2.1: Summary of Public Transport Services**

Mode	Route Number	Route	Nearest Stop	Distance (Walking Distance)
Train (V Line)		Seymour – Melbourne via Broadmeadows	Seymour Railway Station	200m
		Shepparton – Melbourne via Seymour		(~2 mins)
Bus	1	Seymour - Seymour East	McIntyre Street	180m (~2 mins)
	2	Seymour - Seymour North		
	3	Seymour - Puckapunyal		
	4	Seymour – Wimble Street		
	5	Seymour - Seymour North-East		

**Figure 2.3: Public Transport Services in close proximity of the Site**



3 The Proposal:

3.1 Development Overview

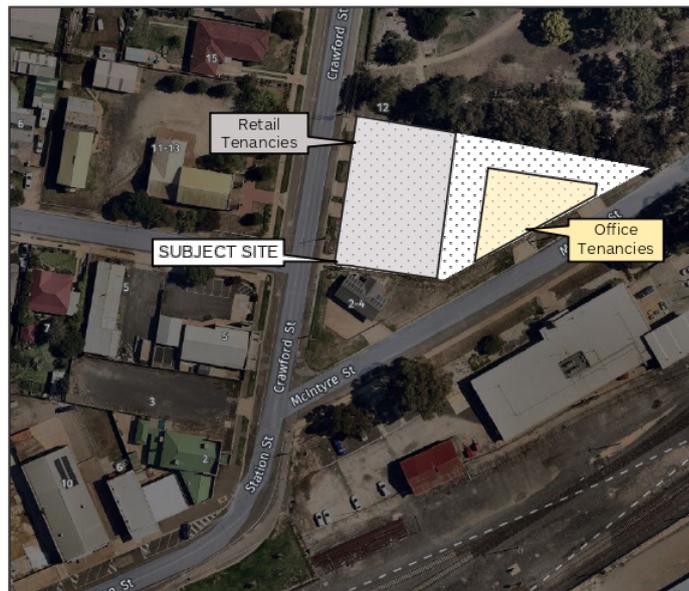
It is proposed to construct a mixed-use development, on the land located at the corner of Crawford Street & McIntyre Street, in Seymour.

More specifically, the proposal includes construction of the following:

- Five retail tenancies located on the western portion of the subject site. The combined leasable floor area of the five retail tenancies is 1,239 sqm;
- Four office tenancies located on the eastern portion of the subject site. The combined net floor area of the four office tenancies 448 sqm;
- A total of 39 car parking spaces (including one DDA space) are proposed to meet the parking needs of the proposed development, allocated as follows:
  - 24 spaces for retail use; and
  - 15 spaces for office use.
- Vehicular access to the proposed development is proposed via two crossovers located along McIntyre Street.
- Nine (9) bicycle parking spaces are provided for the proposed development.

The site development plan is presented in Figure 3.1 below:

Figure 3.1: Site Development Plan



**4 Car Parking Assessment:**

**4.1 Clause 52.06 – Car Parking Requirements**

Parking requirements for new developments are set out under in Clause 52.06 of the Mitchell Planning Scheme. The purpose of Clause 52.06 is defined in the Scheme as follows:

- To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Table 1 of Clause 52.06 outlines the parking requirements for various uses. It is noted that the site is not located within the Principal Public Transport Network (PPTN) area and therefore the proposal is subject to the Column A rates under Clause 52.06 of the Mitchell Planning Scheme.

The statutory car parking requirements for the proposed development is provided below in Table 4.1:

**Table 4.1: Statutory Parking Requirements**

Use	Area	Column A Parking Rate	Requirement
Retail Use (Shop)	1,239 sqm net floor area	4.0 spaces per 100 sqm leasable floor area	49 spaces
Office	448 sqm net floor area	3.5 spaces per 100 sqm net floor area	15 spaces
<b>TOTAL</b>			<b>64 spaces</b>

The development has a statutory requirement to provide **64 car parking spaces**.

The development proposes to provide **39 car parking spaces** as allocated in Table 4.2 below:

**Table 4.2: Proposed Car Parking Provision**

Use	Area	Requirement	Provision	Surplus / Reduction
Retail (5 Tenancies)	1,239 sqm net floor area	49 spaces	24 spaces	25 space <u>Reduction</u>
Office (4 Tenancies)	448 sqm net floor area	15 spaces	15 spaces	-
<b>TOTAL</b>		<b>64 spaces</b>	<b>39 spaces</b>	<b>25 space reduction</b>



Based on the above, the development provides car parking in accordance with the statutory requirement of the Planning Scheme for the office component of the development but seeks a reduction of 25 spaces associated with retail component of the development against the statutory requirements of Clause 52.06-5 of the Mitchell Planning Scheme.

Clause 52.06-6 of the Mitchell Planning Scheme states that an application to reduce the requirement for car parking spaces must be accompanied by a Car Parking Demand Assessment, which includes an assessment of an empirical assessment or case study.

## **4.2 Car Parking Demand Assessment**

### **Retail Parking Demand**

Ratio has undertaken research into the parking generation rates of retail tenancies in Melbourne metropolitan areas. Numerous empirical studies across Melbourne confirm that average parking generation across a group of retail tenancies falls within the range of 3 – 4 spaces per 100sqm of floor area.

The above surveys have also consistently demonstrated that staff of small retail tenancies typically generate parking demand at a rate of one space per 100 sqm of floor area. Application of the above rate to the 1,239 sqm of retail floor area results in a forecast of 12 spaces for the staff of the proposed retail use. Customer parking generates the remaining demand of up to 37 spaces.

The development proposes to provide 24 on-site car parking spaces for retail use (inclusive of 12 spaces for staff and 12 spaces for customers). Therefore, the proposal caters for the long-term staff car parking on site along with some short-term customer car parking. The remainder of the short-term customer car parking (up to 25 spaces) will be accommodated on-street along the site's frontages. This is considered an appropriate outcome given the Commercial 1 Zoning of the site and the reliance on parking directly along the site frontages which is not expected to impact on the parking needs of surrounding land uses.

### **Existing On-Street Parking Demand**

In order to determine the on-street parking demand in the vicinity of the site, aerial photograph provided by 'Nearmap' was utilised to undertake spot survey along the site's Crawford Street and McIntyre Street frontages of the subject site.

The parking demand along the site's frontages on the following days and are presented via aerial photographs in Figure 4.1 and Figure 4.2 respectively:

- Tuesday, 21 January 2020; and
- Wednesday, 30 December 2020<sup>1</sup>.

<sup>1</sup> 30 December 2020 was not a public holiday and a regular working day and hence is considered appropriate to observe parking demand.



Figure 4.1: Car Parking Demand (Tuesday 21 January 2020)



Figure 4.2: Car Parking Demand (Wednesday 30 December 2020)



The aerial photograph shows a parking supply of **12** unrestricted kerbside parallel car spaces combined along site's Crawford Street and McIntyre Street frontages.

The aerial photograph indicates an occupancy of:

- **2 spaces** at 1:05 pm on Tuesday 21 January 2020; and
- **2 spaces** at 11:21 am on Wednesday 30 December 2020.

Accordingly, on both the above days, there were a minimum of ten (10) car parking spaces available along the site's frontages. This remaining on-street supply of ten (10) spaces is expected to readily accommodate the short-term customer parking demand associated with the proposed retail use on the subject site.

Further, the proposed development seeks to remove all the redundant crossovers currently located along the site's frontage of Crawford Street to reinstate with kerb, channel and nature strip to the satisfaction of the Responsible Authority. This would result in the provision of **three (3) additional on-street car parking spaces** along the site's Crawford Street frontage. Therefore, post the construction of the proposed development, the on-street parking supply along site's Crawford Street and McIntyre Street frontages would increase from 12 spaces to **15 spaces** providing additional on-street car parking spaces for the retail customers.

#### **4.3 Adequacy of Proposed Parking Provision**

On the basis of the above, the proposed level of car parking is considered adequate for the following reasons:

- The provision of 15 car parking spaces for the 448 sqm of office use is in accordance with the statutory requirement of the Planning Scheme and is considered satisfactory.
- The provision of 24 car parking spaces for the 1,239 sqm retail use is 25 spaces less than the statutory requirement of the Planning Scheme. The proposed parking provision of 24 spaces is expected to accommodate the long-term staff parking demand (12 spaces) of retail use and some short-term customer parking demand (12 spaces).
- The remainder of the short-term customer parking demand will be accommodated within the on-street car parking spaces along the site's frontages. The reliance on on-street parking for the short-term customers of the retail component of the development is considered an appropriate outcome in this instance given the Commercial 1 Zoning of the site and the reliance on parking directly along the site frontages only which is not expected to impact on the parking needs of surrounding land uses.

On the basis of above, it is considered that the proposed provision of car parking is suitable for the nature and scale of the proposed development.



5 Access & Car Parking Layout:

5.1 Access Arrangements

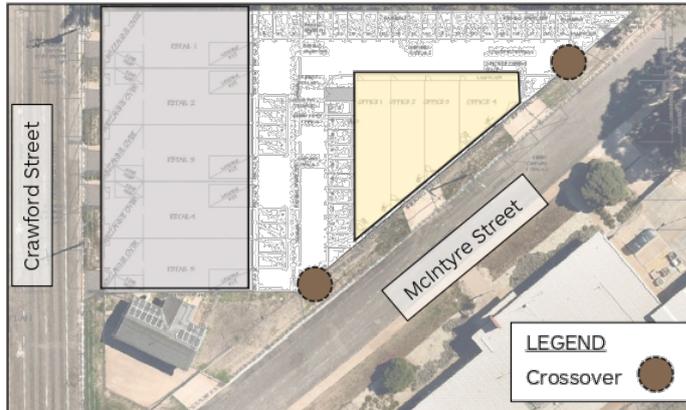
Vehicular access to the proposed development is proposed via two crossovers located along McIntyre Street.

All of the redundant crossovers currently located along the site's frontage of Crawford Street and McIntyre Street will be removed and reinstated with kerb, channel and nature strip to the satisfaction of the Responsible Authority.

The proposed crossovers provided along McIntyre Street will be shared by the two land uses on site and will provide access to passenger and service vehicles.

The location of the proposed crossovers is shown in the Figure 5.1 below:

Figure 5.1: Crossover Locations for the Proposed Development



5.2 Car Parking Layout

The development proposes a total of 39 car parking spaces for the proposed development with the following dimensions:

- 38 spaces with 2.6 metres width and 4.9 metres length, accessed by a minimum aisle of 6.4 metres wide in accordance with Table 2 of Design Standard 2 within Clause 52.06 of the Mitchell Planning Scheme; and
- One disabled car parking space with 2.4 metres width and 5.4 metres length, with an adjacent set-down area of the same dimensions in accordance with Clause 2.2.1 of the Australian Standard for off-street parking for people with disabilities (AS2890.6:2009).

Based on the above, the proposed access arrangements and the car parking layout have been designed in accordance with the requirements of Design Standard 1 and 2 of Clause 52.06 of the Mitchell Planning Scheme and/or the relevant sections of the Australian Standards (AS2890 series).



### 5.3 Loading Arrangements

Each of the five retail tenancies have been provided with an internal loading bay to undertake the loading and unloading activities. Each loading bay is 7.6 metres in length, 4.2 metres in width and has a height clearance of 5.0 metres. Based on the swept path assessment to access the loading bays in critical locations, it is concluded that all loading bays can be accessed suitably via 6.4-metre-long Small Rigid Vehicles (SRVs).

The loading activities associated with the proposed office tenancies is anticipated to occur via small vans or trucks (noting the sizes of these tenancies). It is considered loading and unloading via small vans or trucks associated with the proposed office use can be undertaken within on-site car parking spaces.

Based on the above, the loading activities associated with the proposed land uses can be suitably undertaken within the respective loading bays or within on-site car parking spaces and is considered to be acceptable and appropriate.



## 6 Bicycle Parking Assessment:

### 6.1 Clause 52.34 – Bicycle Parking Requirement

Clause 52.34 of the Mitchell Planning Scheme sets out the statutory requirement to provide bicycle parking for new developments. The statutory requirement to provide bicycle parking is outlined below:

— **Retail Use:**

- 1 space per 300 sqm of leasable floor area for employees; and
- 1 space per 500 sqm of leasable floor area for customers.

— **Office Use:**

- 1 space per 300 sqm of net floor area for employees; and
- 1 space per 1,000 sqm of net floor area for visitors.

Based on the above, the development has a requirement to provide **eight (8) bicycle parking spaces** as outlined below:

— **Retail Use (Six Spaces):**

- Four employee spaces; and
- Two customer spaces.

— **Office Use (Two Spaces):**

- One employee space
- One visitor space

The development proposes to provide a total of nine (9) bicycle parking spaces which is in accordance with the statutory requirements of the Planning Scheme and hence considered satisfactory.

### 6.2 Bicycle Parking Layout

The development proposes to provide a total of nine (9) bicycle parking spaces in the following arrangement:

- Five horizontally accessed wall mounted bicycle parking rails located within individual tenancies for retail staff use.
- Four (4) horizontally accessed bicycle parking spaces accommodated within two (2) floor-mounted, double-sided bicycle parking hoops. These bicycle rails have an envelope of 1.8 metres in length, 0.5 metres in width and are accessed via an aisle wider than 1.5 metres.

Accordingly, it is considered that the bicycle parking has been designed appropriately and in accordance with the relevant sections of AS2890.3:2015.



7 Traffic Assessment:

**7.1 Traffic Generation**

**Retail Traffic Generation**

The retail tenancies are expected to generate in the order of seven trips per 100 sqm per peak hour for staff and customer trips and in the order of 30 trips per 100sqm per day. On this basis it is estimated that for the PM commuter peak hour the 1,239 sqm floor area of retail use will generate in the order of 87 trips per hour and in the order of 372 trips per day.

Outside the PM peak period the traffic generation rate will decline. On the basis of an hourly traffic generation rate of seven vehicles per hour per 100 square metres during the PM peak period and 50% of this rate during the AM peak period, with a 50:50 split between arrivals and departures in the PM peak, and 75% arrivals and 25% departures during the AM peak period, the traffic generation is as shown in Table 7.1 below:

**Table 7.1: Retail Traffic Generation**

	AM Peak	PM Peak
Inbound	22 vph	44 vph
Outbound	22 vph	43 vph
<b>Total</b>	<b>44 vph</b>	<b>87 vph</b>

**Office Traffic Generation**

Based on surveys at other office developments in Melbourne, it is expected that the development will generate 0.5 vehicular trips per car space during the morning peak hour and 0.5 vehicular trips per car space during the afternoon peak hour. Employee trips will be mainly arriving in the morning peak and departing in the afternoon peak with approximately 90% of employees assumed to arrive in the morning and depart in the evening peak.

Application of the above to the 15 car spaces allocated for the office use results in the traffic generation shown in Table 7.4 below:

**Table 7.2: Office Traffic Generation**

	Morning Peak Hour	Evening Peak Hour
Arriving trips:	7 vph	1 vph
Departing trips:	1 vph	7 vph
<b>Total trips:</b>	<b>8 vph</b>	<b>8 vph</b>

**Summary**

The total traffic generation associated with the proposed development are summarised in Table 7.5 below:

**Table 7.3: Total Traffic Generation**

	AM Peak	PM Peak
Inbound	29 vph	45 vph
Outbound	23 vph	50 vph
<b>Total</b>	<b>52 vph</b>	<b>95 vph</b>



## **7.2 Traffic Impact**

Based on the foregoing assessment, the proposed development is anticipated to generate in the order of 52 to 95 vehicle movements during the AM and PM peak hours respectively. This level of traffic is equivalent to one vehicle movement approximately 30 to 70 seconds on average in the peak hours which is a relatively moderate level of traffic.

The traffic volumes generated by the proposed development will flow directly onto McIntyre Street and then onto the surrounding road network via Crawford Street or Station Street.

Given the moderate level of traffic generated, it is considered that the additional traffic volumes can be accommodated by the existing road network without creating adverse traffic safety or operational impacts.



**8 Conclusions:**

It is proposed to construct a mixed-use development at the corner of Crawford Street and McIntyre Street, in Seymour. The development will comprise of five retail tenancies (combined floor area of 1,239 sqm) and four office tenancies (combined floor area of 448 sqm). It is proposed to provide a total of 39 car parking spaces for the proposed development.

Based on the foregoing assessment, it is concluded that:

- The provision of 24 car parking spaces for the 1,239 sqm retail use is 25 spaces less than the statutory requirement of the Planning Scheme. The proposed parking provision of 24 spaces is expected to accommodate the long-term staff parking demand (12 spaces) of retail use and some short-term customer parking demand (12 spaces).
- The remainder of the short-term customer parking demand will be accommodated within the on-street car parking spaces along the site's frontages. The reliance on on-street parking for the short-term customers of the retail component of the development is considered an appropriate outcome in this instance given the Commercial 1 Zoning of the site and the reliance on parking directly along the site frontages only which is not expected to impact on the parking needs of surrounding land uses.
- The provision of 15 car parking spaces for the 448 sqm of office use is in accordance with the statutory requirement of the Planning Scheme and is considered satisfactory.
- The proposed access arrangements are considered to be designed appropriately and suitably accommodate the largest anticipated vehicle (6.4 metres long SRVs) on the subject site.
- The proposed car parking layout has been designed in accordance with the requirements of Design Standard 1 and 2 of Clause 52.06 of the Mitchell Planning Scheme and/or the relevant sections of the Australian Standards (AS2890 series).
- Swept path assessment confirms that loading bays for all retail tenancies in the proposed development can be accessed suitably via 6.4 metre long SRVs.
- The development provides a total of nine (9) bicycle parking spaces which meets the statutory requirement of the Planning Scheme and is considered satisfactory.
- The proposal is estimated to generate in the order of 52 vehicle movements during the AM peak and 95 vehicle movements in the PM peak. This site generated traffic will be split across the two separate vehicle access points to flow onto McIntyre Street and then onto the surrounding road network.

On the basis of the assessment above, the proposed development is considered to be acceptable from a traffic engineering perspective and will not create any adverse traffic or parking impacts in the area.



**Appendix A Swept Path Assessment**



17454T | Corner of Crawford Street & McIntyre Street, Seymour | Proposed Mixed-Use Development

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**Attachment 4 – PLP333/20 – 4-12 Crawford Street, Seymour – Planning Policy Framework**

The following policies have been considered as part of the proposed development:

**Planning Policy Framework**

- Clause 11 – Settlement;
- Clause 11.02 – Managing Growth;
- Clause 12.01 – Biodiversity;
- Clause 12.03 – Water Bodies and Wetlands;
- Clause 13.05 – Noise;
- Clause 13.06 – Air Quality;
- Clause 13.07 – Amenity, Human Health & Safety;
- Clause 15.01 – Built Environment;
- Clause 15.02 – Sustainable Development;
- Clause 17.01 – Employment;
- Clause 17.02 – Commercial; and
- Clause 19.03 – Development Infrastructure.

**Local Planning Policy Framework**

- Clause 21.02 – Settlement;
- Clause 21.06 – Built Environment and Heritage;
- Clause 21.08 – Economic Development;
- Clause 21.10 – Infrastructure; and
- Clause 21.11 – Local Areas.

**Particular Provisions**

- Clause 52.02 – Easements, Restrictions and Reserves;
- Clause 52.06 – Car Parking; and
- Clause 53.18 – Stormwater Management in Urban Development.

**10.4 PLANNING PERMIT APPLICATION PLP134/21 FOR THE USE AND DEVELOPMENT OF THE LAND FOR A RESTRICTED RECREATION FACILITY (DRIFT TRAINING FACILITY) AT 1280D BROADFORD-GLENAROUA ROAD, GLENAROUA**

**Author:** Rees May - Statutory Planner  
**File No:** PLP134/21  
**Attachments:** 1. *Applicable Planning Policies*  
 2. *Application Material*

<b>Property No.:</b>	123433
<b>Title Details:</b>	Lot 6 on Plan of Subdivision 805703C
<b>Applicant:</b>	Shane and Katrina O'Hare
<b>Zoning:</b>	Farming Zone
<b>Overlays:</b>	None
<b>Objections Received:</b>	151 objections and 10 letters of support
<b>Cultural Heritage Management Plan Required:</b>	No
<b>Summary Recommendation</b>	Notice of Refusal
<b>Reason Reported to Council</b>	The number of objections received exceeds the threshold for officer delegation (4).
<b>Officer Declaration of Conflict of Interest:</b>	No officers involved in the preparation of this report have any direct or indirect interest in this matter.

PLANNING PERMIT APPLICATION PLP134/21 FOR THE USE AND DEVELOPMENT OF THE LAND FOR A RESTRICTED RECREATION FACILITY (DRIFT TRAINING FACILITY) AT 1280D BROADFORD-GLENAROUA ROAD, GLENAROUA (CONT.)

1. Site Map

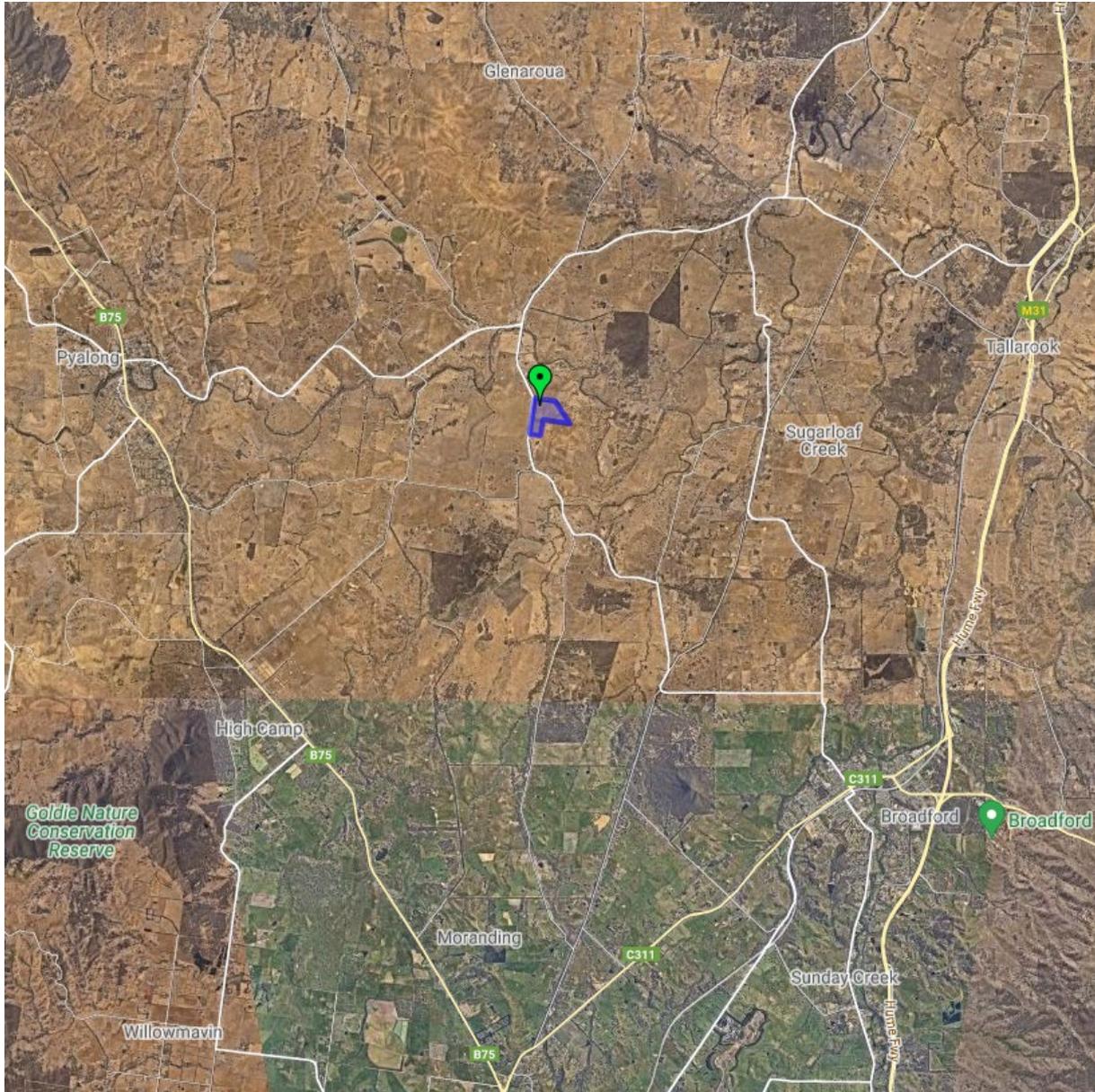


Figure 1. Subject site and wider area (source Nearthmap)

PLANNING PERMIT APPLICATION PLP134/21 FOR THE USE AND DEVELOPMENT OF THE LAND FOR A RESTRICTED RECREATION FACILITY (DRIFT TRAINING FACILITY) AT 1280D BROADFORD-GLENAROUA ROAD, GLENAROUA (CONT.)

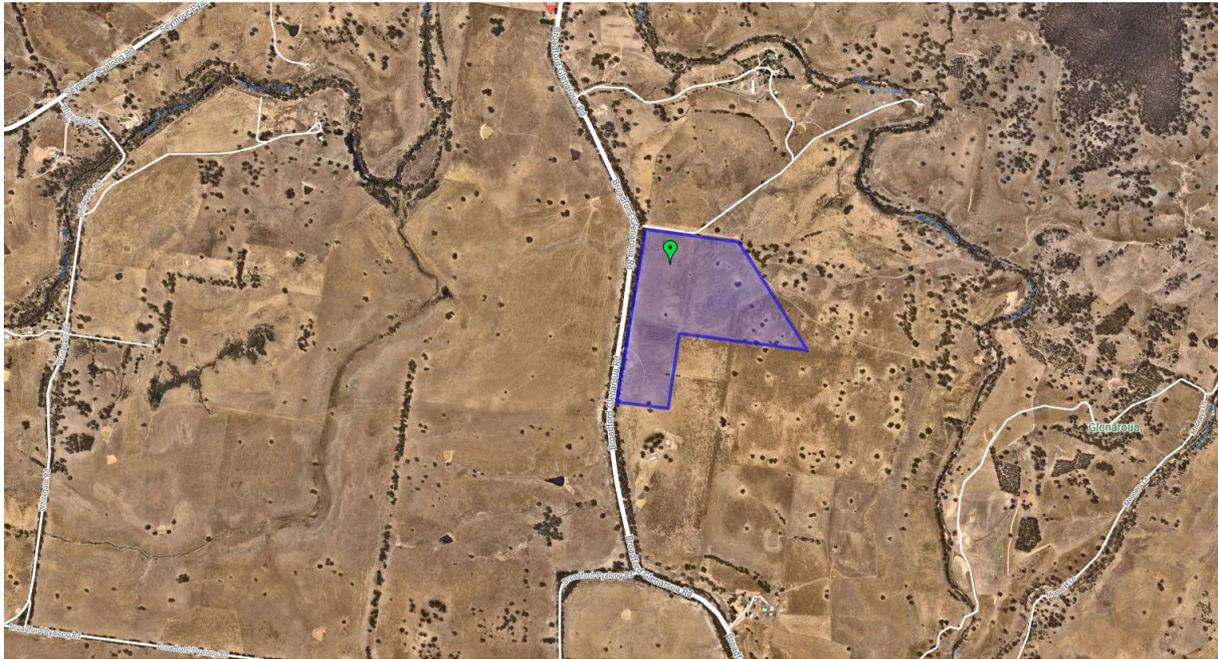


Figure 2. Subject site and surrounds (source Nearmap)

## 2. Summary

- 2.1 This report recommends that Council refuse to grant a Planning Permit for Planning Application PLP134/21 at 1280D Broadford-Glenaroua Road, Glenaroua for the use and development of the land for a restricted recreation facility (drift training facility).
- 2.2 Following public notifications, the application received 151 objections and 10 letters of support.
- 2.3 The proposal has been assessed against the relevant provisions of the Mitchell Planning Scheme, and is considered to:
  - Result in negative impacts on amenity to the surrounding rural area and residents including by way of noise, air, dust and odour emissions.
  - Remove land from agricultural production whilst simultaneously eroding the ability of surrounding land to be farmed for a variety of purposes.
  - Create an unnecessary financial and maintenance impost on Council road infrastructure with increased traffic descending on an isolated location not envisaged in the Mitchell Planning Scheme for large-scale recreational pursuits.
  - Result in negative impacts on the landscape character, values and visual appearance of the surrounding area. Result in negative impacts on the local natural environment particularly regarding local wildlife corridors and the potential for soil contamination.

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PLANNING PERMIT APPLICATION PLP134/21 FOR THE USE AND DEVELOPMENT OF THE LAND FOR A RESTRICTED RECREATION FACILITY (DRIFT TRAINING FACILITY) AT 1280D BROADFORD-GLENAROUA ROAD, GLENAROUA (CONT.)

2.4 As such, the application is recommended for refusal.

### RECOMMENDATION

**THAT** Council having complied with the relevant Sections of the *Planning and Environment Act 1987*, resolve to issue a Notice of Refusal in respect of Application No. PLP134/21 for the use and development of land for a restricted recreation facility (drift training facility) at Lot 6 PS805703C, known as 1280D Broadford-Glenaroua Road, Glenaroua subject to the following grounds of refusal:

1. The proposal is inconsistent with the following Planning Policy of the Mitchell Planning Scheme as follows:
  - a. Clause 12 (Environmental and Landscape Values)
  - b. Clause 13 (Environmental Risks and Amenity)
  - c. Clause 14 (Natural Resource Management)
  - d. Clause 15 (Built Environment and Heritage)
  - e. Clause 17 (Economic Development)
  - f. Clause 18 (Transport)
  - g. Clause 19 (Infrastructure)
  
2. The proposal is inconsistent with the following Local Planning Policy of the Mitchell Planning Scheme as follows:
  - a. Clause 21.03-1 (Biodiversity)
  - b. Clause 21.03-2 (Significant environments and landscapes)
  - c. Clause 21.04-3 (Soil Degradation)
  - d. Clause 21.04-4 (Noise and Air)
  - e. Clause 21.04-5 (Bushfire)
  - f. Clause 21.05-1 (Agriculture)
  - g. Clause 21.05-2 (Water)
  - h. Clause 21.08-1 (Economic Growth)
  - i. Clause 21.08-3 (Tourism)
  - j. Clause 21.09-1 (Road Network)
  
3. The proposal is inconsistent with the purpose and decision guidelines of Clause 35.07 (Farming Zone) as the proposal removes viable agricultural land from

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PLANNING PERMIT APPLICATION PLP134/21 FOR THE USE AND DEVELOPMENT OF THE LAND FOR A RESTRICTED RECREATION FACILITY (DRIFT TRAINING FACILITY) AT 1280D BROADFORD-GLENAROUA ROAD, GLENAROUA (CONT.)

agricultural production, erodes the agricultural potential of adjoining and nearby land and exacerbates land use conflict with genuine agricultural enterprises.

4. The proposal will cause unreasonable visual and amenity impact due to noise, air, dust and odour emissions emanating from the proposed use and the introduction of non-agricultural buildings and scarring of the landscape for the purpose of a non-agricultural use.
5. The proposal does not provide net community benefit for the Glenaroua community.
6. The proposal does not meet the decision guidelines of Clause 65.01 (Approval of an application or plan)

### **ASSESSMENT**

#### **3. Site and Surrounds**

##### **Subject Site Description**

- 3.1 The subject site is on the east side of Broadford-Glenaroua Road approximately 1.5 kilometres north of Broadford-Pyalong Road and a similar distance south of Seymour-Pyalong Road. The site is an irregular shape and has a frontage of approximately 850 metres to Broadford-Glenaroua Road a maximum depth of 621 metres. The site has an overall area of 40.06 hectares.
- 3.2 The site effectively sits on a plateau where the land is flat but surrounding land is undulating.
- 3.3 Vehicle access to the site is gained from Broadford-Glenaroua Road approximately 100 metres north of an existing Powercor electrical substation.
- 3.4 The site has been historically used for low-intensity cattle grazing and broadacre cropping
- 3.5 There are a range of native trees scattered across the site however none are in the vicinity of the proposed development.

PLANNING PERMIT APPLICATION PLP134/21 FOR THE USE AND DEVELOPMENT OF THE LAND FOR A RESTRICTED RECREATION FACILITY (DRIFT TRAINING FACILITY) AT 1280D BROADFORD-GLENAROUA ROAD, GLENAROUA (CONT.)



*Figure 3. Photo of subject site taken looking east from north-west corner of the site*



*Figure 4. Photo of subject site taken looking south from north-west corner of the site*

PLANNING PERMIT APPLICATION PLP134/21 FOR THE USE AND DEVELOPMENT OF THE LAND FOR A RESTRICTED RECREATION FACILITY (DRIFT TRAINING FACILITY) AT 1280D BROADFORD-GLENAROUA ROAD, GLENAROUA (CONT.)



*Figure 5. Photo of subject site taken looking south-east from north-west corner of the site*



*Figure 6. Photo of Broadford-Glenaroua Road taken looking south from near to the north-west corner of the site*

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PLANNING PERMIT APPLICATION PLP134/21 FOR THE USE AND DEVELOPMENT OF THE LAND FOR A RESTRICTED RECREATION FACILITY (DRIFT TRAINING FACILITY) AT 1280D BROADFORD-GLENAROUA ROAD, GLENAROUA (CONT.)

### Planning Background

- 3.6 Planning Permit PLP298/16 was issued on 3 April 2017 creating the subject land (Lot 6) from a seven-lot re-subdivision of old Crown Allotments.
- 3.7 A common property (private) road was approved as part of the subdivision along the northern side of the subject land however the road is only required for vehicle access to Lots 3, 4 and 5.
- 3.8 Building exclusion zones were also required as part of the re-subdivision permit to ensure future buildings on affected lots, including Lot 6, were not located within 50 metres of any waterway or drainage lines leading to a waterway. When the lots were formalised into titles of land, the building exclusion zones were registered as covenants on each affected title.

### Title/Restrictions/Agreements

- 3.9 Restrictive Covenant PS805703C was registered on the title to the subject land on 7 November 2018. This covenant prohibits the construction of buildings within the building exclusion zone.
- 3.10 There are no other Covenants or Section 173 Agreements limiting use or development of the subject land.
- 3.11 An electricity easement is located on the eastern and southern parts of the site. This easement is in favour of Powercor Australia Ltd. The easement is not affected by the proposal.

### Surrounding Area

- 3.12 The subject site is located within the rural locality of Glenaroua, approximately 16 kilometres north-west of Broadford and 22 kilometres north of Kilmore. There are no community or commercial services in Glenaroua except for the Glenaroua CFA Station located approximately one kilometre north of the site.
- 3.13 The Hume Freeway is approximately 17 kilometres to the east accessed via Seymour-Pyalong Road and Tallarook-Pyalong Road at Tallarook.
- 3.14 The Northern Highway is approximately 12 kilometres to the west accessed via Seymour-Pyalong Road at Pyalong.
- 3.15 Mollisons Creek meanders around the north and east of the subject site and is approximately 800 metres from the closest edge of the site to the Creek. The Creek is approximately 1.5 kilometres east of the proposed development footprint. Mollisons Creek forms part of the upper reaches of the Goulburn River Catchment flowing into Sugarloaf Creek downstream of the subject site before flowing into the Goulburn River near Seymour.

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PLANNING PERMIT APPLICATION PLP134/21 FOR THE USE AND DEVELOPMENT OF THE LAND FOR A RESTRICTED RECREATION FACILITY (DRIFT TRAINING FACILITY) AT 1280D BROADFORD-GLENAROUA ROAD, GLENAROUA (CONT.)

- 3.16 The Broadford-Glenaroua Road is a bitumen sealed two-lane road with informal shoulders and significant roadside vegetation lining both sides of the road reserve. The vegetation is acknowledged for its significance in the Mitchell Planning Scheme with protection under a Vegetation Protection Overlay.
- 3.17 The site is set within a traditional broadacre farming area with a range of sheep and cattle grazing and cropping activities in operation.
- 3.18 Settlement of the area is a reflection of the significant size of farm holdings with dwellings generally only accompanying large farms however a de facto rural-residential element is present five kilometres east of the subject site (as the crow flies) at Sugarloaf Creek.
- 3.19 The closest dwellings are at 1020 Broadford-Glenaroua Road which is situated approximately 900 metres south of the proposed development and at 1280 Broadford-Glenaroua Road approximately one kilometre north of the proposed development.

#### 4. Proposal

- 4.1 The proposal is as follows:

##### Use

- 4.2 Approximately 5 hectares of the subject land is proposed to be set aside for use as a drift training track and associated buildings.
- 4.3 Hours of operation are proposed from 8am to 6pm seven days per week. The application material suggests use may primarily occur on weekends but does not explicitly limit hours or days of operation. The Business Management Plan suggests that the Applicant themselves would privately practice on the track one evening per week.
- 4.4 No more than 16 cars are proposed to use the drift training track over the course of a single day with no more than four cars active on the track at any one time. According to the Permit Applicant, this would ensure compliance with the *Noise from Industry in Regional Victoria (NIRV) Guidelines*.
- 4.5 A capped maximum of 60 patrons/spectators are to be onsite at any given event by invite only. Patrons are to be associated with the training participants.
- 4.6 The drift training track is proposed to be a private facility operated by the Applicant who is also a proposed resident on the subject land. The Applicant also proposes that the facility would be available for hire to approved parties where the limitations of acoustic obligations can be met.

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PLANNING PERMIT APPLICATION PLP134/21 FOR THE USE AND DEVELOPMENT OF THE LAND FOR A RESTRICTED RECREATION FACILITY (DRIFT TRAINING FACILITY) AT 1280D BROADFORD-GLENAROUA ROAD, GLENAROUA (CONT.)

- 4.7 There is no information provided suggesting a capped number of participants in the event the track is hired to another party however the Applicant requests that the track be available for customer hire 180 days per calendar year.
- 4.8 The Application does not clearly demarcate the line between a 'private invite only' event and a 'customer hire' event.

#### Development

- 4.9 The track will be a winding 700 metre long, 8-metres-wide, bitumen surfaced track. A 30-metre-wide run-off area is provided around the track for errant vehicles. It is not clear from the documentation what material (gravel or sand traps, tyre barriers) will be used in the run-off area, the specifications of proposed catch fencing around the perimeter (height, transparency, colour, profile) nor is it clear what land-forming will be required for drainage of the track and what will happen with spoil.
- 4.10 The edge of the track will be situated 50 metres at its closest point to Broadford-Glenaroua Road and 60 metres to the common property road to the north. When considering the run-off area and catch fence, these setbacks are reduced to 20 and 30 metres respectively.
- 4.11 Two acoustic berms are proposed across the south side of the track to assist with noise reduction to the nearest dwelling south of the site at 1020 Broadford-Glenaroua Road. The plans illustrating the acoustic berms are largely schematic and don't detail the height or width of the berms. For reference, the Applicant's acoustic assessment suggests the berm should be 3 metres in height.
- 4.12 Two buildings are to be placed next to each other onsite within close proximity to the track. Whilst elevation plans of the two buildings have not been provided, the Applicant advises that both buildings will be portable.
- 4.13 The site plan advises that the toilet block will be 8 metres wide and 4 metres deep accommodating two male and two female toilets plumbed to a wastewater treatment system.
- 4.14 The office will be 12 metres wide and 6 metres in depth and interchangeably used as a classroom and spectator viewing area. It is not clear how this will be possible with a 3-metre-high berm between the office and the track.
- 4.15 The Business Management Plan highlights that the pit area will be 96 metres long and 14 metres wide with a gravel or crushed rock surface and trailer parking included. It is not clear how the pit area is physically separated from spectator movement around the public areas.
- 4.16 Vehicle access from Broadford-Glenaroua Road is proposed via the existing access point to the subject site however the plans don't detail a driveway alignment between the access point and the track nor do the plans illustrate how and exactly where training vehicles will be unloaded from trailers or transportation vehicles. To this end, there are no designated car parking

PLANNING PERMIT APPLICATION PLP134/21 FOR THE USE AND DEVELOPMENT OF THE LAND FOR A RESTRICTED RECREATION FACILITY (DRIFT TRAINING FACILITY) AT 1280D BROADFORD-GLENAROUA ROAD, GLENAROUA (CONT.)

areas shown and no understanding provided of the ‘type’ of transportation vehicle bringing drift cars to the site.

- 4.17 Despite driving conditions being difficult, wet, fog-induced, overcast or dark during winter months and particularly with early morning and early evening operation, there is no information suggesting lighting will be provided around the track.
- 4.18 However, there will be a remote-controlled traffic light system stationed at three locations around the track to manage and warn cars of on-track hazards ahead. The lights remain on until the hazard has been cleared from the track. The traffic light system is not shown on the plans and design specifications have not been provided.
- 4.19 There are no plans submitted with the application proposing any perimeter landscaping around the track.

**5. Referrals**

- 5.1 The application was referred to the following external authorities.

The application was referred to the following authorities under Section 52 of the *Planning and Environment Act 1987*.

Authority	Response
Goulburn Murray Water	No objection subject to conditions requiring suitable wastewater management, sediment runoff control and chemical storage management.
Environmental Protection Authority	No objection but offered the following advice: <ul style="list-style-type: none"> <li>- It is not clear if a PA system will be used and, if so, this has not been considered in the acoustic report.</li> <li>- The Environment Protection Regulations 2021 can be achieved with four vehicles on the track at any one time with a predicted noise level of 46dBA provided the drift vehicles are all using muffled exhaust systems and a 3-metre-high berm is employed across the south side of the track.</li> <li>- The noise monitor device should remain onsite permanently.</li> </ul>

PLANNING PERMIT APPLICATION PLP134/21 FOR THE USE AND DEVELOPMENT OF THE LAND FOR A RESTRICTED RECREATION FACILITY (DRIFT TRAINING FACILITY) AT 1280D BROADFORD-GLENAROUA ROAD, GLENAROUA (CONT.)

	<ul style="list-style-type: none"> <li>- If the nearest resident to the north at 1280 Broadford-Glenaroua Road is still unreasonably impacted by noise coming from the track, further measures may be necessary including a continuous higher berm built around the entire track.</li> </ul>
Country Fire Authority	Requested further information from the applicant due to the risk of bushfire associated with the ignition of fire emanating from drift vehicles. The CFA requested to know the nature of the surface around the track (grass, sand etc.), standard of construction for the internal road leading to the track and any separate emergency access along with confirmation of whether there will be any onsite camping. The applicant has not responded to this request.

5.2 The application was referred to the following internal departments.

The application was referred to the following authorities under Section 52 of the *Planning and Environment Act 1987*.

Department	Response
Environmental Health	No objection subject to conditions requiring suitable wastewater management restricted to regulated wastewater envelopes along with registration under the Food Act 1984.
Environment	Not supportive of the application subject to the following reasons: <ul style="list-style-type: none"> <li>- The proposed use does not present any agricultural or environmental net benefit, contrary to the purposes and objectives of the Farming Zone</li> <li>- Proposed use not responsive to the draft Rural Land and Activity Review</li> </ul>

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PLANNING PERMIT APPLICATION PLP134/21 FOR THE USE AND DEVELOPMENT OF THE LAND FOR A RESTRICTED RECREATION FACILITY (DRIFT TRAINING FACILITY) AT 1280D BROADFORD-GLENAROUA ROAD, GLENAROUA (CONT.)

## 6. Planning Policy Assessment

### Zoning

#### *Farming Zone (FZ)*

- 6.1 Pursuant to clause 35.07-1 (FZ), a **planning permit is required** to use the land for leisure and recreation (restricted recreation facility).
- 6.2 Pursuant to clause 35.07-4 (FZ), a **planning permit is required** for buildings and works, including earthworks which change the rate of flow or the discharge point of water across a property boundary.

### Overlays

- 6.3 No overlays affect the subject land however it is noted the Broadford-Glenaroua Road reservation is affected by the Vegetation Protection Overlay – Schedule 1.

### Relevant Particular Provisions

#### *Clause 52.06 Car Parking*

- 6.4 Clause 52.06-2 states that before a new use commences, the number of car parking spaces required under Clause 52.06-5 must be provided on the land to the satisfaction of the Responsible Authority.
- 6.5 Clause 52.06-5 does not specify a car parking requirement for the proposal so therefore under Clause 52.06-6, before a new use commences, car parking spaces must be provided to the satisfaction of the Responsible Authority.
- 6.6 Clause 52.06-8 states that car parking layout plans must be prepared to the satisfaction of the Responsible Authority before a new use commences.

### Relevant Particular Provisions

#### *Clause 65.01 Approval of an application plan*

- 6.7 Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:
- The matters set out in section 60 of the Act.
  - The Municipal Planning Strategy and the Planning Policy Framework.
  - The purpose of the zone overlay or other provision.
  - Any matter required to be considered in the zone, overlay or other provision.

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PLANNING PERMIT APPLICATION PLP134/21 FOR THE USE AND DEVELOPMENT OF THE LAND FOR A RESTRICTED RECREATION FACILITY (DRIFT TRAINING FACILITY) AT 1280D BROADFORD-GLENAROUA ROAD, GLENAROUA (CONT.)

- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts

#### Planning Policy Framework (PPF)

6.8 Refer to attachment 3.

### **7. Alignment to Council Plan**

7.1 The proposal does not align with 'Responsible Planning' as it does not meet the strategic objective which is "to demand best practice outcomes when planning for future growth" and the following key strategies of the Council Plan:

- Improve the liveability of Mitchell Shire.
- Support safe communities through best practice design and planning standards.
- Protect and enhance local ambience, amenity and character.

### **8. Public Notification**

8.1 The application was advertised in accordance with Section 52 of the *Planning and Environment Act 1987* by placing notice on site and letters sent via post.

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PLANNING PERMIT APPLICATION PLP134/21 FOR THE USE AND DEVELOPMENT OF THE LAND FOR A RESTRICTED RECREATION FACILITY (DRIFT TRAINING FACILITY) AT 1280D BROADFORD-GLENAROUA ROAD, GLENAROUA (CONT.)

8.2 Following public notification of the application, a total of 151 objections and 10 letters of support have been received as of 18 August 2021.

8.3 The concerns raised by objectors are summarised as follows:

Amenity

8.4 Noise, including:

- Noise emanating from the vehicles as they move around the track.
- Additional traffic navigating the local road network in Glenaroua.
- Disturbance to farm animals including cattle and sheep when birthing and to performance horses.
- Disturbance to local wildlife, especially along the Mollison Creek riparian corridor and Broadford-Glenaroua Road significant roadside vegetation corridor.
- Hours of operation from 8am to 6pm and 180 calendar days per year will not provide sufficient relief from noise.
- Proposed noise monitoring is to be undertaken by the permit applicant rather than by an independently nominated person.
- The acoustic report is only based on engine/exhaust noise and not on skidding, braking, wheel spinning or tyre screeching.
- The noise is compliant when one vehicle is on the track but once two vehicles are on the track the proposal no longer complies with Noise from Industry in Regional Victoria (NIRV) guidelines.
- Noise is measured from the facility to the edge of the two nearest dwellings which assumes residents are always inside their dwellings and not enjoying their outside surroundings.
- There hasn't been a noise contour model submitted with the acoustic report which responds to the siting of the proposal on a plateau.
- The acoustic report does not take into consideration the prospect of future dwellings on adjoining lots 4 and 5 which do not require a planning permit to be constructed in the Farming Zone as both lots exceed 40 hectares.
- The berms don't encircle the entire track leading to unnecessary noise.
- Glenaroua is a quiet rural community and the proposal would erode this atmosphere.

8.5 Visual presentation, including:

- Lighting of the Drift Training Facility will impact nearby properties.

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PLANNING PERMIT APPLICATION PLP134/21 FOR THE USE AND DEVELOPMENT OF THE LAND FOR A RESTRICTED RECREATION FACILITY (DRIFT TRAINING FACILITY) AT 1280D BROADFORD-GLENAROUA ROAD, GLENAROUA (CONT.)

- Drawings don't detail any locations or provisions for crowd and safety barriers, parking areas, storage sheds, waste treatment system, rubbish collection, water and electricity supply, emergency access and assembly.
- No provision for onsite repairs of vehicles.
- No waste management proposed which will lead to rubbish and littering.
- No provision for the dumping of shredded tyres generated by the act of drifting.

8.6 Air and odour emissions, including:

- Dust generation from vehicles travelling along the entrance road to the track.
- Dust generation from errant vehicles leaving the track.
- Excessive smoke from burning tyre rubber.
- Increase in carbon emissions and impact on climate change.

Agriculture

8.7 Impacts to agriculture, including:

- The proposal is not associated with the use of land for agriculture.
- The proposal is not consistent with the purpose of the Farming Zone.
- Areas zoned Farming should not be used for non-farming purposes.
- The land is highly productive agricultural land despite arguments to the contrary in the applicant's Agricultural Land Assessment by Cadeema.
- The proposal effectively and permanently removes land from agricultural production.
- The impact and disturbance to farm animals as specified in section 8.4 of this report.

Traffic, Parking and Road Safety

8.8 Impacts to existing road infrastructure, road safety and other onsite matters, including:

- Increase in traffic volumes generated by the proposal.
- Impact to local roads and three single-lane bridges in the local road network.
- Financial impost on Council and ratepayers to maintain the local road network more regularly because of the proposal.

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- The proposal could attract undesirable or criminal groups and anti-social behaviour in an area with inadequate policing.
- Increased difficulty in mustering cattle on local roads due to increase in traffic volumes and fear of 'hoon' driving behaviour.
- Increased traffic volumes and fear of 'hoon' behaviour will endanger cyclists using the local road network.
- It will be difficult to monitor would-be 'hoon' drivers once they leave the facility.
- Drifting can cause death and serious injury.
- Where is the car parking and internal roadways?
- Will cars be brought to the site on trucks or just trailers?

### Bushfire

#### 8.9 Bushfire matters, including:

- Increased risk of bushfire due to fuelling of vehicles, collisions, sparking, burning tyre tread and otherwise igniting flames.
- No fire-fighting equipment or formal bushfire plan in place.
- Existing ground fuel loads including surrounding grasslands and vegetation corridors are too close to the facility and will contribute to the spread of bushfire.
- There has been no confirmation as to whether camping is proposed onsite.
- The proposal will create disproportionate asset protection by the Glenaroua CFA which only has one truck.

### Other

#### 8.10 Other matters, including:

- Possibility of trespass onto adjoining properties.
- Impacts to the mental health of local residents.
- Violation of the Section 173 Agreement.
- No community benefit.
- Impacts to wildlife.
- Soil contamination and potential groundwater impacts.
- Impacts to waterways including Mollison Creek.
- The Planning Permit Application was not advertised widely enough.

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- The proposal is not consistent with the Broadford Structure Plan, which has a dedicated motor sport precinct.
- The proposal is not consistent with the Draft Rural Land and Activities Review 2021.
- The land use is incorrectly characterised as a Restricted Recreation Facility instead of a Motor Racing Track.
- Reduction in land values.
- The need for the facility has not been justified.
- Once the permit is issued, amendments can be made.

## 9. Discussion`

### Amenity Considerations

- 9.1 There are a range of amenity considerations including noise, dust, air and odour emissions along with visual amenity impacts which must form part of Council's decision-making process in accordance with the Mitchell Planning Scheme.
- 9.2 Clause 13.05-1S sets out the overarching strategy of the Planning Scheme to assist the control of noise effects on sensitive land uses. The strategy is to 'ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area'.
- 9.3 An acoustic report prepared for the applicant by Octave Acoustics has been submitted with the proposal. The report investigates noise impacts to the two closest receivers of noise at 1020 and 1280 Broadford-Glenaroua Road and concludes that compliance with the recommended noise limits of *EPA Publication 1411: Noise from Industry in Regional Victoria* (NIRV) can be met by doing the following:
- Constructing earthen berms along the south side of the track to a height of 3 metres to reduce noise to an acceptable level when received at 1020 Broadford-Glenaroua Road.
  - Applying muffled exhaust systems to drift vehicles.
  - Installing a fixed noise monitor to the north-east side of the track to facilitate and observe compliance with relevant noise regulations.
- 9.4 As of 1 July 2021, *EPA Publication 1411* (NIRV) was replaced with *EPA Publication 1826: Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment*

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*Venues. EPA Publication 1826* uses the same methods to assess noise impacts as *NIRV* but with slight amendments to the durations of day, evening and night periods. The changes to period definitions do not change the results of the acoustic assessment except for Saturday operations which are now considered as part of 'day period' operations rather than 'evening period' operations.

- 9.5 The *NIRV* criteria previously defined a 'day period' as 7am to 6pm from Monday to Friday and 7am to 1pm on Saturdays with 'evening period' defined as 1pm to 10pm for Saturdays. As part of the change to the new criteria under *EPA Publication 1826*, 'day periods' are redefined to include Saturdays from 7am to 6pm. Sundays continue to be defined as 'evening' periods from 7am to 10pm.
- 9.6 Table 1 of the applicant's acoustic report specifies the day period zoning level at 46 dB(A) and evening period zoning level at 41 dB(A). Given the proposed hours (and loosely proposed days) of operation advised by the applicant, this means that in order to comply with *EPA Publication 1826*, noise generated by the proposal should not exceed 46dB(A) at any stage between 8am and 6pm from Monday to Saturday and should not exceed 41 dB(A) at any stage between 8am and 6pm on Sundays.
- 9.7 The applicant's acoustic report ultimately concludes that if all drift vehicles are fitted with exhaust mufflers, then the noise received at 1020 and 1280 Broadford-Glenaroua Road will meet the noise criteria with anywhere between 1 and 4 vehicles on the track at any one time from Monday to Saturday however the criteria is only met on a Sunday if 1 to 2 vehicles are on the track at any one time.
- 9.8 At Clause 22 of the *EPA Publication 1826*, it states that:

*An assessment of the background level may be made where the assessment location in the noise sensitive area is further than 600 metres from the boundary of the land-use zone in which the commercial, industrial or trade premises is located, to ensure the noise limit is not set below the background level.*

- 9.9 The applicant's acoustic report is essentially a desktop review using three-dimensional computer modelling based on the use of algorithms consistent with internationally recognised standards. Whilst this is a standard approach to outdoor noise assessment and impacts, the background levels have not been measured to ensure a reasonable baseline to start from with respect to noise. Such a baseline would give the Glenaroua community a better indication of the nature of typical background noise in their local area and a more genuine comparison with the nature of noise emanating from the drift training track.
- 9.10 This matter requires resolution. If the background noise levels are measured together with the expected noise limits, the final noise levels could be higher

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than the zoning levels for the generators and receivers of noise in a Farming Zone.

- 9.11 Council officers commissioned a peer review of the applicant's acoustic report by an independent acoustics expert. The peer review concludes that operational details of the drift training track should be provided by the applicant to categorically confirm that compliance is achieved against *EPA Publication 1826*. This is particularly required to confirm that effective noise levels (represented in Table 8 of the applicant's acoustic report) account for adjustments to duration and intermittency of noise against *EPA Publication 1826*.
- 9.12 The peer review states that it would be prudent to clarify the operational details of the proposal and the expected usage frequency of the practice track over a given 30-minute period (i.e. number of cars on track and for how long, during a given 30-minute period). The details provided by the applicant in this regard are vague. Whilst the applicant has clearly stated that no more than four vehicles will be on the track at any one time, there is no understanding about how vehicles are interchanged without creating additional noise and no understanding of whether the noise of four vehicles on the track will be sustained for extended periods of time without relief.
- 9.13 The application was also referred to the Environment Protection Authority (EPA) who consented to the proposal following a review of the applicant's acoustic report. EPA advice is summarised in section 5.1 of this report.
- 9.14 Noise monitoring with a fixed monitor on the north-east side of the track has been suggested by the EPA along with both the applicant's acoustic engineer and an independent acoustic engineer on peer review. The monitor would assist with better measuring noise impacts in various weather conditions and, in the event a permit is issued with suitable conditions, ongoing noise monitoring would give Council the opportunity to enforce stricter track operations or employ further noise attenuation measures around the track. If there are still unreasonable noise impacts to dwellings at either 1020 or 1280 Broadford-Glenaroua Road, all three experts suggest use of a continuous higher berm around the track. However, the independent acoustic engineer suggests noise monitoring should be measured upfront in the event Council are of a mind to issue a permit to ensure more accurate and predictable noise readings and modelling are undertaken.
- 9.15 Notwithstanding this, Clause 13.05-1S still requires that land use separation techniques are appropriate to the 'land use functions and character of the area'. A 3-metre-high berm around the south side of the track or, in a worst-case scenario, an even higher berm around the entire track is considered to be an inappropriate solution to resolving noise impacts.
- 9.16 The subject site and immediately surrounding land is situated on a plateau. Distant views of the site are possible from Broadford-Glenaroua Road and

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adjoining and nearby properties. Roadside vegetation and scattered trees throughout the area provide some level of natural screening to the site but not sufficiently to allow a 3-metre-high earthen berm to 'nestle' into a flat, largely denuded landscape let alone a higher, continuous berm around the entire track.

- 9.17 This is further exacerbated by the absence of any definitive conclusion on exactly how long the berm should be and whether the acoustic dynamics change when the berm along the south side of the track is broken into two parts with an approximately 60 metre gap between each berm. It is further noted that the berm on the south-east side of the track doesn't wrap around the track in any way and is further away from the track. It is not understood how, if at all, a berm further away from the edge of the track achieves a better acoustic outcome than the berm closer to the track.
- 9.18 It is further noted that the berm does not shelter 1020 Broadford-Glenaroua Road from the noise of revving vehicles in the pit lane. The Business Management Plan accompanying the application doesn't make mention of this matter. Whilst a permit condition could theoretically deal with this issue by prohibiting warm-ups or revving in the pit lane, the reality is it will be resource-intensive for Council officers to enforce on an ongoing basis.
- 9.19 Noise contour modelling does not form part of the applicant's acoustic report and this was mentioned in the objections as something that hasn't been completed by the applicant. On peer review, the independent acoustic expert has not made specific comment on the issue however conversations with Council officers have revealed that given the site is largely flat and unencumbered by adjacent built-up areas, noise contour modelling wouldn't change the modelling which has already been done.
- 9.20 The peer review did not investigate noise impacts on lots 3, 4 and 5 forming part of the same Plan of Subdivision as there are no current dwellings on any of these lots and modelling could not be undertaken to a receiver point which doesn't yet exist however Council officers acknowledge that this issue has been raised by objectors. The fact that all of these lots are in excess of 40 hectares with building site opportunities closer to the drift training track than the receivers of noise at 1020 and 1280 Broadford-Glenaroua Road will only exacerbate land use conflict and erode the opportunities for a variety of agricultural pursuits to be established if a dwelling cannot also be established on those lots to support an agricultural enterprise.
- 9.21 Noise impacts to wildlife from a drift training track have also been identified by objectors. Whilst the subject site itself, is largely devoid of trees, the Broadford-Glenaroua Road is a significant roadside vegetation corridor protected under the Vegetation Protection Overlay – Schedule 1 (VPO1). The track is a minimum of 20 metres from this roadside vegetation corridor. The "Statement of nature and significance of vegetation to be protected" under the VPO1 states the following:

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*Roadside vegetation and wildlife corridors are a significant feature of the Mitchell Shire. Many roadsides and corridors throughout the area contain pockets of remnant indigenous vegetation, rare, vulnerable and significant flora species. Some of the roadsides and corridors provide a valuable source of native seed stock and important habitat for wildlife. The conservation and protection of these areas is an important strategy.*

- 9.22 Whilst the VPO1 is not technically triggered by this proposal, it is still an important consideration under clause 21.03-1 (Biodiversity) which recognises roadside vegetation and wildlife corridors for the importance they hold in providing significant wildlife habitat. A wildlife study has not been undertaken by the applicant to determine the variety of species which live and move along this corridor and their susceptibility to vehicle noise of this nature. Assuming this corridor provides value to even a limited number of species, it is considered the noise generated by the proposal would likely displace those species thereby contributing to their decline.
- 9.23 Further to the impact on flora and fauna, many objectors raised the possibility of adverse effects on the health and wellbeing of farm / stock animals as well as native fauna.
- 9.24 In relation to visual amenity, there is an implicit expectation that soil disturbance will be required to form the land so that the track along with an internal driveway leading to the track can be suitably drained of stormwater. Whilst the applicant maintains that minimal excavation is required, there is little doubt the proposal will require significant earthworks.
- 9.25 Clause 21.03-2 notes that 'Mitchell has a diverse range of landscapes including steep to gently undulating sedimentary hills, dissected granite plateaus, volcanic plains and flat alluvial flood plains associated with major rivers'. The objective of this clause is 'to protect and enhance the visual quality of rural and urban landscapes'.
- 9.26 It is difficult to reconcile the differences between this proposal, the above policy direction and the landscape features of Glenaroua. The flat volcanic plains in this area are likely to be the result of the convergence of the Sunday Creek and Mount William Fault Lines which lie in the vicinity of the subject site creating unobstructed views from Broadford-Glenaroua Road towards the Mollison Creek riparian corridor and Tallarook hills and State Forest further in the distance.
- 9.27 The earthworks to form the track will scar views of this landscape and clutter those views with earthen berms, buildings, bitumen track, lighting, fencing, other things such as sand or gravel traps in the track run-off areas, possibly tyre barriers for further protection, car parking areas, storage buildings, wastewater treatment system, rubbish management, water and electricity supply all of which are facets of the application that aren't properly resolved

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as part of the application not to mention the traffic light system which is to be implemented.

- 9.28 One of numerous examples of how the application design detail is unresolved, relates to the applicant's advice that the office will be 'typical of a standard shipping container' in terms of its size and the applicant's Business Management Plan which suggests the office will be used as a spectator viewing area, it is unclear how the office will achieve this outcome with a 3-metre-high acoustic berm obstructing views of the track.
- 9.29 The subject site is adjacent to a section of Broadford-Glenaroua Road which is straight and offers panoramic views to passing drivers along with the ability to stop and enjoy views of a quintessentially rural environment.
- 9.30 Ultimately, there are a range of noise and amenity related matters which remain unresolved and therefore, from an amenity perspective, the application cannot be supported at officer level.

#### Farming Zone and Protection of Agricultural Land

9.31 The purpose of the Farming Zone is:

- To provide for the use of land for agriculture.
- To encourage the retention of productive agricultural land.
- To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.
- To encourage the retention of employment and population to support rural communities.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

9.32 The proposal removes approximately 5 hectares of land from being physically used for agriculture and a further 35 hectares are effectively lost to agricultural production by virtue of the landowner having no obvious intention to farm the remaining land.

9.33 The applicant has supplied an Agricultural Assessment Report which explores the productivity of the land for agriculture. The report concentrates almost exclusively on soil suitability for cropping concluding that the poor soil quality does not have potential for productive agricultural cropping. It concludes that only low-intensity grazing can result.

9.34 Suggesting that the agricultural potential of land can only be measured on soil quality is a myopic approach given that many agricultural enterprises

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don't rely on soil, they rely on land buffers from non-agricultural uses, particular weather conditions and rainfall patterns. Because the site can't be used for cropping does not make it unproductive, it simply makes it unviable for cropping. Objectors too have raised arguments suggesting that fertiliser application could bring the soil quality of the land to a level where it could be used for soil-based agricultural uses.

- 9.35 It is therefore considered that the purposes of the Farming Zone are not met. Firstly, the proposal is non-agricultural and does not 'provide for the use of land for agriculture'. Secondly, the proposal does not retain productive agricultural land irrespective of what argument one subscribes to when defining 'productive'. And lastly, this non-agricultural use will prejudice the use of surrounding land for a range of agricultural pursuits regardless of whether they currently exist.
- 9.36 This is further emphasised by objective 2 at clause 21.05-1 which is 'to support the diversification of agriculture, the development of agro-forestry and the processing of agricultural products grown within the municipality'. The diversification of agriculture can only be supported where land is not locked away from agricultural production and where otherwise viable land is not compromised by non-agricultural uses.
- 9.37 The Farming Zone decision guidelines outline that environmental matters must also be considered including the impacts of the use and development on the flora and fauna on the site and its surrounds. The application material has not identified or provided any assessment in relation to impacts on flora and fauna on the site and the surrounds.

#### Traffic, Parking and Road Safety

- 9.38 The applicant has not tendered a traffic impact assessment with their application and relied on there being sufficient onsite space for parking of vehicles.
- 9.39 There is effectively no information provided to Council officers to elicit a proper assessment of traffic, car parking and road safety.
- 9.40 Sections 6.4 to 6.8 of this report explore the car parking provisions of the Planning Scheme and it is noted that there has been no empirical assessment made of car parking demand in association with the use.
- 9.41 The Permit Applicant has not sought to illustrate a proposed car parking layout other than to say there is a hardstand area set aside for the purposes of car parking. The Application says this area is also set aside for unloading drift cars from trailers or transportation vehicles with no information about the size or design of expected transportation vehicles coming to the site, where they will park, how they will manoeuvre into designated spaces and ensure there is no conflict with other moving or stationary vehicles.

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- 9.42 There has also been no attempt to justify that sufficient car parking has been allocated on the site to the satisfaction of the Responsible Authority. Furthermore, there is no ability to determine if the car parking needs of the site can be catered for within the area understood to be the 'pit'. This area is not specifically highlighted or delineated for car parking and there is no understanding of how vehicles will both park in this area whilst other vehicles are being unloaded and presumably whilst drift vehicles are being interchanged. In one confined space, there appears to be too much car movement and not enough space.
- 9.43 With up to 60 spectators coming to the site, vehicle access from the road to the track facility needs to be properly resolved to ensure safe and reliable movement of vehicles into and out of Broadford-Glenaroua Road, adequate sightlines can be achieved without the removal of significant roadside native vegetation and to ensure there is sufficient, safe turning space for the types of vehicles expected at the site, particularly in the presence of passing vehicles on a rural 100km/h road with a gravel shoulder.
- 9.44 There are concerns raised by objectors that the increase in traffic volumes will unacceptably impact existing road infrastructure and road safety including wear and tear on local roads and the capacity of three single-lane bridges in the local road network to cater for increased traffic volumes. The application was referred to Council's Asset Engineering team but there was no objection raised to the proposal.
- 9.45 Matters of undesirable, criminal, anti-social or 'hoon' behaviour on local roads was also raised by objectors as a significant road safety issue. Unfortunately, Council has no control over how people drive or act under the law and, whilst it is accepted that the area may have inadequate policing, this matter can only be resolved by Victoria Police.

#### Bushfire Considerations

- 9.46 Clause 13.02-1S states that 'this policy must be applied to all planning and decision making under the Planning and Environment Act 1987 relating to land that is within a bushfire prone area'. Whilst not within the Bushfire Management Overlay, the site is within a bushfire prone area.
- 9.47 The clause outlines a range of strategies ranging from the protection of human life to bushfire hazard identification and areas of biodiversity conservation value none of which have been comprehensively addressed in the application.
- 9.48 The application was referred to the Country Fire Authority who requested further information as summarised in section 5.1 of this report. The further information has not been forthcoming but Council officers acknowledge that a bushfire management plan and bushfire protection measures need to be properly formalised to address clause 13.02-1S and the requirements of the CFA.

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### Characterisation of Land Use

9.49 A number of objections have queried whether the proposed characterisation of land use is accurately defined in accordance with the Mitchell Planning Scheme.

9.50 Council has sought legal advice and confirms the following (summarised and paraphrased):

- It is a matter for the applicant to characterise the proposed use. Once this has occurred, it is for the responsible authority to determine if the characterised use is proven to be wrong. On review of the application material and the Mitchell Planning Scheme:
  - (i) The applicant's decision to apply for a 'Restricted Recreation Facility' as opposed to a 'Motor Racing Track' is reasonably informed and justified.
  - (ii) It is reasonably appropriate for Council to assess the application on the basis of a 'Restricted Recreation Facility' as applied for by the applicant.
- It is likely to be appropriate if any permit were to be granted that conditions be applied to the permit to ensure the use remains characterised as a 'Restricted Recreation Facility.' This would result in the use and visitors being restricted, and appropriately remain as a 'Restricted Recreation Facility'
- The application material does allude to a potential intention for the land use to stray from a 'restricted recreation facility' in the future however this is not what the applicant has applied for, and it is appropriate for Council to continue to assess, consider, condition and limit the use appropriately if a permit were to be granted

9.51 As such, the matter of correctly characterising the land use is deemed as being resolved based on the legal planning advice received.

### 'Need' and Net Community Benefit

9.52 A number of objections have raised the argument of 'need' suggesting there is no local community need or any tangible economic benefits for the local community in having the drift training facility.

9.53 The proposal will involve employment of a husband-and-wife team to operate the facility with no additional employment opportunities planned. The applicant states that 'drifting is the fastest growing motorsport in the world right now' and 'Victoria unlike other states in Australia does not have a dedicated drift track' making this proposal 'the first and only purpose-built venue in Victoria'.

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9.54 With the majority of people attending the facility anticipated to come from outside Mitchell Shire and employment opportunities being restricted to the owners of the facility, there does not appear to be many flow-on economic or community benefits from having the facility in Glenaroua.

9.55 Having said that, the measure of ‘need’ in town planning terms needs to be properly understood. Not every land use or proposal will have direct or local benefit. In the VCAT case of *Trustees of the Ukrainian Catholic Church in Australia v Melbourne CC [2008] VCAT 2388* (paragraph 34) the Tribunal stated:

*The issue of local need is one which has been the subject of consideration by this Tribunal over a long period of time. The Tribunal had consistently held that non-residential uses often serve a wider catchment than the immediate neighbourhood. The fulfillment of a local need test under the planning scheme does not require that every customer, patient or patron of that use, or a specified proportion of them, must reside within an area which could be defined as local.*

9.56 Whilst this case related to a childcare centre in a residential area, the same notions of ‘need’ still apply. It is not considered that ‘need’ for this facility in and of itself is a relevant planning consideration however the notion of ‘net community benefit’ is a somewhat separate consideration.

9.57 Clause 71.02-1 states:

*The Planning Policy Framework seeks to ensure that the objectives of planning in Victoria (as set out in section 4 of the Act) are fostered through appropriate land use and development planning policies and practices that integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.*

9.58 In the VCAT case of *Beretta’s Langwarrin Pty Ltd v Frankston CC (Red Dot) [2009] VCAT 74* which involved an application for an additional 16 electronic gaming machines in an existing gaming premises, the Tribunal said:

*The important point for our purposes is that pursuant to Clause 11, where a planning permit applicant puts forward its case as to the planning merits of a proposal, it must do more than demonstrate that the proposal will not cause any net planning detriment. Similarly, it is not enough for the applicant to demonstrate that the proposal will maintain a “break even” situation in terms of its net community impacts. Rather, it is clear under Clause 11 that an applicant must demonstrate that the proposal will go beyond “break even” to create a net community benefit i.e. a positive planning outcome. If one was using an old-fashioned set of scales to balance on one side the potential negative impacts of the proposal and on the other side the*

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*potential positive impacts, the proposal must tip the scales at least 1% towards a positive net community benefit.*

- 9.59 Given the number of unresolved matters forming part of this application, the prospect of an unsightly design response and a litany of amenity impacts, it is difficult to arrive at the position that this proposal 'tips the scales' towards positive net community benefit.

#### Clause 21.09 - Tourism

- 9.60 Clause 21.09 (Tourism) states that it is an objective of the Planning Scheme to 'facilitate Mitchell becoming a recognised tourist destination'. Strategies underpinning this objective include to 'support and develop the tourism industry' and 'encourage new uses that promote or assist local tourist attractions and visitation'.
- 9.61 Clause 21.11 (Local Areas) identifies the Broadford Structure Plan in the Planning Scheme and recognises the role Broadford plays as a major township in the Mitchell Shire highlighting the town as home of the State Motorcycle Sports Complex.
- 9.62 Neither the State or Local Planning Policy Frameworks expressly encourage the location of tourist facilities in purpose-designed recreational or tourism precincts however one of the strategies under clause 17.04-1R is to 'support large commercial tourism uses in urban locations or rural areas of lower agricultural value and away from areas identified as strategic agricultural land' whilst one of the strategies under clause 17.04-2S is to 'ensure development is of an appropriate scale, use and intensity relative to its location and minimises impacts on the surrounding natural, visual, environmental and coastal character'.
- 9.63 Whilst planning policy direction certainly encourages and welcomes tourism opportunities in Mitchell Shire, it should be well located having regard to the character of the area and, for reasons previously explained, the proposal represents an inappropriate and unresolved design response to the visual and landscape character of the area, has the potential to disturb existing wildlife corridors and removes viable agricultural land from agricultural production whilst compromising the use of surrounding land for a range of agricultural enterprises.

#### Draft Rural Land and Activities Review 2021

- 9.64 Objectors have highlighted that the Council's Rural Land and Activities Review 2021 should be considered as part of the application. Objectors argue that the proposal is not consistent with the Review and should be refused on this basis.
- 9.65 In response to this matter, the subject site falls within 'Policy Area 2'. The Statement of Intent for this Area is:

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- To support and encourage a diverse mix of agriculture that will include small scale niche and innovative operations, farming as a supplementary income, and equine related uses.
- To support the expansion of commercial scale agriculture where it is possible.
- To manage the threats posed by increasing bushfire risk as a result of climate change, particularly for land closest to State Parks.
- To support the active use of the land for carbon storage, native vegetation offsets and timber production and ensure appropriate infrastructure is provided.
- To support a more lenient approach to the approval of dwellings but still require an established link with a legitimate farming operation or environmental improvement of the land.
- To recognise the high scenic values of land surrounding the National and State Parks within the eastern precincts.
- To support tourism related land uses particularly in locations closest to natural assets such as Regional, State and National Parks.

9.66 The Draft Rural Land and Activities Review 2021 is neither:

- a) Adopted by Council;
- b) Under consideration as part of a Planning Scheme Amendment; or
- c) Incorporated into the Mitchell Planning Scheme.

9.67 In the event that the proposal was adopted by Council, Section 60 of the Planning and Environment Act 1987 gives shallow legal weight to the Review however it first needs to form part of a formal planning scheme amendment which has progressed beyond consideration by Planning Panels Victoria before being considered a seriously entertained planning proposal under VCAT case law.

#### Reduction in land values

9.68 This matter is not a town planning consideration and many VCAT cases have confirmed this. For example, in the case of *Skunca v Mornington Peninsula SC [2004]* VCAT 1690 the Tribunal stated at paragraph 10:

*If adjoining land is devalued because of detriment to its amenity, it is the detriment to the amenity that is considered in relation to town planning, not the resulting devaluation (in relation to which there is seldom, if ever, any evidence in any event).*

PLANNING PERMIT APPLICATION PLP134/21 FOR THE USE AND DEVELOPMENT OF THE LAND FOR A RESTRICTED RECREATION FACILITY (DRIFT TRAINING FACILITY) AT 1280D BROADFORD-GLENAROUA ROAD, GLENAROUA (CONT.)

### Extent of Public Advertising

9.69 Objectors have raised that they were not aware of the proposal until well into the public advertising process or did not receive written notice of the proposal.

9.70 Section 52(1)(a) of the Planning and Environment Act 1987 requires, as a minimum, that physically abutting property owners are given notice of the application.

9.71 Beyond this, section 52(1)(d) of the Planning and Environment Act 1987 gives Council officers the discretion to notify 'affected persons'. This is not to suggest that anyone who didn't receive a public notice is not materially affected in some way by the proposal, however Council officers have had to make a decision about how extensively to notify the application.

9.72 The map below shows the properties labelled in yellow generally within 1.5 kilometres of the site that were notified by direct mailout.

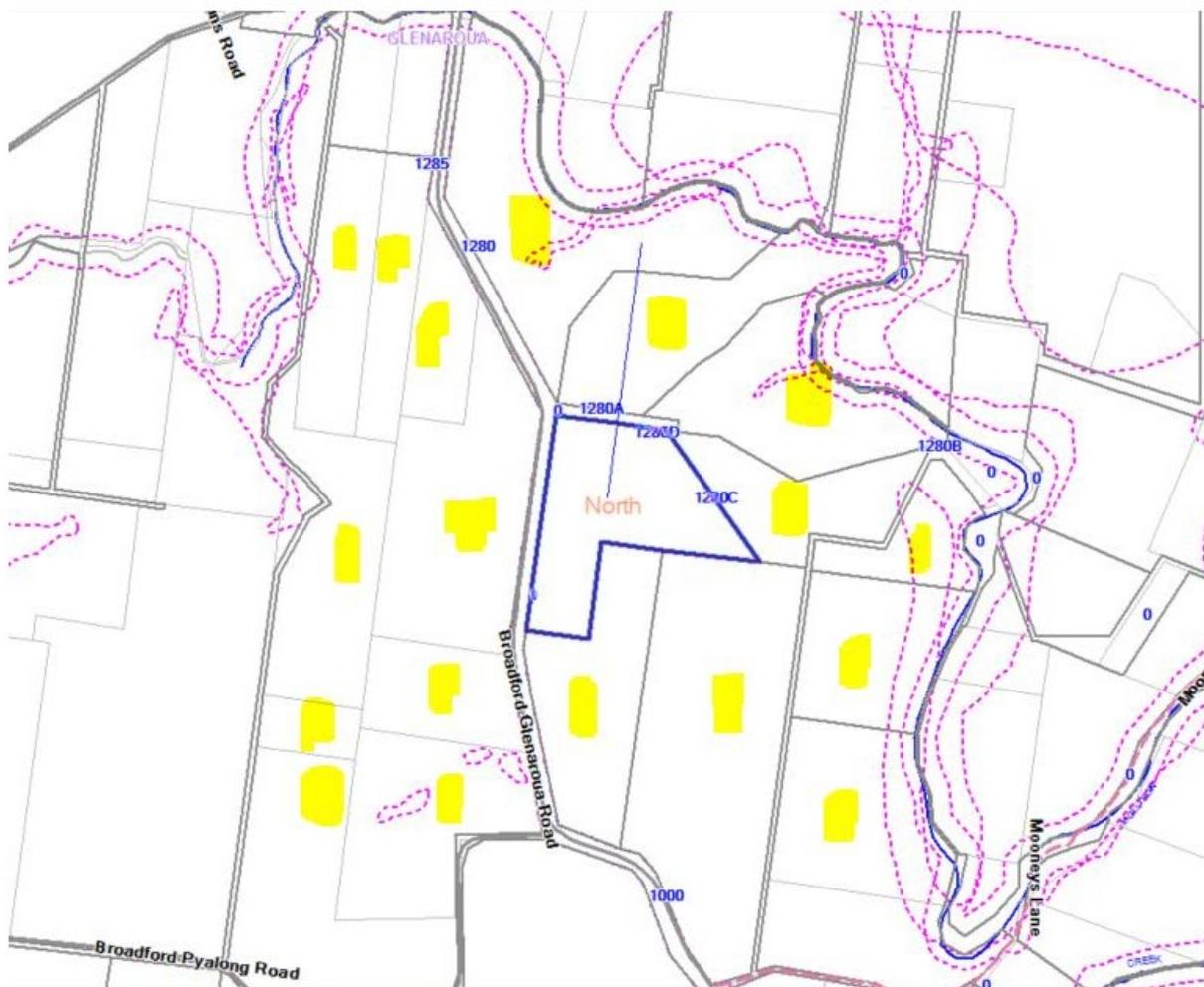


Figure 3. Advertising Map

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PLANNING PERMIT APPLICATION PLP134/21 FOR THE USE AND DEVELOPMENT OF THE LAND FOR A RESTRICTED RECREATION FACILITY (DRIFT TRAINING FACILITY) AT 1280D BROADFORD-GLENAROUA ROAD, GLENAROUA (CONT.)

9.73 Further, notification signage was placed correctly on the site in accordance with the Act and Council's Advertising Planning Application Guide 2020.

9.74 The application material was also located on the Mitchell Shire Council website in accordance with Council's Advertising of Planning Applications Policy 2020.

## **10. Conclusion**

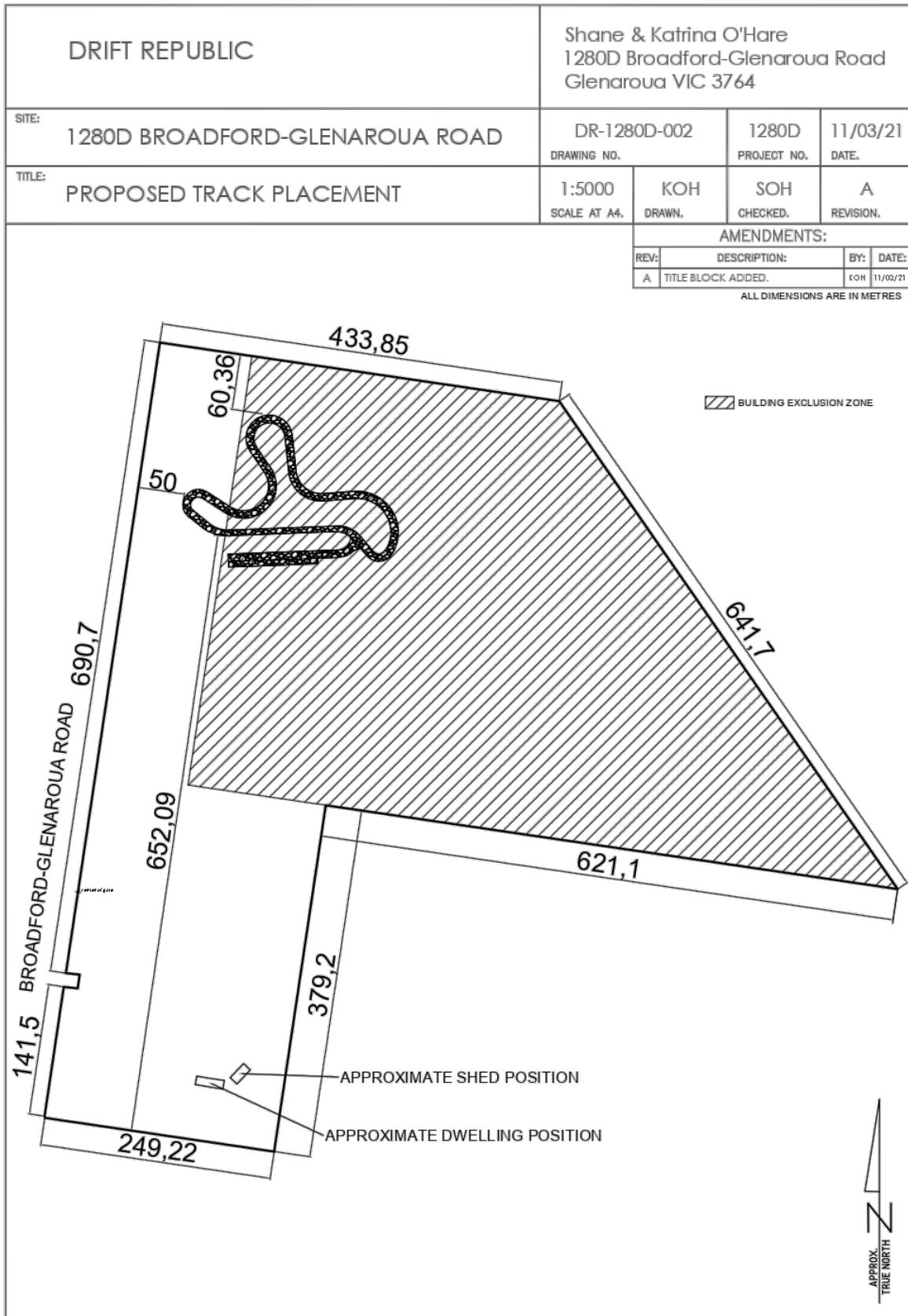
10.1 The proposal is not considered to represent an appropriate use of land or appropriate design response to the rural landscape character of the area. The noise and visual amenity impacts generated by the proposal along with the loss of productive agricultural land along with the significant number of matters that are unresolved as part of the application do not warrant support of the application.

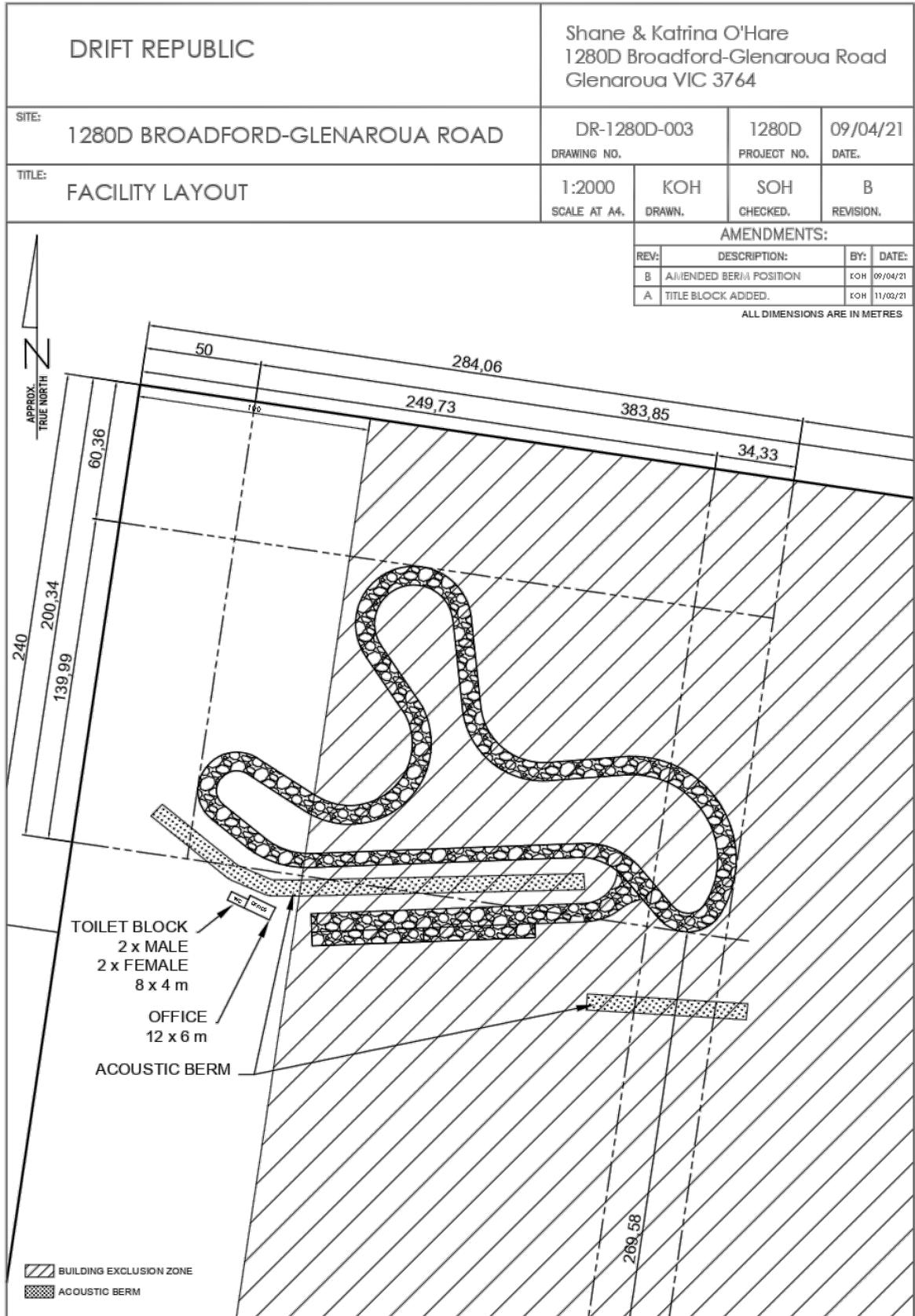
The following clauses of the PPF and LPPF are considered relevant to this application.	
Clause 12.01-1S Protection of biodiversity	This clause is relevant and has the following objective:  To assist the protection and conservation of Victoria's biodiversity.
Clause 12.05-2S Landscapes	This clause is relevant and has the following objective:  To protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.
Clause 13.02-1S Bushfire	This clause is relevant and has the following objective:  To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.
Clause 13.05-1S Noise abatement	This clause is relevant and has the following objective:  To assist the control of noise effects on sensitive land uses.
Clause 13.06-1S Air quality management	This clause is relevant and has the following objective:  To assist the protection and improvement of air quality.
Clause 13.07-1S Land use compatibility	This clause is relevant and has the following objective:  To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.
Clause 14.01-1S Protection of agricultural land	This clause is relevant and has the following objective:  To protect the state's agricultural base by preserving productive farmland.
Clause 14.02-2S Water quality	This clause is relevant and has the following objective:  To protect water quality.
Clause 15.01-2S Building design	This clause is relevant and has the following objective:  To achieve building design outcomes that contribute positively to the local context and enhance the public realm.
Clause 15.01-6S Design for rural areas	This clause is relevant and has the following objective:  To ensure development respects valued areas of rural character.
Clause 17.01-1S Diversified economy	This clause is relevant and has the following objective:  To strengthen and diversify the economy.
Clause 17.02-1S Business	This clause is relevant and has the following objective:  To encourage development that meets the community's needs for retail, entertainment, office and other commercial services.
Clause 17.04-1S Tourism	This clause is relevant and has the following objective:

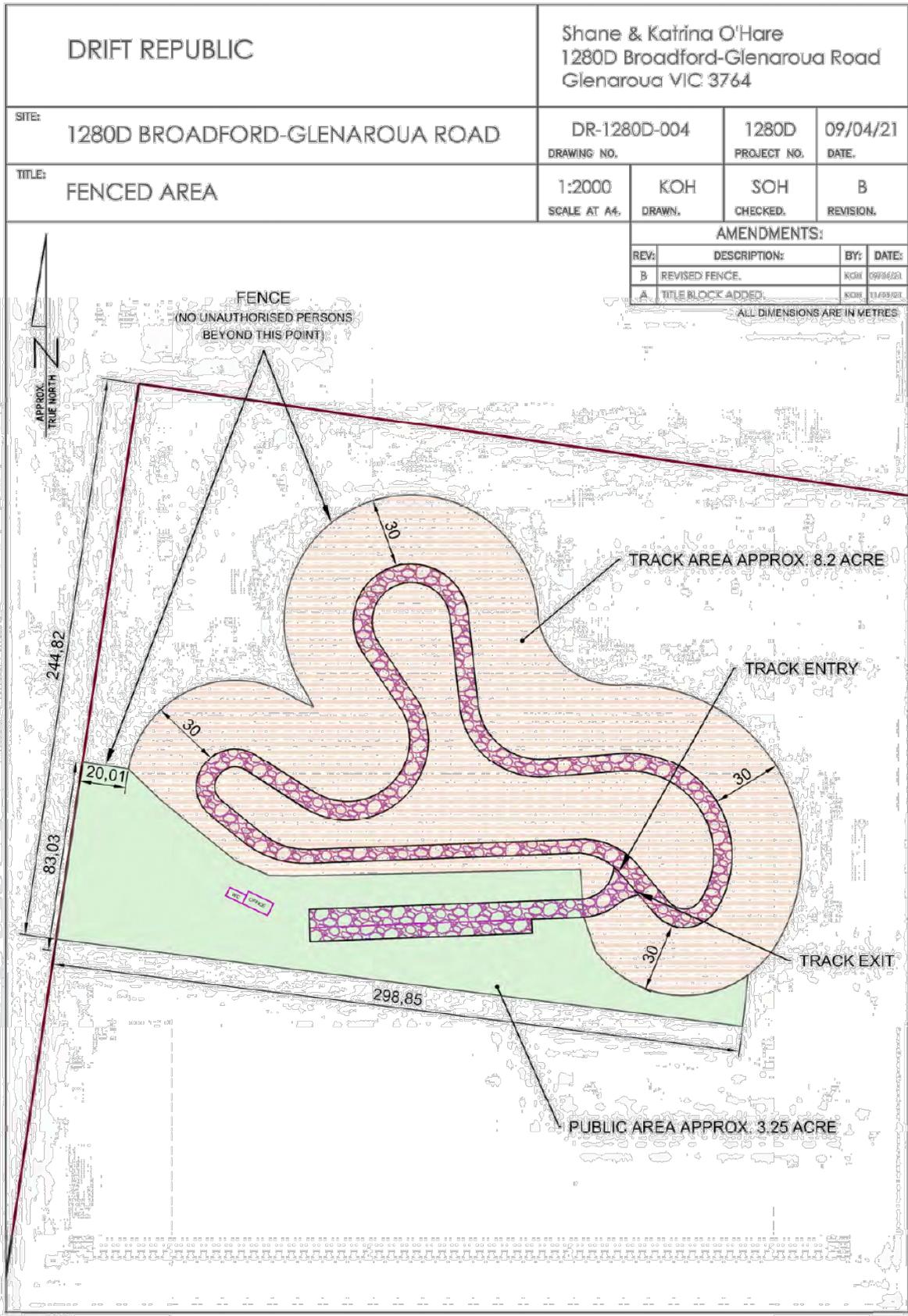
	To encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination.
Clause 18.02-3S Road system	This clause is relevant and has the following objective:  To manage the road system to achieve integration, choice and balance by developing an efficient and safe network and making the most of existing infrastructure.
Clause 18.02-4S Road system	This clause is relevant and has the following objective:  To ensure an adequate supply of car parking that is appropriately designed and located.
Clause 19.02-3S Cultural facilities	This clause is relevant and has the following objective:  To develop a strong cultural environment and increase access to arts, recreation and other cultural facilities.
Clause 21.03-1 Biodiversity	This clause is relevant and has the following objective:  To protect and enhance indigenous flora, fauna and habitat.
Clause 21.03-2 Significant environments and landscapes	This clause is relevant and has the following objective:  To protect and enhance the visual quality of rural and urban landscapes.
Clause 21.04-3 Soil degradation	This clause is relevant and has the following objectives:  <ul style="list-style-type: none"> <li>- To ensure that the use and development of land does not cause significant land disturbance.</li> <li>- To minimise land degradation.</li> </ul>
Clause 21.04-4 Noise and air	This clause is relevant and has the following objective:  To reduce noise and air pollution.
Clause 21.04-5 Bushfire	This clause is relevant and has the following objective:  To minimise the risk to life, property and the environment from bushfire.
Clause 21.05-1 Agriculture	This clause is relevant and has the following objectives:  <ul style="list-style-type: none"> <li>- To ensure that the use, development or subdivision of land is not prejudicial to agricultural enterprises or to the productive capacity of the land.</li> <li>- To support the diversification of agriculture, the development of agro-forestry and the processing of agricultural products grown within the municipality.</li> </ul>
Clause 21.05-2 Water	This clause is relevant and has the following objective:  To improve the quality of water in waterways and catchments.
Clause 21.08-1 Economic growth	This clause is relevant and has the following objective:  To facilitate new development and employment opportunities in business, industry and tourism.
Clause 21.08-3 Tourism	This clause is relevant and has the following objective:

	To facilitate Mitchell becoming a recognised tourist destination.
Clause 21.09-1 Road network	This clause is relevant and has the following objective:  To ensure that the improvement and upgrading of transport infrastructure is commensurate with the expected impacts of use and development.









<b>RISK ASSESSMENT FOR DRIFT REPUBLIC</b>			
<b>Date completed:</b>		<b>Completed by:</b>	<b>Date to be reviewed:</b>
<b>HAZARD</b>	<b>WHO MIGHT BE HARMED</b>	<b>EXISTING CONTROLS</b>	<b>ADDITIONAL ACTION REQUIRED</b>
Heat/Cold/Wet Sunburn/Heat Stroke/Hypothermia	All	Ensure correct clothing, including waterproofs are advised and carried on the day if rain is forecast.  Ask entrants to declare any illnesses which weather may affect  Adequate drinks must be carried.  Sun cream must be carried and used when required.	
Horseplay	All	Participants to be supervised at all times by the track manager.  Participants given clear instructions, and warned that any breach of the safety rules will result in the session being stopped and possible expulsion	
Slipping or Tripping	All	All areas to be inspected for potential hazards before the start of the day.	

Equipment failure	All	All cars and equipment are to be inspected to ensure they meet regulations and are in correct working order before commencement of each day.	
Adverse weather Lightning or High Winds	All	If lightning or high winds occurs suddenly then the group should seek shelter immediately	
Unauthorised Access	All	Access points to track must be secured against casual or unauthorised access when the track is not in use.  Brief the group to stay off track until supervised by an appropriate track official.	

<p>Track unsafe Potential on-track accident leading to injury</p>	<p>All</p>	<p>Track regularly inspected to ensure free of obstructions and that the safety barriers and/or tyre walls are correctly positioned and fit for purpose before track use.</p> <p>Safety barriers and/or tyre wall correctly positioned after impact.</p> <p>Any problems reported to circuit manager.</p>	
<p>Drivers with existing health conditions causing loss of control/ collision/ spin-offs etc.</p>	<p>All</p>	<p>Drivers/members of staff/guardian etc must ask that the participant is physically and mentally</p> <p>Able to participate. Any major health problems will need to be reported to the track manager so that staff can make an informed decision on what measures can be taken to minimise risk</p>	

<p>Drivers under the influence of drink/and or drugs.</p> <p>Potential on-track accident leading to injury.</p>	<p>All</p>	<p>All drivers to sign a disclaimer clearly stating that they are not under the influence of alcohol or drugs.</p> <p>Anyone deemed under the influence of alcohol or drugs will not be allowed to participate.</p>	
<p>Lack of communication (Site/track rules, restricted areas, emergency and evacuation procedures) potential on-track accidents</p>	<p>All</p>	<p>Staff briefing given, plus question and answer session.</p> <p>Drivers told of the rules of behaviour and to observe the track rules and instructions (copy available to customer groups).</p>	
<p>Inadequate instruction of customers arriving late.</p>	<p>All</p>	<p>Drivers who do not attend the safety briefing will be allowed to drive.</p>	

<p>Aggressive/dangerous driving.</p> <p>Potential on-track accident leading to injury.</p>	<p>All</p>	<p>Clerk of course will continuously monitor enforce responsible behaviour.</p> <p>Clerk on the course continually monitoring driving standards and will pull a driver off from the circuit if deemed a danger to themselves or others on the track.</p> <p>Drivers reminded that drifting is a non contact sport.</p>	
<p>Hazard lights not working</p> <p>Potential on-track accident leading to injury.</p>	<p>All</p>	<p>Daily circuit inspection to monitor for broken/defective hazard lights</p>	
<p>People walking onto track during session</p>	<p>All</p>	<p>People forbidden pass over or under crowd barriers onto the track and reminded during safety briefing that a life time ban is the penalty.</p> <p>Caution signs displayed clearly marking out no go zones around track barrier.</p>	

<p>Risk of being knocked over by cars in pits. Collision between cars and person/s leading to injury.</p>	<p>All</p>	<p>Advise of danger during briefing. Advise drivers that people may be present in the pits and speed limit is 5kmph/ walking pace and that they are to exercise extra caution Drivers who drive fast in the pit lane will be warned and/or removed upon discretion of the clerk of the course.</p>	
<p>High noise levels. Damage to hearing.</p>	<p>All</p>	<p>Noise levels controlled to a practical level. Noise limit is 95DB at 30 meters Ear plugs available on request.</p>	
<p>Collisions on track with circuit barrier or other cars.</p>	<p>All</p>	<p>All drivers must wear the following safety clothing: safety helmet, long sleeve top, long pants, enclosed footwear. Drivers forbidden to be on track if not wearing correct clothing. Staff trained in fitting the correct size safety helmet for each individual. Staff to check that safety helmet is securely fastened before allowing drivers on track</p>	

Collisions with stationary cars on track or marshalls attending an accident on the circuit.	All	<p>Amber light system in place to warn other drivers of on-track obstruction/collision up ahead, drivers told to slow down.</p> <p>Particular emphasis paid to the purpose and the protocols of the on track hazard light system during the safety briefing.</p> <p>Drivers removed for not obeying safety lights.</p> <p>If personnel are needed on the track for tow car or other, the red light system will be signalled and all cars will be stationary while personnel are on track and only resume when all hazards are clear.</p>	
Refuelling of cars. Fire leading to injury.	All	<p>All staff trained in fire management.</p> <p>Firefighting equipment nearby in case of fire.</p> <p>Smoking strictly prohibited in the pits.</p>	
Flammable gases and liquids. Fire/explosion leading to injury.	All	<p>All flammable liquids and gases stored in suitable containers and stored in safe location.</p> <p>Staff trained in storage of flammable liquids and gases.</p>	
Manual handling injuries.	All	<p>Manual handling tasks risk assessed and staff trained on how to lift/move karts.</p>	

Bushfire	All	No events on total fire ban days. Grass and vegetation to be managed on property. Vehicles and equipment to be maintained to ensure sparks/embers are not going to create a fire risk.	
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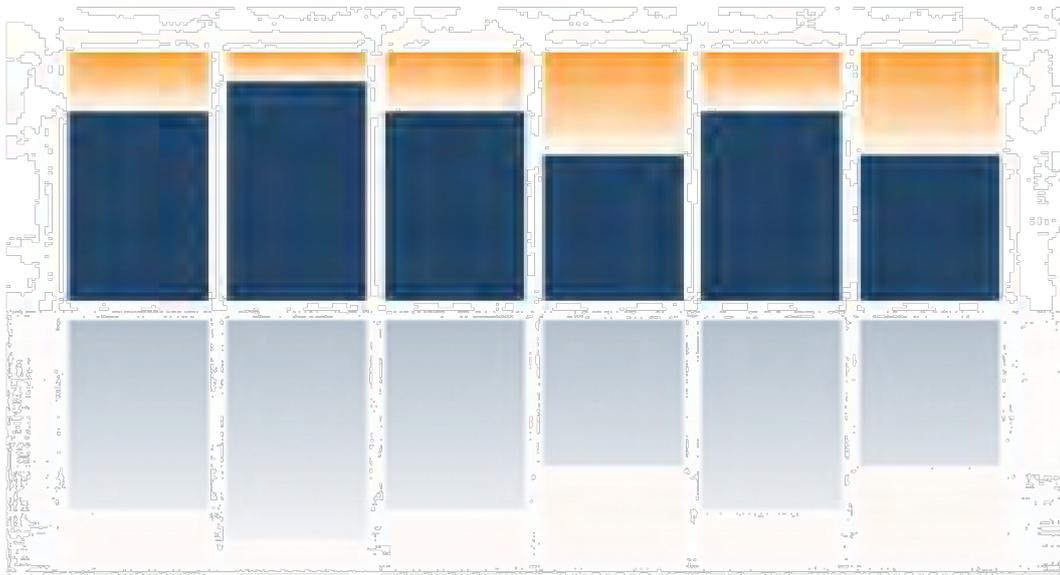
Risk assessment to be shared with:	Date shared:
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# 1280D BROADFORD- GLENAROUA ROAD Acoustic Assessment

Drift Republic

30 MARCH 2021





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Project 1280D Broadford-Glenaroua Road  
 Client Drift Republic  
 Document number AA837ME-01E04 Acoustic Assessment (r2)

Revision	Date	Comment	Author	Reviewer
0	05.02.2021	Issued to Client	TE	RB
1	16.03.2021	Updated Drawings	TE	-
2	30.03.2021	Updated Berm Location	TE	-

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## 1 Introduction

Octave Acoustics was engaged by Drift Republic to provide an acoustic assessment in support of a permit application for a practice track at 1280D Broadford-Glenaroua Road, Glenaroua (Subject Site). It is proposed that vehicles will generally be on track between 8am and 6pm. It is expected that the track will primarily be used on weekends and public holidays by the residents of the site, as well as their acquaintances, for practice purposes.

The potentially most affected residential receivers of noise from the Subject Site are the dwellings located at 1280 Broadford-Glenaroua Road and 1020 Broadford-Glenaroua Road. Compliance with noise criteria at these locations is expected to result in compliance at all other potentially affected residential receivers. This document provides a summary of the assessment and resulting findings.



## 2 Site Context

It is proposed that a 700m long, 8m wide practice track be constructed on the Subject Site (see 'Proposed Track Location' on Figure 1 below and Appendix B). The residential dwellings at 1280 and 1020 Broadford-Glenaroua Road are approximately 1000m and 900m from the proposed track location respectively. There is relatively sparse development in the immediate area – consisting principally of dwellings and farm sheds.

The Subject Site is zoned Farming Zone (FZ), and excluding Broadford-Glenaroua Road to the west, is surrounded by farmland of the same zone designation. The topography of the area is relatively flat, with changes in ground level of approximately 25m between the proposed track location and the residential receivers.



FIGURE 1 - SITE CONTEXT

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### 3 Criteria

There are no mandatory criteria or guidelines for the assessment of motorsport noise in the state of Victoria. However, the following sets of criteria have been presented to provide context to the acceptability, or otherwise, of noise emissions from the Subject Site.

#### 3.1 NIRV

The Environment Protection Authority Publication 1411 *Noise from Industry in Regional Victoria* (NIRV) explicitly excludes noise from 'Sporting Events' from being assessed under its guidelines. However, Footnote 3 of the NIRV exclusions states:

*"Noise from motorsports vehicle testing at a motorsport venue may be assessed under these guidelines."*

Providing more context to 'motorsports vehicle testing', EPA Publication 1414 *Response to Comments – Noise from Industry in Regional Victoria* states:

*"Commercial vehicle testing not in association with a race event would not be considered a sporting event, and the NIRV recommended levels would apply."*

NIRV may provide an appropriate framework within which to test potential noise impacts. The NIRV noise limits (at the residential receiver) have been determined as presented in Table 1.

TABLE 1 - NIRV NOISE CRITERIA

Period	Zoning Level, $L_{eq}$ dB(A)
Day	46
Evening	41
Night	36
Notes:	<ol style="list-style-type: none"> <li>1. Day period is: <ul style="list-style-type: none"> <li>– 07:00 – 18:00 Monday – Friday</li> <li>– 07:00 – 13:00 Saturday</li> </ul> </li> <li>2. Evening period is: <ul style="list-style-type: none"> <li>– 18:00 – 22:00 Monday – Friday</li> <li>– 13:00 – 22:00 Saturday</li> <li>– 07:00 – 22:00 Sunday</li> </ul> </li> <li>3. Night period is: <ul style="list-style-type: none"> <li>– 22:00 – 07:00 Monday – Sunday</li> </ul> </li> </ol>

It is noted that the Subject Site is intended to operate between 8am – 6pm. As such, only the Zoning Levels during the Day and Evening period will be considered.



### 3.2 EPA Noise from Motorsport

The EPA general information paper *Noise from Motor Sport* (1992) proposes upper and lower bounds for noise criteria that can be used to assess motorsport noise. The paper proposes a lower bound of 50dB LAeq, stating that this level would be unlikely to cause significant intrusion to residents during the day. The paper proposes an upper bound of 65dB LAeq for a maximum criterion for circuit racing during daytime hours. Though this maximum criterion can be seen in other Victorian reference documents (e.g. SEPP N-2 for Outdoor Events), it implies that the value is only appropriate for existing motorsport venues under residential encroachment, unlike the Subject Site.

### 3.3 CAMS Manual

The Confederation of Australian Motor Sport (CAMS) Manual stipulates that:

*Each automobile shall, of necessity, in any speed event or race:*

...

*l) be configured such that the sound emitted when measured 30m from the track edge does not exceed 95dB(A) unless event regulations set a lower limit;*

Though this criterion does not apply at residential locations, it is a well understood and enforced requirement at the majority of motorsport events held in Australia. It also provides an upper bound for worst case vehicle noise emissions when acoustic modelling is undertaken.



## 4 Acoustic Testing

### 4.1 Calder Park

#### 4.1.1 Fixed Noise Monitoring

Octave Acoustics attended Calder Park Raceway on Friday the 25<sup>th</sup> of October 2019, to undertake acoustic testing of drifting activities. Measurements of drifting noise from multiple vehicles (>100 individual passes) occurred between 12:30pm and 2pm, during which wind speeds were low and the track surface dry with no precipitation occurring. Multiple noise monitors were deployed on site, at varying distances from drifting activity. Noise Monitor 1 was located along the outside of a 'hairpin' drifting corner, 5 metres from the centre of the track. Noise Monitor 2 was located 30 metres from the same corner. Noise Monitor 3 was deployed at the top of a viewing mound, approximately 50m from the centre of the track. All fixed noise monitors were at a height of 1.5m from the ground, in free field conditions. Monitoring locations can be seen in Figure 2.

All monitoring was carried out using NTI XL2 sound level meters which were calibrated before and after the assessment periods using a Bruel & Kjaer 4230 calibrator. No drift in calibration was detected. The NTI XL2s comply with the requirements of IEC 61672-1:2004 Sound Level Meters and are classified as Class 1 instruments. The calibrator complies with the requirements of IEC 60942:2004 Sound Calibrators. The XL2s carried current manufacturers certification and the calibrator carried current NATA certification.

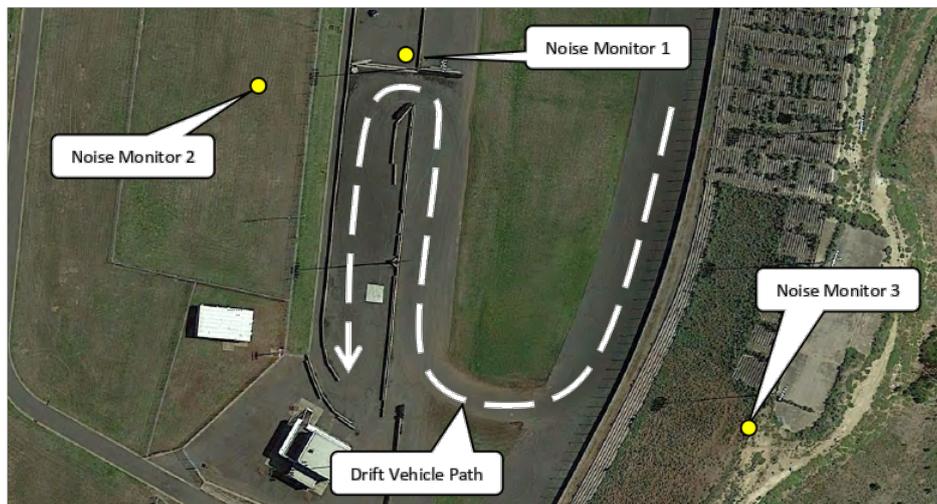


FIGURE 2 - NOISE MONITOR LOCATIONS AT CALDER PARK

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4.1.2 Drifting Testing

Sound pressure data from drift passes of multiple vehicles was recorded at the three measurement locations as shown in Figure 2. Analysing the measurement data, it is clear that the noise associated with drifting is somewhat variable, as each run can be different in character. Tire noise can contribute to overall noise levels, as well as differing lengths of time with the throttle open during the drifting procedure. Anti-lag systems and other ‘popping’ noises at high vehicle RPM’s can also create large differences in noise levels during and between runs.

What can be concluded from the recorded data across all monitoring locations is the difference of noise levels between drifting vehicles at the pro-am event on the day. Across more than 100 recorded drift passes, a high-performance drift car of interest was in the loudest 10% of vehicles. The loudest 80% of vehicles had drifting noise that would be categorised as ‘engine dominated’. Only the vehicles emitting the lowest 10% of noise levels created drifting noise that was primarily tyre noise based. The effect of these lower engine noise vehicles can be seen in Figure 3, in the peak at 76dB(A).

There is little possibility or scope for reducing tire noise from drifting, due to the nature of how the noise is generated. It is hence considered that tyre-dominated noise emissions from drifting vehicles are the lower bound for drifting noise.

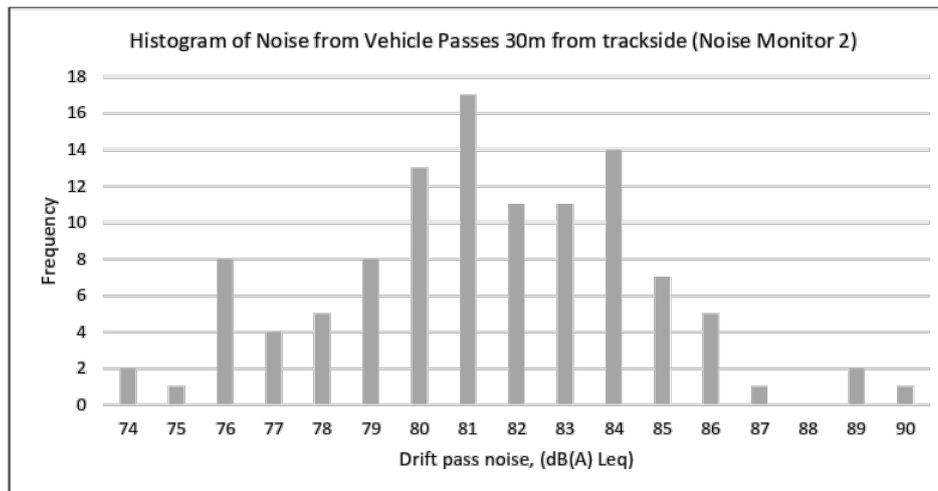


FIGURE 3 - HISTOGRAM OF NOISE FROM VEHICLE PASSES 30M FROM TRACKSIDE

It was noted that no vehicle passes exceeded the CAMS 95dB(A) at 30m criterion as discussed in Section 3.3.



## 4.2 Winton Raceway

### 4.2.1 Fixed Noise Monitoring

Octave Acoustics attended Winton Raceway on Monday the 12<sup>th</sup> of October 2020, to undertake further testing of high-performance drift vehicle noise. Measurements of both static vehicle noise and drifting noise from the vehicle (with >20 individual passes) occurred between 12pm and 3pm, during which wind speeds were low and the track surface was dry with no precipitation occurring. Multiple muffler configurations were installed on the exhaust of the vehicle over the course of the testing process. Two noise monitors were deployed on site, at varying distances from drifting activity. Noise Monitor 1 was located along the outside of a drifting corner, 5 metres from where the rear of the vehicle was expected to pass. Noise Monitor 2 was located 48 metres from the same corner. Both fixed noise monitors were at a height of 1.5m from the ground, in free field conditions. Monitoring locations can be seen in Figure 4.

All monitoring was carried out using NTI XL2 sound level meters which were calibrated before and after the assessment periods using a Brüel & Kjær 4230 calibrator. No drift in calibration was detected. The NTI XL2s comply with the requirements of IEC 61672-1:2004 Sound Level Meters and are classified as Class 1 instruments. The calibrator complies with the requirements of IEC 60942:2004 Sound Calibrators. The XL2s carried current manufacturers certification and the calibrator carried current NATA certification.

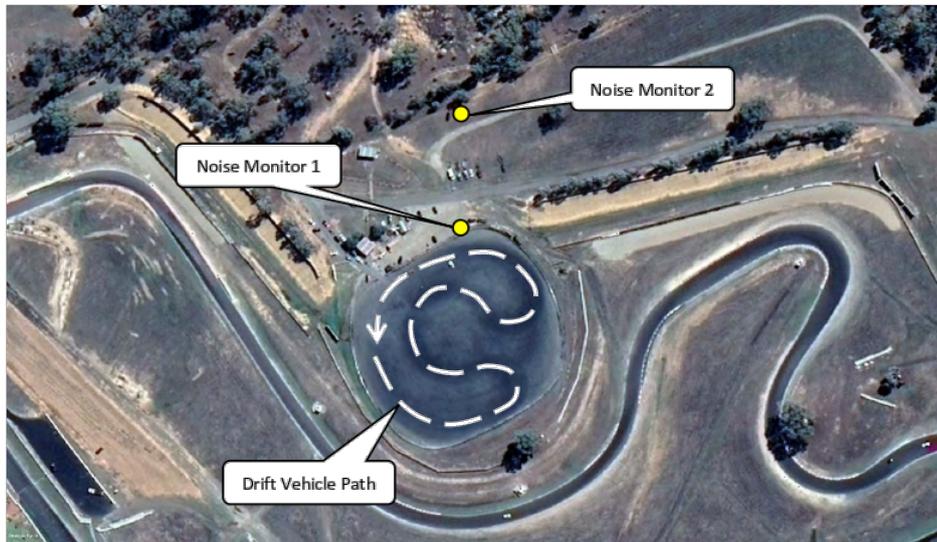


FIGURE 4 - NOISE MONITOR LOCATIONS AT WINTON RACEWAY

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#### 4.2.2 Stationary Testing

Measurements of noise from the high-performance drift car whilst stationary were carried out for three different exhaust muffler configurations. These measurements were taken whilst the vehicle's engine was taken up to the rev limiter, 10m from the vehicle, 1.5m from the ground. Refer Table 2 for a summary of these measurements.

TABLE 2 – NOISE MEASUREMENTS FROM STATIONARY, HIGH-PERFORMANCE DRIFT CAR WITH DIFFERENT MUFFLER CONFIGURATIONS

Muffler configuration	Noise level 10m from front, (dBA Leq)	Noise level 10m from rear, (dBA Leq)	Difference between front and rear, (dBA Leq)
Straight through (no muffler)	88	94	-6
Centre expansion type	82	80	2
Large performance muffler, downward exhaust tips	81	75	6

These results indicate that the type of muffler installed on the vehicle's exhaust system can have a significant impact on the levels of noise produced by the vehicle. From the varying difference between the noise levels at the front and rear of the vehicle, it can also be surmised that the mufflers installed in an exhaust system can reduce exhaust noise emissions so significantly such that case radiated and induction noise from the engine at the front of the vehicle becomes significant.

#### 4.2.3 Drifting Testing

Sound pressure data from drift passes of the same high-performance drift car as measured in the static tests was recorded at the two measurement locations as shown in Figure 4. Noise levels generally correlated across the two measurement locations, after accounting for propagation effects. Multiple vehicle passes with the same muffler configurations were logarithmically averaged. Sound pressure levels from Noise Monitors 1 and 2 with different muffler configurations are presented in Table 3 and Table 4 below.

TABLE 3 – LOGARITHMIC AVERAGE NOISE LEVELS FROM A PASS OF A HIGH-PERFORMANCE DRIFT VEHICLE WITH DIFFERING MUFFLER CONFIGURATIONS, 5M FROM TRACK

Muffler configuration	Noise level at Noise Monitor 1, (dBA Leq)
Straight through (no muffler)	103
Centre expansion type	97
Large performance muffler, downward exhaust tips	97



TABLE 4 – LOGARITHMIC AVERAGE NOISE LEVELS FROM A PASS OF A HIGH-PERFORMANCE DRIFT VEHICLE WITH DIFFERING MUFFLER CONFIGURATIONS, 48M FROM TRACK

Muffler configuration	Noise level at Noise Monitor 2, (dBA Leq)
Straight through (no muffler)	87
Centre expansion type	82
Large performance muffler, downward exhaust tips	80



## 5 Noise Modelling

A 3-D computer noise model of the Subject Site and surrounds was built in CadnaA software and calculations run implementing the ISO9613 algorithms. The ISO9613 algorithms calculate the propagation of noise between source and receiver taking into account propagation effects associated with:

- Source sound power
- Geometrical spreading
- Atmospheric conditions
- Air-absorption
- Ground absorption
- Reflections

The proposed drift track geometry (refer Appendix B for supplied project plans) was input into the CadnaA model, where different numbers of drifting vehicles were modelled as moving point sources, 0.5m above the ground. The vehicle sound powers utilised within the model were calculated from the worst-case measurement of the high-performance drift car, during a dynamic drifting pass at 5m with *no muffler*. Refer Table 5 for the high-performance vehicle sound power utilised with the model.

TABLE 5 – HIGH PERFORMANCE VEHICLE SOUND POWER LEVEL, NON-MUFFLED, LEQ RE  $10^{-12}$  WATTS

	dB(A)	Octave Band Centre Frequency, Hz							
		63	125	250	500	1000	2000	4000	8000
Worst-case, high-performance vehicle sound power	125	101	107	119	117	123	114	105	99

A 3m high earth berm was included in the model at the south side of the track, to further mitigate noise emissions toward the southerly dwelling at 1020 Broadford-Glenaroua Road.

The predictive noise modelling resulted in the following noise levels at the nearest residential receivers.

TABLE 6 - RESULTANT NOISE FROM NON-MUFFLED HIGH-PERFORMANCE VEHICLES, AT NEAREST RESIDENTIAL RECEIVERS

Number of Vehicles Modelled – (continuous drifting assumed)	Predicted noise level at 1020 Broadford-Glenaroua Road, (dB(A) Leq)	Predicted noise level at 1280 Broadford-Glenaroua Road, (dB(A) Leq)
1	46	45
2	49	48
4	52	51



The model was then rerun with vehicle sound powers calculated from data gathered from dynamic vehicle passes with the large performance muffler (downward exhaust tips) installed. Refer Table 7 for the muffled high-performance vehicle sound power utilised with the model.

TABLE 7 – HIGH PERFORMANCE VEHICLE SOUND POWER LEVEL, MUFFLED, LEQ RE  $10^{-12}$  WATTS

	dB(A)	Octave Band Centre Frequency, Hz							
		63	125	250	500	1000	2000	4000	8000
Muffled high-performance vehicle sound power	119	97	104	102	98	113	107	100	97

The noise modelling resulted in the following noise levels at the nearest residential receivers.

TABLE 8 - RESULTANT NOISE FROM MUFFLED HIGH-PERFORMANCE VEHICLES, AT NEAREST RESIDENTIAL RECEIVERS

Number of Vehicles Modelled	Predicted noise level at 1020 Broadford-Glenaroua Road, (dB(A) Leq)	Predicted noise level at 1280 Broadford-Glenaroua Road, (dB(A) Leq)
1	39	38
2	42	41
4	45	44



## 6 Assessment

As discussed in Section 3, there are a multitude of differing guidelines and documents that discuss criteria and management strategies that may be applied to test the acceptability and mitigation of noise from vehicle drifting.

The EPA Noise from Motorsport information paper was published 27 years ago, and appears to only be applicable largely to existing motorsport venues. As such, the recommended acceptable motorsport noise levels that the information paper details are not referenced further as criteria applicable to this assessment.

The CAMS manual noise requirement setting a maximum noise level of 95dB(A) 30m from the trackside offers a relatively easily understood and well accepted criterion to follow. However, this criterion does consider impacts at residential dwellings, and relies solely on track management to enforce. As found in the acoustic testing at Calder Park, it is likely that noise emissions from the Subject Site would vary considerably at residential dwellings if this criterion were applied.

Finally, the NIRV noise guideline is well understood and applied across regional Victoria. NIRV helps provide context for the acceptability of noise emitted from commercial and industrial sites. In this assessment, the noise limits prescribed by NIRV are the most conservative across the different criteria frameworks considered. Even so, it is expected that noise levels from drifting vehicles at residential dwellings can wholly comply with NIRV, during both the Day and Evening period.

### 6.1 Operation of the Practice Track

The results of the noise modelling detailed in Section 5 indicate that noise from four muffled high-performance drift vehicles operating contemporaneously will comply with the NIRV Day criterion, and noise from two muffled high-performance drift vehicles is expected to exceed the NIRV Evening guideline by 1dB.

It is relevant here to consider the conservative nature of the assessment, being that:

1. The sound power utilised assumes that the vehicle is operating at maximum RPM and power output around the entirety of the drift track, for the entirety of the assessment period (which is highly improbable).
2. The noise propagation algorithms utilised assume atmospheric conditions that are favourable to noise propagation.

A 1dB increase in sound pressure level is an imperceptible change. Given the conservativeness of the assessment and the guidelines utilised for the proposed use, the noise impact due to the operation of two muffled high-performance vehicles during the Evening period is expected to be acceptable.



## 6.2 Mitigation Measures and Management Recommendations

It is recommended that a 3m high earth berm (with base geometry in accordance with best practice) is erected to the south of the proposed track location, with the extent as shown in Appendix B.

Additionally, to provide a robust and transparent method of achieving compliance with the proposed criteria, it is recommended that a continuously monitoring noise logger be provided by Drift Republic, and installed to the north-east corner of the track, 50m from the tracks edge (refer Appendix B). This logger should be mounted in the free field, between 1.2 and 1.5 metres in height. This noise logger would be used to both target and demonstrate compliance with NIRV, using a derived noise limit<sup>1</sup>. The 3D noise model was used to calculate the derived noise level limits for the two NIRV periods, which can be seen in Table 9 below.

TABLE 9 – DERIVED NIRV LIMITS AT PROPOSED NOISE MONITORING LOCATION (REFER APPENDIX B)

NIRV Period	NIRV limit at façade of 1020 Broadford-Glenaroua Road, (dB(A) Leq <sub>30min</sub> )	Derived Limit at the at proposed monitoring location, (dB(A) Leq <sub>30min</sub> )
Day	46	80
Evening	41	75

It can hence be expected that if vehicle noise levels are below the derived limits at the proposed monitoring location to the north-east of the track during the respective period, then vehicle noise levels will comply with NIRV. This noise monitor should record and display the LA<sub>eq (30min)</sub> noise level in an easily accessible manner, and record exceedances of the derived noise limits, such that council officers/track management can assess noise emissions conveniently.

<sup>1</sup> “Derived noise limit” means the maximum effective noise level allowed at a derived point. “Derived point” means a point used as a substitute measurement point to facilitate the assessment of noise from commercial, industrial or trade premises. *State Environment Protection Policy (Control of Noise from Industry, Commerce and Trade) No. N-1, EPA Victoria.*



## 7 Conclusion

Octave Acoustics has carried out an assessment of the potential noise impacts associated with the proposed motor vehicle drift track at 1280D Broadford-Glenaroua Road, Glenaroua.

The primary noise source associated with the operation of the track is vehicle noise. Though high-performance drifting vehicles produce noise that is engine dominated when drifting, vehicles with muffled exhaust systems have been shown to produce substantially lower noise levels.

The potentially most affected residential receivers of noise from the proposed track are the dwellings to the north and south, at 1280 and 1020 Broadford-Glenaroua Road. Compliance with the established noise criteria at these locations is expected to result in compliance at all other potentially affected residential receivers.

The differing criteria frameworks have offered varied noise mitigation and management strategies for motorsport tracks and have been compared within this report. The proposed use is expected to comply with NIRV during all periods of operation.

It is proposed to install a fixed noise monitor to the north east of the track to facilitate compliance management. Noise levels and derived limits at this monitor will provide both track management and council officers a reliable and transparent method of ensuring compliance with NIRV is achieved. This methodology is expected to provide track management with additional flexibility to vary vehicle quantities on track, as well as their performance levels and subsequent noise emissions, depending on the NIRV period (Day/Evening).

In summary, assessment indicates that noise emissions associated with the use of the proposed track will comply with the applied criteria during all periods of operation.



## Appendix A: Glossary of Acoustic Terms

### A' FREQUENCY WEIGHTING

The 'A' frequency weighting roughly approximates to the Fletcher-Munson 40 phon equal loudness contour. The human loudness perception at various frequencies and sound pressure levels is equated to the level of 40 dB at 1 kHz. The human ear is less sensitive to low frequency sound and very high frequency sound than midrange frequency sound (i.e. 500 Hz to 6 kHz). Humans are most sensitive to midrange frequency sounds, such as a child's scream. Sound level meters have inbuilt frequency weighting networks that very roughly approximates the human loudness response at low sound levels. It should be noted that the human loudness response is not the same as the human annoyance response to sound. Here low frequency sounds can be more annoying than midrange frequency sounds even at very low loudness levels. The 'A' weighting is the most commonly used frequency weighting for occupational and environmental noise assessments. However, for environmental noise assessments, adjustments for the character of the sound will often be required.

### AMBIENT NOISE

The ambient noise level at a particular location is the overall environmental noise level caused by all noise sources in the area, both near and far, including all forms of traffic, industry, lawnmowers, wind in foliage, insects, animals, etc. Usually assessed as an energy average over a set time period 'T' ( $L_{Aeq,T}$ ).

### AUDIBLE

Audible refers to a sound that can be heard. There are a range of audibility grades, varying from "barely audible", "just audible" to "clearly audible" and "prominent".

### BACKGROUND NOISE LEVEL

Total silence does not exist in the natural or built-environments, only varying degrees of noise. The Background Noise Level is the minimum repeatable level of noise measured in the absence of the noise under investigation and any other short-term noises such as those caused by all forms of traffic, industry, lawnmowers, wind in foliage, insects, animals, etc. It is quantified by the noise level that is exceeded for 90 % of the measurement period 'T' ( $L_{A90,T}$ ). Background Noise Levels are often determined for the day, evening and night time periods where relevant. This is done by statistically analysing the range of time period (typically 15 minute) measurements over multiple days (often 7 days). For a 15-minute measurement period the Background Noise Level is set at the quietest level that occurs at 1.5 minutes.

### 'C' FREQUENCY WEIGHTING

The 'C' frequency weighting approximates the 100 phon equal loudness contour. The human ear frequency response is more linear at high sound levels and the 100 phon equal loudness



contour attempts to represent this at various frequencies at sound levels of approximately 100 dB.

#### DECIBEL

The decibel (dB) is a logarithmic scale that allows a wide range of values to be compressed into a more comprehensible range, typically 0 dB to 120 dB. The decibel is ten times the logarithm of the ratio of any two quantities that relate to the flow of energy (i.e. power). When used in acoustics it is the ratio of the square of the sound pressure level to a reference sound pressure level, the ratio of the sound power level to a reference sound power level, or the ratio of the sound intensity level to a reference sound intensity level. See also Sound Pressure Level and Sound Power Level. Noise levels in decibels cannot be added arithmetically since they are logarithmic numbers. If one machine is generating a noise level of 50 dB, and another similar machine is placed beside it, the level will increase to 53 dB (from  $10 \log_{10}(10^{(50/10)} + 10^{(50/10)})$ ) and not 100 dB. In theory, ten similar machines placed side by side will increase the sound level by 10 dB, and one hundred machines increase the sound level by 20 dB. The human ear has a vast sound-sensitivity range of over a thousand billion to one, so the logarithmic decibel scale is useful for acoustical assessments.

dBA – See 'A' frequency weighting

dBC – See 'C' frequency weighting

#### EQUIVALENT CONTINUOUS SOUND LEVEL, $L_{Aeq}$

Many sounds, such as road traffic noise or construction noise, vary repeatedly in level over a period of time. More sophisticated sound level meters have an integrating/averaging electronic device inbuilt, which will display the energy time-average (equivalent continuous sound level -  $L_{Aeq}$ ) of the 'A' frequency weighted sound pressure level. Because the decibel scale is a logarithmic ratio, the higher noise levels have far more sound energy, and therefore the  $L_{Aeq}$  level tends to indicate an average which is strongly influenced by short-term, high level noise events. Many studies show that human reaction to level-varying sounds tends to relate closer to the  $L_{Aeq}$  noise level than any other descriptor.

#### 'F'(FAST) TIME WEIGHTING

Sound level meter design-goal time constant which is 0.125 seconds.

#### FREE FIELD

In acoustics a free field is a measurement area not subject to significant reflection of acoustical energy. A free field measurement is typically not closer than 3.5 metres to any large flat object (other than the ground) such as a fence or wall or inside an anechoic chamber.

#### FREQUENCY

The number of oscillations or cycles of a wave motion per unit time, the SI unit is the hertz (Hz). 1 Hz is equivalent to one cycle per second. 1000 Hz is 1 kHz.



### LOUDNESS

The volume to which a sound is audible to a listener is a subjective term referred to as loudness. Humans generally perceive an approximate doubling of loudness when the sound level increases by about 10 dB and an approximate halving of loudness when the sound level decreases by about 10 dB.

### MAXIMUM NOISE LEVEL, LAF<sub>max</sub>

The root-mean-square (rms) maximum sound pressure level measured with sound level meter using the 'A' frequency weighting and the 'F' (Fast) time weighting. Often used for noise assessments other than aircraft.

### MAXIMUM NOISE LEVEL, LAS<sub>max</sub>

The root-mean-square (rms) maximum sound pressure level measured with sound level meter using the 'A' frequency weighting and the 'S' (Slow) time weighting. Often used for aircraft noise assessments.

### NOISE

Noise is unwanted, harmful or inharmonious (discordant) sound. Sound is wave motion within matter, be it gaseous, liquid or solid. Noise usually includes vibration as well as sound.

### OFFENSIVE NOISE

Reference: Dictionary of the NSW Protection of the Environment Operations Act 1997).

"Offensive Noise means noise:

(a) that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:

(i) is harmful to (or likely to be harmful to) a person who is outside the premise from which it is emitted, or

(ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted, or

(b) that is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances prescribed by the regulations."

### 'S' (SLOW) TIME WEIGHTING

Sound level meter design-goal time constant which is 1 second.

### SOUND ATTENUATION

A reduction of sound due to distance, enclosure or some other device. If an enclosure is placed around a machine, or an attenuator (muffler or silencer) is fitted to a duct, the noise emission



is reduced or attenuated. An enclosure that attenuates the noise level by 20 dB reduces the sound energy by one hundred times.

#### **SOUND EXPOSURE LEVEL (LAE)**

Integration (summation) rather than an average of the sound energy over a set time period. Use to assess single noise events such as truck or train pass by or aircraft flyovers. The sound exposure level is related to the energy average ( $L_{Aeq,T}$ ) by the formula  $L_{Aeq,T} = LAE - 10 \log_{10} T$ . The abbreviation (SEL) is sometimes inconsistently used in place of the symbol (LAE).

#### **SOUND PRESSURE**

The rms sound pressure measured in pascals (Pa). A pascal is a unit equivalent to a newton per square metre ( $N/m^2$ ).

#### **SOUND PRESSURE LEVEL, $L_p$**

The level of sound measured on a sound level meter and expressed in decibels (dB). Where  $L_p = 10 \log_{10}(P_a/P_o)^2$  dB (or  $20 \log_{10}(P_a/P_o)$  dB) where  $P_a$  is the rms sound pressure in Pascal and  $P_o$  is a reference sound pressure conventionally chosen is  $20 \mu Pa$  ( $20 \times 10^{-6}$  Pa) for airborne sound.  $L_p$  varies with distance from a noise source.

#### **SOUND POWER**

The rms sound power measured in watts (W). The watt is a unit defined as one joule per second. A measures the rate of energy flow, conversion or transfer.

#### **SOUND POWER LEVEL, $L_w$**

The sound power level of a noise source is the inherent noise of the device. Therefore, sound power level does not vary with distance from the noise source or with a different acoustic environment.  $L_w = L_p + 10 \log_{10} 'a'$  dB,

re:  $1pW$ , ( $10^{-12}$  watts) where 'a' is the measurement noise-emission area ( $m^2$ ) in a free field.

#### **SOUND TRANSMISSION LOSS**

The amount in decibels by which a random sound is reduced as it passes through a sound barrier. A method for the measurement of airborne Sound Transmission Loss of a building partition is given in Australian Standard AS1191 - 2002.

#### **STATISTICAL NOISE LEVELS, $L_n$**

Noise which varies in level over a specific period of time 'T' (standard measurement times are often 15-minute periods) may be quantified in terms of various statistical descriptors with some common examples:

The noise level, in decibels, exceeded for 1% of the measurement time period, when 'A' frequency weighted and 'F' time weighted is reference to as  $L_{AF1,T}$ . This may be used for describing short-term noise levels such as could cause sleep arousal during the night.



The noise level, in decibels, exceeded for 10% of the measurement time period, when 'A' frequency weighted and 'F' time weighted is reference to as  $L_{AF10,T}$ . In most countries the  $L_{AF10,T}$  is measured over periods of 15 minutes, and is used to describe the average maximum noise level.

The noise level, in decibels, exceeded for 90% of the measurement time period, when 'A' frequency weighted and 'F' time weighted is reference to as  $L_{AF90,T}$ . In most countries the  $L_{AF90,T}$  is measured over periods of 15 minutes, and is used to describe the average minimum or background noise level.

#### **WEIGHTED SOUND REDUCTION INDEX, $R_w$**

This is a single number rating of the airborne sound insulation of a wall, partition or ceiling. The sound reduction is normally measured over a frequency range of 100 Hz to 3.150 kHz and averaged in accordance with ISO standard weighting curves (Refer AS/NZS 1276.1:1999). Internal partition wall  $R_w+C$  ratings are frequency weighted to simulate insulation from human voice noise. The  $R_w+C$  is similar in value to the STC rating value. External walls, doors and windows may be  $R_w+C_{tr}$  rated to simulate insulation from road traffic noise. The spectrum adaptation term  $C_{tr}$  adjustment factor takes account of low frequency noise. The weighted sound reduction index is normally similar or slightly lower number than the STC rating value.

#### **'Z' FREQUENCY WEIGHTING**

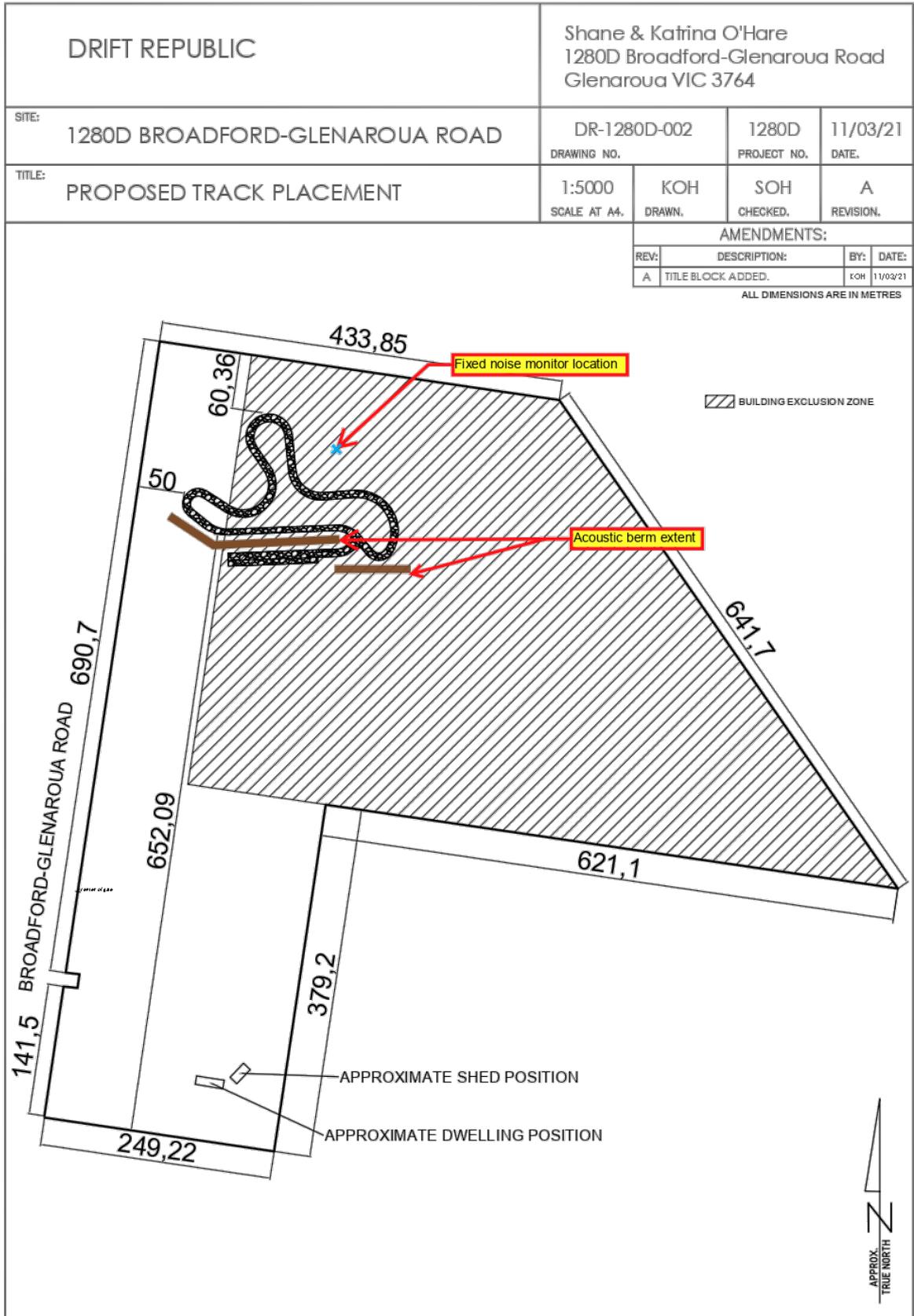
The 'Z' (Zero) frequency weighting is 0 dB within the nominal 1/3 octave band frequency range centred on 10 Hz to 20 kHz. This is within the tolerance limits given in AS IEC 61672.1-2004: 'Electroacoustics - Sound level meters – Specifications'.



Appendix B: Provided Project Plans

1280D Broadford-Glenaroua Road  
Acoustic Assessment

AA837ME-01E04 Acoustic Assessment (r2)  
21



# Agricultural Assessment

1280D Broadford-Glenaroua Road, Glenaroua - 33 ha



*March 2021*



**Cadeema**

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## 1 INTRODUCTION

An Agricultural/Environmental Scientist from Cadeema (Cliff Dillon) undertook an Agricultural Assessment of the approximately 33 ha property located at 1280D Broadford-Glenaroua Road in Glenaroua in central Victoria which is referred to herein as 'the site' (*Image 1*). The location of the property is provided in the appendices (*Appendix A - Locality Plan*), as is a plan of the property (*Appendix B - Site Plan*). The purpose of this Agricultural Assessment was to provide an independent assessment of the agricultural utility of the site.



*Image 1: The site consists predominantly of open agricultural grazing land.*

## 2 METHODOLOGY

In undertaking this Agricultural Assessment, Cadeema staff undertook a desktop assessment of infrastructure, geology, and relevant environmental features on or surrounding the site. A site visit and inspection were undertaken on Tuesday 23<sup>rd</sup> February 2021. The site inspection included a site walk, identification of vegetation, examination of surface features, subsurface investigations to assess soil physical characteristics (utilising a 100 mm diameter hand soil auger and a shovel), collection of soil samples for laboratory analysis, and a general inspection of infrastructure on and surrounding the site. Four soil samples (3 topsoil and 1 subsoil) were collected and sent to a laboratory for agronomic soil chemical analysis. The soil samples were collected as composite samples (with a minimum of 15 subsamples) with the topsoil collected over a depth of 0-10cm and the subsoil collected at a depth of 25 cm. This information was collaborated and interpreted to culminate in the assessment detailed herein outlining agricultural utility of the site.



### 3 SITE AGRICULTURAL ASSESSMENT

#### 3.1 The Site

As detailed in the Introduction, the site (1280D Broadford-Glenaroua Road, Glenaroua, Victoria) covers approximately 33 ha and is located on the east side of the Broadford Glenaroua Road approximately 11 km northwest of Broadford (*Appendix A - Locality Plan*). As detailed in the appendices (*Appendix B - Site Plan*), the site is bordered to the east by the Broadford-Glenaroua Road, the easement of which is relatively heavily treed. The site is bordered to the north by a minor gravel access road and is bordered to the south and east by open agricultural grazing land. The site consists of approximately 830 metres of frontage to the Broadford-Glenaroua Road which is a tarmac road, and approximately 430 m of frontage to the minor all-weather gravel road to the north. As can be discerned on the Site Plan (*Appendix B*), a telephone exchange is located along the south east boundary of the site adjoining the Broadford-Glenaroua Road, the land of which is not part of the site.

The site consists predominantly of open agricultural grazing land divided into several paddocks with agricultural fencing and contains sporadic, isolated, lone remnant, regrowth and planted eucalyptus (various species) trees. At the time of the field inspection (Tuesday 23rd February 2021) the site consisted of desiccated weeds and pasture and was being utilised for beef cattle grazing (*Image 2*).



**Image 2:** At the time of the field inspection, the site desiccated weeds and pasture and was being utilised for beef cattle grazing.

### 3.2 Pertinent Features

**Zoning** – The site is located in the Farming Zone and is not covered by any planning overlays (e.g. Bushfire Management, Salinity Management, Environmental Significance, Vegetation Protection, Erosion Management, Flooding, Land Subject To Inundation etc.) however, the site is located in a Designated Bushfire Prone Area. The relatively heavily treed Broadford-Glenaroua Road Easement which is located adjoining and immediately west of the site is covered by a Vegetation Protection Overlay.

**Access** – The site has all weather access from the adjoining Broadford-Glenaroua Road approximately 100 m north of the telephone exchange along the southwest boundary. There is also an access point in the northeast corner adjoining the all-weather minor gravel access road. An all-weather gravel track provides access to the south paddock of the site.

**Fencing** - Wooden and steel post and wire agricultural fences (*Image 3*) are located along all site boundaries along with some internal fences which divide the site into various paddocks (which can be discerned on the Site Plan (*Appendix B*)) including:

- Southwest Paddock
- West Paddock
- Northwest Paddock
- Central Paddock
- East Paddock
- Southeast Paddock



**Image 3:** A rudimentary wooden and steel post and wire agricultural fence divides the Southwest Paddock from the West Paddock; in the background is the relatively heavily treed Broadford-Glenaroua Road and the telephone exchange which form the western boundary of the site.

1280D Broadford-Glenaroua Road, Glenaroua, Vic. - 33 ha - Agricultural Assessment

Some of the internal fencing is in various states of disrepair and not all paddocks can be currently segregated. A set of temporary steel cattle handling yards along with a cattle crush are located in the southwest corner of the Central Paddock (*Image 4*).



**Image 4:** A set of temporary steel cattle handling yards along with a cattle crush are located in the southwest corner of the Central Paddock.

**Topography** – The site is generally flat to slightly undulating with the topographically highest location along the south-western boundary. Less prominent higher elevation locations occur along the north-western boundary and in the central southern area of the Central Paddock. Topographically lower areas of the site occur in the West and Southeast Paddocks. It does not appear that any significant earthworks have been undertaken across the site.

**Drainage** – Some topographical surface drainage occurs across the site from the aforementioned topographically higher areas. However, across the majority of the site surface drainage is limited due to the flat topography. If and when excess surface water occurs, this would flow to the West Paddock and to the Southeast Paddock. As detailed later in the section on soils, significant areas of the site are not particularly well drained and can remain waterlogged for extended periods during prolonged wet climatic conditions.

1280D Broadford-Glenaraoua Road, Glenaraoua, Vic. - 33 ha - Agricultural Assessment

**Water** – Excess surface water from a significant proportion of the site would terminate in the small earthen farm dam located in the West Paddock which can be discerned on the Site Plan (*Appendix B*). This appeared to be the only source of stock drinking water on the site. It is understood that historically bore water would have been used to supply stock water and now-defunct stock watering infrastructure is located in the Southwest Paddock (*Image 5*).



**Image 5:** It is likely that when the site was part of a larger agricultural holding, stock water was provided through this now-defunct stock watering bore, tank and trough which are located in the Southwest Paddock.

**Flooding** – As detailed earlier, the site is not covered by any flooding planning overlays and the site is not likely to be subject to significant flooding. However, due to poor surface and poor soil profile drainage, some areas of occluded drainage could accumulate surface water in excessively wet climatic conditions. Some excess surface water run-on could occur from the adjoining Broadford-Glenaraoua Road in the vicinity of the telephone exchange and along the western boundary of the site.

### 3.3 Vegetation

**Trees** – Whilst the majority of the site has historically been cleared for agriculture, several large, remnant lone Grey Box (*Eucalyptus microcarpa*) and Red Gum (*E. camaldulensis*) trees remain on the site (*Image 2 & Image 6*). In addition, it appears that some regrowth and/or planted eucalyptus tree species occur sporadically along some fence lines (*Image 7*). As detailed earlier, the Broadford-Glenaraoua Road



1280D Broadford-Glenaroua Road, Glenaroua, Vic. - 33 ha - Agricultural Assessment

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Easement adjoining the western boundary of the site is relatively heavily treed and consists of a combination of remnant and regrowth Grey Box and Red Gum eucalyptus trees along with weeds, and native grasses.



**Image 6:** A significant lone remnant Grey Box (*Eucalyptus microcarpa*) tree is located on the most elevated area of the site in the Southwest Paddock along the southern boundary.



**Image 7:** Planted eucalyptus tree species occur sporadically along some fencelines.

1280D Broadford-Glenaroua Road, Glenaroua, Vic. - 33 ha - Agricultural Assessment

**Pasture** – The only introduced improved pasture species in evidence was Phalaris (*Phalaris aquatic* (syn. *Phalaris tuberosa*)). Phalaris is an introduced pasture grass most typically grown in Victoria in wetter climates in heavier textured soils. It can be viewed by some agriculturalists and farmers as a valuable pasture grass species whilst others view it as a problem weed. Phalaris is often slow to establish but once it has an extensive root system, it can readily become the dominant plant of a site and particularly when not controlled by grazing, slashing or burning. In these situations it can be a troublesome weed, a potential fire hazard and haven for vermin. Despite this, for their risk can provide a valuable feed source for grazing animals and can also be used in fodder conservation to produce lower quality hay.

**Weeds** – At the time of the site inspection, the majority of the site was covered with a range of weed species including (but not limited to) Couch Grass, Flatweed, Fog Grass, Scotch Thistle, Dock, Barnyard Grass, Milk Thistle, Wild Oats, Cape Weed and Spiny Rush (*Image 8*).



**Image 8:** The majority of vegetation on the site consisted of Phalaris and weeds; pictured here is Spiny Rush in amongst Phalaris in the Northwest Paddock.



### 3.4 Soil Physical Characteristics

**Geology** – The soils across the site are derived from Miocene to Holocene, Newer Volcanic Group basalt flows. These basalt flows can consist of olivine tholeiite, quartz tholeiite, basanite, basaltic icelandite, hawaiite, mugearite, minor scoria and ash, fluvial sediments which can be tholeiitic to alkaline and can include sheet flows, valley flows and intercalated gravel, sand, clay.

**Soil Assessments** – The soils across the site were assessed by an experienced Soil Scientist using a shovel and a 100 mm diameter hand soil augur. This facilitated assessment of the various soil layers down the soil profile and segregation of the soils into Soil Classes, the latter facilitating determination of soil productivity potential and soil crop suitability (*Appendix C - Soil Classes & Soil Suitability for Crops*).

**Soils** – The soil formation, geomorphology and resulting landscape of these soil types derived from this geology in this district are well understood, resulting in a predictable soil catena and sequence of soil types. For simplicity of interpretation and description, the soils across the site were segregated into 2 soil types; Rocky Loam and Dark Clay. These are described hereunder.

**Rocky Loam** – The Rocky Loam occurs on the more elevated areas of the site (including sloping and flatter areas) and encompasses the majority of the Southwest, Central and East Paddocks (*Images 9 & 10*). The Rocky Loam soil type consists of 16 cm (on average) of sandy loam to loam topsoil which contains various proportions of basaltic rock typically consisting of 40 to 80% (and averaging 60%) rock. This topsoil is underlain by a subsoil layer consisting of dull grey brown light to medium clay with basalt rock with the proportion of rock varying from 60 to 100% (and averaging 90%). The surface soil is friable and the subsoil is relatively friable however, the high proportion of rock limits friability and precludes mechanical working of the soil. This is a moderately drained soil profile that provides only a limited volume of soil for root exploitation due to the high proportion of rock. When allowing for rock, the Rocky Loam soil type provides 6 cm of effective topsoil, 8 cm of effective root zone and a readily available water holding capacity approximating 6 mm.

**Dark Clay** – The Dark Clay occurs on the flatter lower elevation areas of the site and encompasses the majority of the West, Northwest and Southeast Paddocks. The Dark Clay soil type consists of 8 cm (on average) of light grey, light clay topsoil which rapidly but indistinctly grades into grey medium clay and then dull yellow grey heavy clay subsoil layers (*Image 11*). This soil type is a Vertisol and has a very high proportion of clay which is relatively reactive resulting in significant subsoil cracking on drying which extends to the surface (*Image 12*). In addition to cracking, the Dark Clay soil type has slightly self-mulching surface qualities and a gilgai micro-relief. The structure of the surface soil is a-coherent to massive. Subsoil structure is strongly columnar and lenticular which breaks down into dense clods. All of the soil profile is not friable, is plastic and sticky when wet, is hard when dry and is tough, dense and intractable. This is a very poorly drained soil profile with very low permeability subsoil the is. Plant root exploitation is limited by the tough, dense nature of the soil material and by waterlogging in wet climatic periods. The Dark Clay soil type provides 8 cm of effective topsoil, 15 cm of effective root zone and a readily available water holding capacity approximating 7 mm.

1280D Broadford-Glenaroua Road, Glenaroua, Vic. - 33 ha - Agricultural Assessment



**Image 9:** The Rocky Loam soil type occurs on more elevated areas of the site and is dominated by shallow soils consisting of and overlying basalt rock; this image shows the Southwest Paddock sloping down towards the West Paddock with the telephone exchange and Broadford-Glenaroua Road.



**Image 10:** The Rocky Loam soil type consists of a high proportion of rock which precludes mechanical working of the soil; this image is of a flatter area in the Central Paddock.



1280D Broadford-Glenaroua Road, Glenaroua, Vic. - 33 ha - Agricultural Assessment



**Image 11:** The Dark Clay soil type consists of a shallow light grey, light clay surface soil which grades into a grey medium clay subsoil; this soil type occurs on the flatter lower elevation areas of the site particularly in the West, Northwest and Southeast Paddocks.



**Image 12:** The Dark Clay soil type is a Vertisol which has a high clay content which swells and seals on wetting and shrinks and cracks on drying resulting in significant subsoil cracking which extends to the surface.

### 3.5 Soil Chemical Characteristics

Four soil samples (3 topsoil and 1 subsoil) were collected and sent to CSBP (Landmark) Analytical Laboratory in Perth (a reputable and ASPAC accredited laboratory) for agronomic soil chemical analysis. The results of this analysis are provided in the appendices (*Appendix D - Soil Chemistry Analysis Results*). The 4 soil samples analysed consisted of:

- Sample 1 – C A – Central Paddock – Topsoil
- Sample 2 – NW A – Northwest Paddock – Topsoil
- Sample 3 – W A – West Paddock – Topsoil
- Sample 4 – W B – West Paddock – Subsoil

An interpretation of the soil chemistry analysis results is provided hereunder.

**pH (H<sub>2</sub>O)** - Soil pH measures the acidity or alkalinity of a soil with levels close to neutral required for adequate agricultural production. Soil pH levels were low and acidic which is likely to be a result of the soil origins and continuous grazing without any applications of lime. The subsoil pH level was slightly higher but still low and acidic. These soil pH levels are typical of these soil types in this region. These low soil pH levels are likely to be adversely impacting agricultural production.

**Salinity** - Soil salinity levels (measured as electrical conductivity (EC<sub>1:5</sub>)) were all low indicating the soils are not adversely impacted by salinity.

**Phosphorus** - Phosphorus is an important macronutrient required in soils for agricultural production. Available phosphorus (Olsen) levels were low and marginal in the surface soils and, as would be expected, levels were very low in the subsoil. These phosphorus levels are low but are typical for soils of this region. These low phosphorus levels are likely to be adversely impacting agricultural production.

**Nitrogen** - Nitrogen is often transient in soils and is also an important macronutrient required for agricultural production. Soil nitrogen levels were low in both the surface soils and the subsoil. These levels are low but typical of soils of this region which are not in regular receipt of nitrogen. These low levels are likely to be adversely impacting agricultural production.

**Potassium** - Soil available potassium levels (Skene) were low to marginal in both the surface soils and the subsoil however, levels were slightly higher in the subsoil. This is typical of these soil types in this region. Marginal soil potassium levels may adversely impact production of some agricultural plant species.

**Sulphur** - Soil sulphur levels were low to marginal in both the surface soils and the subsoil. Whilst typical of these soil types, these low sulphur levels could adversely impact production of some agricultural plant species.



1280D Broadford-Glenaroua Road, Glenaroua, Vic. - 33 ha - Agricultural Assessment

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**Cation Exchange Capacity (CEC)** - The cation exchange capacity of the soils reflected soil clay content and was low in the Rocky Loam with moderate levels in the Dark Clay soil samples. The low CEC level in the Rocky Loam indicates soils which are likely to have minimal retention of soil nutrients and cations. The better levels in the Dark Clay soils indicates that these soils are more likely to retain sufficient nutrients and cations for plant growth/production and for soil structure maintenance.

**The Calcium/Magnesium Ratio (Ca:Mg)** - The ratio of calcium to magnesium in all of the soils analysed was very low indicating soils with low calcium levels. Whilst this is typical of these soil types in this region, this indicates that soil structure is likely to be compromised due to these low calcium levels.

**Exchangeable Sodium Percentage (ESP)** - The soils generally had low sodium levels particularly in the surface soils however, the level was slightly elevated in the subsoil (ESP = 6) indicating a sodic subsoil. These soil types in this district can have sodic subsoils. Soil sodicity adversely impacts soil structure reducing soil profile permeability, increases dispersion, increases waterlogging and can adversely impact trafficability.

**Organic Carbon** - Surface soil organic carbon levels were low to moderate indicating soils with relatively low organic matter content. As would be expected, the subsoil level was low. These soil levels are low and any increase in soil organic matter levels will help to enhance soil structure, contribute to the buffering of sodium and provide for improved cation exchange capacities.

### 3.6 Soil Productivity

**Soil Classes** – All of Australia's agricultural soils can be classified for production potential into six classes (*Appendix C - Soil Classes & Soil Suitability for Crops*). The emphasis in this classification is on the depth of surface soil, its texture, permeability to water, stability and drainage status; and on the subsoil's permeability, drainage and softness for root growth. This classification is used to convey the relative effective volume of soil available for successful plant root exploitation and therefore for plant growth and subsequently agricultural production. The Soil Classes range from Class I which signifies excellent productivity for all agriculture through to Class V which signifies low productivity for a limited range of agricultural plant species through to Class VI which is unsuitable for agriculture. Due to the limited depth of effective topsoil and the severe restrictions to root growth in the subsoils (rock and heavy clay), both the Rocky Loam and Dark Clay soil types on this site are classified as Class V to Class VI soils.

**Soil Suitability** - The soils on this site are not suitable for high yielding / high production agriculture, the soils are not suitable for horticulture or for irrigation, and the soils are not suitable for most agricultural crop and pasture enterprises. The only agriculture that the soils on this site are suitable for is low

1280D Broadford-Glenaroua Road, Glenaroua, Vic. - 33 ha - Agricultural Assessment

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intensity grazing of native and selected introduced pasture species. The soils have a very low productivity potential (*Appendix F - Soil Classes & Soil Suitability for Crops*).

**Soil Chemistry** – The soil chemistry analysis results indicate low nutrient, low organic matter, acidic soils with sodic subsoils. This results in low soil nutrition and low soil chemical stability which would need to be enhanced to be conducive to achieving satisfactory agricultural yields.

**Salinity** – No evidence of salinity was found on the site during the site inspection and the soils on this site are not particularly susceptible to adverse impacts from salinity.

**Sodicity** – Because of the high clay content and low permeability of the Dark Clay on the site, this soil type is susceptible to adverse impacts from sodicity. The soil chemistry analysis results indicate that the soils would benefit from gypsum applications to increase soil calcium levels, minimise soil dispersion, enhance soil structure and improve soil profile permeability which would in turn increase the agricultural utility of the site.

**Shallow Groundwater** – No evidence of adverse impacts from groundwater and no evidence of groundwater occurring at depths shallower than 2 m below the surface were observed during the site inspection. A search of publicly available groundwater data in the vicinity of the site yielded little beneficial information however, what was available did indicate that shallow (< 3 m) groundwater is not likely to occur on the site.

**Vermin** – During the site visit, there was no evidence of excessive vermin (rabbit, fox, rat etc.) infestations on the site.

### 3.7 Land Use

The site is located in a rural district and land use is predominantly grazing enterprises with higher intensity grazing, fodder conservation or limited cropping practised on better, more productive soil types. It is understood that the site has been utilised for low intensity grazing as part of a larger agricultural holding for a considerable period (> 50 years). Because, from an agricultural perspective, the land is only suitable for low intensity grazing, significantly larger areas of land than what is available on this site would be required to ensure viability of commercial agricultural grazing enterprises. The land is currently used for opportunistic grazing by agisted beef cattle which are only grazed on the site when sufficient pasture is available.



1280D Broadford-Glenaroua Road, Glenaroua, Vic. - 33 ha - Agricultural Assessment

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### 3.8 Agricultural Utility

From an agricultural utility perspective, the site has the advantages of predominantly cleared land with adequate topography, suitable access, no adverse impacts from salinity or shallow groundwater, and no evidence of vermin. However, as detailed earlier, from an agriculture perspective, due to low productivity soil types, the site is only suitable for low intensity grazing. This is what the site has been utilised for in the past and what the site is currently used for. By comparison with other agricultural land uses on other sites in the region, this land use generates a low return on investment and a low economic input into the local community. The site would require significant agricultural improvements and inputs to increase production for more intense grazing and/or more intense/alternative agricultural pursuits. Whilst this could be implemented, the viability of such actions would need to be carefully assessed. Based on the limited agricultural utility of the site, the site is not likely to realise a substantial increase in agricultural productivity and therefore financial return. Continued agricultural management will be required to appropriately manage groundcover (to minimise erosion risk and mitigate surface water runoff), fire risk, vermin and weeds but is likely to accompany alternative complimentary uses for the site. Any alternative land uses or site development will need to consider the draft strategic directions paper 'Mitchell Rural Land & Activities Review (Hansen Partnership, Mitchell Shire Council, March 2020)'.

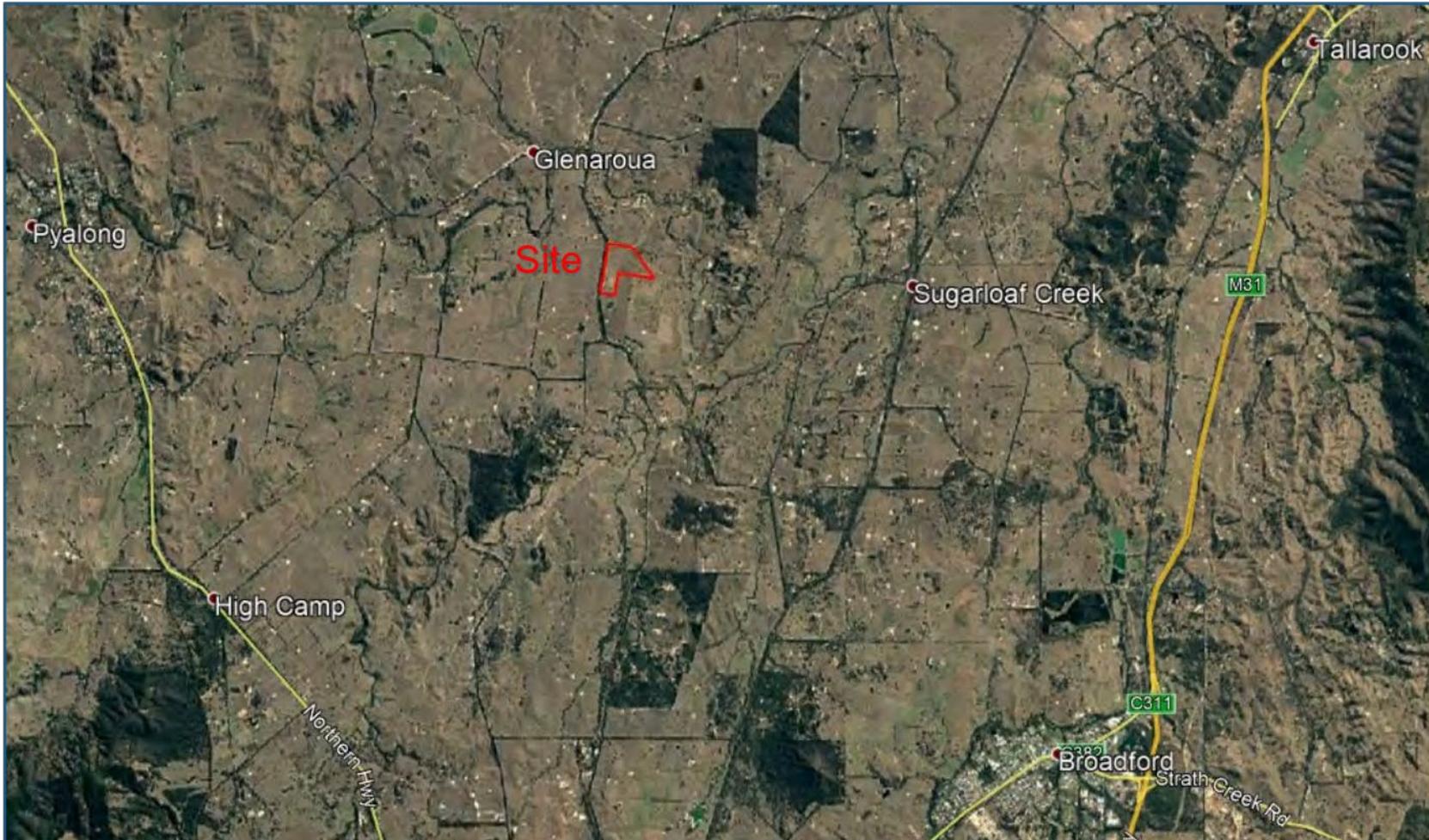
## 4 CONCLUSIONS

Based on this Agricultural Assessment, it is concluded that, predominantly due to the low productivity soil types, the site has low productivity potential and therefore limited agricultural utility by comparison with other farming land in the region and the State. Soil versatility and productivity is limited by high rock content limiting tillage, by high clay content limiting trafficability, by susceptibility to waterlogging, by poor soil chemical characteristics (including low soil nutrition) and by limited agricultural plant effective root zones. As a result the site is only suitable for low intensity grazing agricultural enterprises as is attested to by past and current land use. Ongoing successful, sustainable site management will require continued but minimal agricultural management that will need to accompany alternative complimentary land use(s) which need to be compatible with the Shire's long term rural land management strategies.

1280D Broadford-Glenaroua Road, Glenaroua, Vic. - 33 ha - Agricultural Assessment

## 5 APPENDICES

### 5.1 Appendix A - Locality Plan



**5.2 Appendix B - Site Plan**



### 5.3 Appendix C - Soil Classes & Soil Suitability for Crops

All of Australia's agricultural soils can be classified for production potential, into six classes. The emphasis in this classification is on the depth of surface soil, its texture, permeability to water, stability and drainage status; and on the subsoil's permeability, drainage and softness for root growth.

Class I	Excellent productivity for all agriculture.
Class II	Very good for most agriculture.
Class III	Good for a range of agriculture.
Class IV	Fair for a limited range of agriculture.
Class V	Low yields; pastures and some crops only.
Class VI	Unsuitable for agriculture.

Some of the crops that can be grown in each of the six classes are;

<b>Class I</b>	All fruits, vines, nuts, vegetables, tomatoes, lucerne, olives, row crops, fodder crops, field crops, pastures and forest trees.
<b>Class II</b>	All fruits (except citrus, early peaches and cherries), vines, olives, some nuts (e.g. almonds but not Walnuts), most vegetables, tomatoes, lucerne, row crops, fodder crops, field crops, pastures and forest trees.
<b>Class III</b>	Apricots, apples, pears, plums, vines, olives, some vegetables, row crops, fodder crops, field crops, pastures and forest trees. Fair soils for tomatoes and lucerne.
<b>Class IV</b>	Row crops, fodder crops, field crops, pastures and forest trees. Fair soils for pears, plums and vines.
<b>Class V</b>	Fodder crops, field crops, pastures and forest trees; only if well drained.
<b>Class VI</b>	Unsuitable for agriculture.

From; Cockroft, B. & Dillon, C.M. (2004) A Soil Survey Method for Productivity in Irrigated Agriculture. Agricultural Science (Journal of Australian Institute of Agricultural Science and Technology). 17 No. 2, 14-20.

## 5.4 Appendix D - Soil Chemical Analysis Results

2020 SOIL ANALYSIS		1	2	3	4
Paddock		Central	Northwest	West	West
Soil Details		Rocky Loam	Dark Clay	Dark Clay	Dark Clay
Horizon		A1	A1	A1	B1
Sample I.D.		1 C A	2 NW A	3 W A	3 W B
Parameter	Units				
Nitrate Nitrogen	mg/kg	2	4	2	1
Olsen Phosphorus	mg/kg	4	5	6	<1
Skene Potassium	mg/kg	34	42	53	81
Sulphur (KCl 40)	mg/kg	4	7	5	3
Organic Carbon	%	2	2	2	0
Salinity (EC - H <sub>2</sub> O1:5)	dS/m	0.021	0.038	0.042	0.059
pH (CaCl <sub>2</sub> )	pH	4.3	4.9	5.0	5.5
pH (H <sub>2</sub> O)	pH	5.3	5.7	5.9	6.4
Exchangeable Ca	meq/100g	0.80	1.21	1.35	1.24
Exchangeable Mg	meq/100g	1.90	3.52	2.36	4.67
Exchangeable Na	meq/100g	0.12	0.52	0.49	0.79
Exchangeable K	meq/100g	1.51	4.35	5.87	6.34
Ca:Mg Ratio	ratio	0.42	0.34	0.57	0.27
CEC -Cation Ex. Cap.	meq/100g	4.3	9.6	10.1	13.0
ESP - Exchng. Na %	%	3%	5%	5%	6%



- CIVIL ENGINEERS
- LAND SURVEYORS
- URBAN & REGIONAL PLANNERS
- PROJECT MANAGERS



Approved Company – ISO 9001 – Quality Management Systems

# Planning Report

Restricted Recreation Facility  
(Drift Car Training Facility)

**1280D Broadford-Glenaroua Road,  
Glenaroua**

Ref: 19117    April 2021

**Drift Republic**

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Document Ref: 19117\_R\_Drift Republic, Glenaroua\_310321



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1280D Broadford-Glenaroua Road, Glenaroua

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19117 – Drift Republic – 1280D Broadford-Glenaroua Rd, Glenaroua



## 1 Introduction

This report is provided in support of a planning permit application for the use and development of a Restricted Recreation Facility (Drift Training Facility) at 1280D Broadford-Glenaroua Road, Glenaroua.

This application is prepared on behalf of Shane and Katrina O'Hare – who own the property and are in the process of constructing a dwelling on the site.

The property, and the surrounding holdings have been recently created as part of a 6-lot subdivision in 2018 – which included a 45-metre-wide common property with a total area of 1.578 hectares to provide access to the lots to the north and east of the subject land along Mollison Creek.

The proposed drift car training facility will be primarily used by the occupants of the property who have an extensive background in motorsport. Shane has been involved in motorsport for the past 12 years. He has been competing across Australia as a professional driver for Australian Drifting Grand Prix and Hi-Tec Oils Drift All Stars.

The applicants' intention is to use the site for their personal use and enjoyment of the property as a resident of the site – being ancillary to their currently under construction dwelling. As well as the potential expansion of the use (the ultimate extent is illustrated in this application) to operate commercially.

A privately owned motorsport track is not uncommon for rural properties, with many rural properties throughout Mitchell Shire having extensive informal motocross tracks that are exclusively for the use of family and friends. This application demonstrates that the proposal is appropriate in the context of the surrounding area and the relevant planning policies and environmental standards – with particular focus around amenity impacts associated with the use and associated noise.

To this end, it is our opinion that – regardless of the outcome of this application the property owners would be wholly entitled to use the track as part of their property – ancillary to their dwelling – as could be reasonably expected to be the use and enjoyment of their property.

Accordingly, it is considered that the operative planning permit trigger for this permit is the commercial arrangements where the applicant and landholder will, on occasion provide for the training under the banner of the Drift Republic as a commercial entity.

This report describes the subject land and its surrounds and also demonstrates how the proposal fulfils the relevant provisions of the Scheme.

To prevent repetition, matters relating to the relevant provisions are not necessarily repeated within every relevant section of this report, therefore this report should be read in its entirety and in conjunction with any supporting documentation provided when considering individual planning considerations.

To demonstrate the operation and environmental considerations of the proposal and the site, the application is supported by the following documents:

1. Agricultural Assessment (by *Cadeema Pty. Ltd.*)
2. Acoustic Assessment (by *Octave Acoustics*)
3. Business Management Plan (by *Drift Republic*)
4. Risk Assessment (by *Drift Republic*)



As demonstrated throughout this report and supporting documentation it is considered the design of this proposal appropriately responds to the physical context of the site, the location and layout of the existing dwelling, its wider local context, and the subject land's associated development potential having regard to the provisions of the Mitchell Planning Scheme.

### 1.1 Land Use Determination

As part of the pre-application discussions with Council officers, it was determined that the proposal drift training facility would best meet the land use definition of a "Restricted Recreation Facility" as opposed to a "Motor Racing Track".

The two land uses are defined as follows:

**Motor Racing Track:** Land used to race, rally, scramble, or test, vehicles, including go-karts, motor boats, and motorcycles, and includes other competitive motor sports. It may include training.

**Restricted Recreation Facility:** Land used by members of a club or group for leisure, recreation, or sport, such as a bowling or tennis club, gymnasium and fitness centre. It may include food and drink for consumption on the premises, and gaming. It may also include use by members' guests, or by the public on payment of a fee.

Accordingly, it was considered that the characteristics of the proposal was that of a Restricted Recreation Facility, owing to the following key points:

- The proposal would be a private facility that would be used by the landholders and approved attendees, only;
- Attendance at the site would be strictly by invitation only; and
- The facility would not host or organise any formal competition days that could be considered competitive motor sports.

### 1.2 Risk Management

A risk management plan has been prepared by Drift Republic, which is appended to this report as a reference document.

This Risk Management Plan (RMP) will provide a matrix to ensure that any activities that are undertaken at the site will minimise the risk to participants and volunteers, the site and the surrounding area.

This RMP will be distributed to any users of the track to ensure that rules of the facility are known and ensure that best practice is adhered to during activities at the site.

### 1.3 Drift Republic – Business Overview

The applicants have prepared a projected plan for the site and their long-term intention for the facility. The facility will have two (2) full-time staff, being the applicants in this matter.

Refer to the appended Business Management Plan by Drift Republic for a detailed overview of the business model and objectives.



## 2 Applicant / Property Details

This application has been prepared by Chris Smith & Associates on behalf of the applicant, Shane and Katrina O'Hare, being the applicants and landholders in this matter.

### 2.1 Subject Land

#### **Property Summary:**

The subject site is an "L"-shaped property with existing access to Broadford-Glenaroua Road from the west, while the property's northern boundary abuts a 40-metre-wide common property that provides legal access to Broadford-Glenaroua Road for the properties to the north and east of the site. The subject land does not have legal access to this common property.

The proposed drift training facility would be approximately 700 metres in length and would observe a minimum setback of 50 metres to the western property frontage, with the nearest dwelling being approximately 900 metres to the south of the site – at 1020 Broadford-Glenaroua Road, Glenaroua.

The site is flat and has been extensively cleared for historic agricultural use – specifically, this has been low-intensity grazing of livestock.

#### **Planning Provisions:**

**Zone:** Farming Zone

**Overlays:** Vegetation Protection Overlay – VPO1 (adjacent road reserve, only)



**Figure 1 – Subject Site**  
Outlined in white (image: VicPlan)

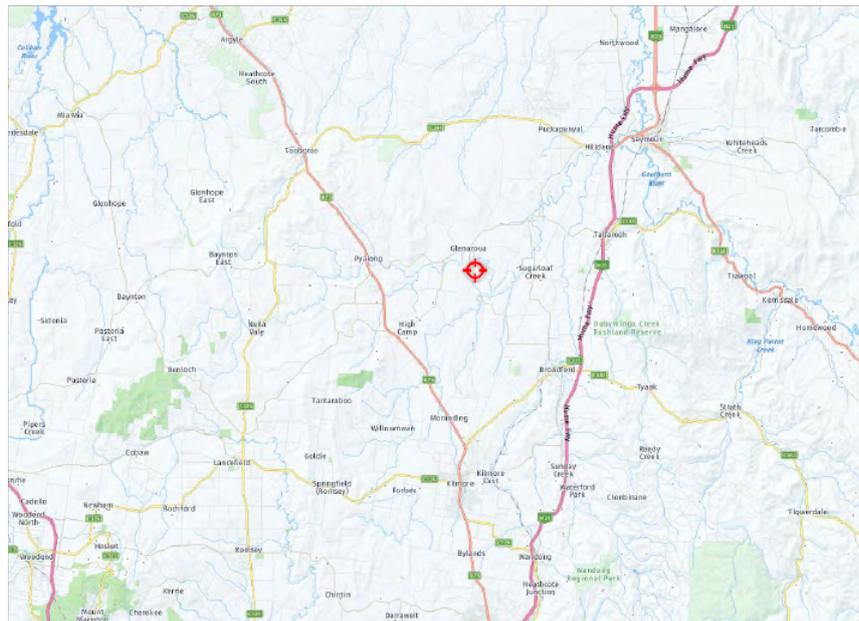


**2.2 Surrounding Context**

The subject land is located within the rural locality of Glenaroua – located centrally between the rural townships of Seymour, Broadford and Pyalong.

The surrounding area is generally large broadacre holdings that have been extensively cleared for prolonged agricultural uses.

There are tracts of established native vegetation and topographical features to the east and south of the site – which generally correlates to the Mollison Creek and its tributaries. The wider area generally falls to the north-east, into the Goulburn River at Seymour.



**Figure 2 – Locality Plan**  
Showing the subject land in red crosshair in relation to central Mitchell Shire (Image: Pozzi)

Dwellings in the surrounding area are typically on larger rural holdings with substantial boundary setbacks with landscaped garden areas. However, there has been an emerging trend in the wider Glenaroua area for the fragmentation of some of these larger holdings to provide for niche, hobby farming.

In some instances, this has extended to the environmental remediation of some properties on sites where environmental degradation exists.

Broadford-Glenaroua Road, which runs north-south along the property’s frontage provides the major regional arterial road – managed by Council. This road reserve is notable for having substantial tracts of native vegetation – which has been reflected through the imposition of a statutory control in the form of the VPO1.



### 3 Proposal & Planning Permit Triggers

#### 3.1 Planning Permit Triggers

A planning permit is sought pursuant to the following provisions of the Mitchell Planning Scheme:

##### Farming Zone

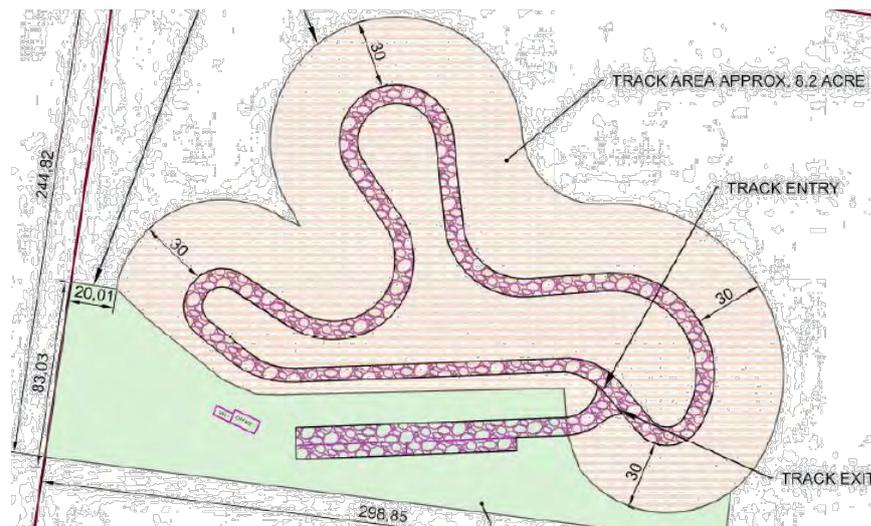
- Clause 35.07-1 – To Use land in the Farming Zone for a Section 2 Use (being a *Restricted Recreation Facility – i.e., “any other use”*).
- Clause 35.07-4 – Building and Works associated with a Section 2 Use

The proposal does not include any signage, vegetation removal or any other matter required by the Mitchell Planning Scheme.

#### 3.2 Proposal

It is proposed to use approximately 5 hectares of land at 1280D Broadford-Glenaroua Road, Glenaroua for a Restricted Recreation Facility (Drift Training Facility).

The proposal will be a private facility, with a 700-metre track proposed as illustrated in the below figure. The facility will be operated in conjunction with the applicant’s residence on the property and will be available for hire by approved parties – subject to capacity and acoustic obligations as set out in the appended acoustic report.



**Figure 3 – Extent of Track Plan (by applicant)**  
Showing the proposed layout, fencing and exclusion areas of the facility

The proposed facility will share the property’s existing access from Broadford-Glenaroua Road, and would be accessed internally via the property – which is largely cleared and capable of providing vehicular access without significant earthworks.

It is considered that the internal access/driveway to the facility can be required as a Condition of permit as it is considered a largely administrative matter.



The proposed track would be setback approximately 60 metres from the northern property boundary, where it abuts a common property and 50 metres from the western frontage with Broadford-Glenaroua Road.

The facility would operate between 8:00 am and 6:00 pm, dependent upon the number of participants at the site – with the number of cars and timing to be guided by the recommendations of the acoustic report prepared by Octave Acoustics.

From an operational standpoint, there would be no more than sixteen (16) cars that would use the site over the course of one (1) day, with no more than four (4) cars active on the track during day times, only, in accordance with NIRV.

Although the applicants have stated that there would potentially be sixty (60) spectators at the subject site – however, in considering the nature of the facility – being a private operation, this is considered extremely unlikely to occur as any spectators will be directly associated with the participants.

The above scenarios are the *maximum foreseeable patronage*; however, it is not anticipated that the abovementioned attendances would be a rare occurrence. These figures are provided to demonstrate the site's compatibility under even the fullest extent of the site use.

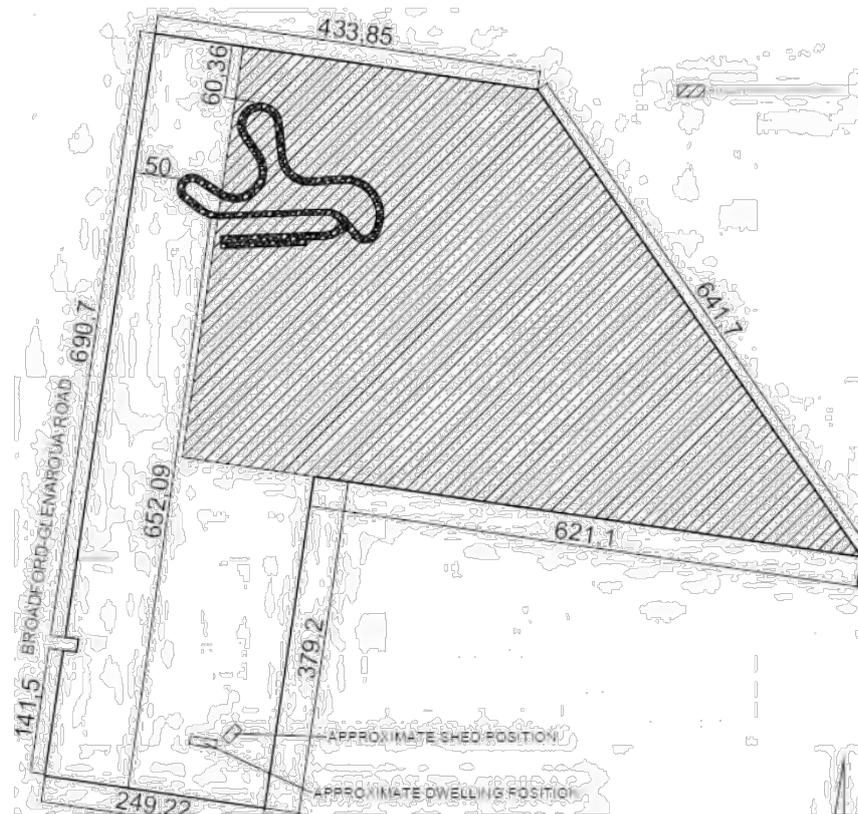


Figure 4 – Extract of Proposed Site Plan (by applicant)  
Showing the proposed layout and setbacks of proposed drift facility



### 3.3 Other Statutory Controls/Constraints

As part of the recent subdivision of the subject site and the surrounding properties, a Building Exclusion Zone was required to be created by Goulburn-Murray Water as a Condition of the planning permit – for the purposes of managing groundwater impacts.

To this end, this building exclusion zone does not extend to earth forming or any non-structural works. Pre-application discussions with Council's planning coordinator has acknowledged that the development of a motorsports track would be consistent with the intention of this instrument.

## 4 Mitchell Planning Scheme

An assessment of the proposed subdivision has been undertaken against the following sections of the Mitchell Planning Scheme and associated policies, which are relevant to the consideration of this proposal.

11	Settlement
12	Environmental and Landscape Values
13	Environmental Risks and Amenity
14	Natural Resource Management
15	Built Environment and Heritage
17	Economic Development
21.04	Environmental Risks
21.05	Built Environment and Heritage
21.08	Economic Development
35.07	Farming Zone
42.02	Vegetation Protection Overlay 1
52.05	Signs
52.06	Car Parking
52.34	Bicycle Facilities
65	Decision Guidelines

### 4.1 Planning Policy Framework

#### 12.01-1S Protection of biodiversity

- *To assist the protection and conservation of Victoria's biodiversity*

The subject site has existing all-weather access provided from Broadford-Glenaroua Road – ensuring that there is no vegetation removal required to provide access to the site in accordance with the aforementioned objective.

Further, there is a VPO1 within the road reserve containing Broadford-Glenaroua Road. The VPO1 will ensure that any consequent access from this road reserve requires a planning permit for vegetation removal, beyond the standard provisions of Clause 52.17.



### 12.01-2S Native Vegetation

- *To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.*

The access to the site will be via the existing road network. There will be no requirement for vegetation removal to facilitate to the proposed use of the land, the proposed drift training facility is clear of native vegetation and would not require vegetation removal to facilitate the commencement or ongoing operation of the site.

### 13.02-1S Bushfire planning

This policy applies to land that is within a designated bushfire prone, pursuant to this Clause, bushfire risk should be considered when assessing planning applications in a bushfire prone area for:

- *Any application for development that will result in people congregating in large numbers.*

In considering the proposal against the relevant Objective to “*To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life*” the risk to bushfire will be managed through the ongoing use and maintenance of the site.

The implementation of appropriate bushfire protection measures to address the identified bushfire risk will be achieved, reducing fuel loads, grass management, removal of dead branches, etc. Patron management measures will include monitoring conditions during fire season and cancellation of any events when extreme weather predicted.

As the site is largely established and clear of any unmanaged vegetation, the proposed use and development is capable of implementing bushfire protection measures without any biodiversity impacts.

The site is well serviced by a major arterial road that provides north-south vehicle access, as well as most of the surrounding area being cleared of vegetation. The site's access to major arterials that are free of extreme bushfire risk will ensure that any patrons can be safely assured of exit in the event of a fire event.

In undertaking a desktop assessment of bushfire hazard conditions at a site, local and regional scale, the site is not considered to be a site that presents an unmanageable risk.

### 13.05-1S Noise abatement

- *To assist the control of noise effects on sensitive land uses.*

Noise as a result of the proposal will be limited to a level compatible with the community amenity expectations.

The proposal has been designed and assessed to be compliant with the EPA's Noise from Industry in Victoria (NIRV), in accordance with the relative Strategy to:

- *Ensure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.*



### 13.07-1S Land use compatibility

- *To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.*

From a planning perspective, the site and surrounding land is wholly within the Farming Zone, which is a zone that land uses such as the proposed Restricted Recreation Facility would be expected – provided suitable amenity controls and measures are implemented.

To this end, the proposal has been subject to a detailed assessment of the potential offsite impacts – particularly the consideration of potential noise on rural residential holdings. There are some physical and operation noise mitigation measures that would be implemented to ensure off-site impacts can be minimised in accordance with the applicable standards – notably the EPA's NIRV.

- *Ensure that use or development of land is compatible with adjoining and nearby land uses.*
- *Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.*

### 14.01-1S Protection of agricultural land

- *To protect the state's agricultural base by preserving productive farmland.*

The total footprint of the proposed use would be conservatively no more than 5 hectares, which equates to approximately 12.5% of the total site area. The balance of the site will be capable of continued primary production.

However, the agronomic assessment of the site by Cadeema demonstrates that the site is of particularly poor agricultural value. With the soil varying between 60% and 80% rock which prohibits high value agriculture or cropping – being suitable only for low intensity grazing which is unlikely to be commercially viable as agricultural land in its own right. Accordingly, the proposed has been weighed favourably against the PPF for agriculture which seeks to:

- *Identify areas of productive agricultural land, including land for primary production and intensive agriculture.*
- *Consider state, regional and local, issues and characteristics when assessing agricultural quality and productivity.*
- *In considering a proposal to use, subdivide or develop agricultural land, consider the:*
  - *Desirability and impacts of removing the land from primary production, given its agricultural productivity.*
  - *Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.*
  - *Compatibility between the proposed or likely development and the existing use of the surrounding land.*
  - *The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.*
  - *Land capability.*



- *Balance the potential off-site effects of a use or development proposal (such as degradation of soil or water quality and land salinisation) against the benefits of the proposal.*

#### **14.02-1S Catchment planning and management**

- *To assist the protection and restoration of catchments, water bodies, groundwater, and the marine environment.*

The site is in excess of 40 hectares and does not contain any watercourses or significant topographical fall to any watercourse that presents any risk of adverse contamination of the wider catchment as result of unmanaged groundwater impacts. Suitable permit conditions could be imposed to further ensure that wastewater does not pose an environmental risk to the greater catchment.

#### **15.01-6S Design for rural areas**

- *To ensure development respects valued areas of rural character.*

From a built form standpoint, the proposal is a relatively unobtrusive development – with a ground level track, acoustic earth berms and small outbuildings/offices typical of a standard shipping container – akin to the built form of a typical agricultural shed. Consequently, the proposal's impact on landscape character is not considered to be a key determinant of this application, noting the application Strategies which seek to:

- *Protect the visual amenity of valued rural landscapes and character areas along township approaches and sensitive tourist routes by ensuring new development is sympathetically located.*
- *Site and design development to minimise visual impacts on surrounding natural scenery and landscape features including ridgelines, hill tops, waterways, lakes and wetlands.*

#### **17.01-1S Diversified economy**

- *To strengthen and diversify the economy.*

The use of the land for a drift training centre will provide facilities for a niche rural activity that is not widely available in regional Australia, the proposal is therefore considered to be conducive to:

- *Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.*
- *Support rural economies to grow and diversify.*

## **4.2 Local Planning Policy Framework**

### **21.04-3 Soil degradation**

- *To ensure that the use and development of land does not cause significant land disturbance.*

The proposed track will be developed on a previously cleared portion of the property that does not contain any notable topographical features that would result in soil degradation. There is no notable slope, watercourses or notable landslip, salinity or other environmental issues in the vicinity of the site that would warrant remediation or pre-emptive measures.



#### 21.04-4 Noise and air

- *To reduce noise and air pollution.*

The proposed drift training facility will operate only between 8:00 am and 6:00 pm, typically on weekends and weekdays.

Local planning policy acknowledges that *"noise and air pollution affect the natural environment and standard of living. While many of the controls relating to noise and air pollution are administered by the Environment Protection Agency, Council assists in enforcing some of these controls through the planning scheme and local laws."*

The appended acoustic report by Octave Acoustics has undertaken a detailed assessment of the noise impacts in the **worst-case scenario** on the surrounding area – with a particular focus on the surrounding dwellings to the north and south of the subject site. This assessment was undertaken against the EPA's NIRV, which modelled anticipated noise levels at the two nearest receptors during daylight and evening conditions, with the proposal being wholly compliant under all but the most extreme use of the facility during the evening where non-compliance by 1dB – which was stated to be "audibly imperceptible" – was modelled.

Further, the relevant Strategy for this Clause seeks to *"... ensure appropriate planning permit conditions, such as hours of operation and building setbacks are applied and enforced to address noise and air pollution."*

The proposal will response to the above strategies through clearly defined hours of operation, as well ongoing live monitoring and reporting of noise levels. The operation would be immediately shut down if there is a breach of noise levels recorded. The applicants will maintain a record of noise levels – which will be available upon request where noise levels are requested.

#### 21.04-5 Bushfire

- *To minimise the risk to life, property and the environment from bushfire.*

A desktop assessment of bushfire risk at the subject site and wider area is provided against the relevant provisions of the Planning Policy Framework.

#### 21.05-1 Agriculture

- *To ensure that the use, development or subdivision of land is not prejudicial to agricultural enterprises or to the productive capacity of the land*
- *To support the diversification of agriculture, the development of agro-forestry and the processing of agricultural products grown within the municipality.*
- *To encourage and promote environmentally sustainable management of land, water and biological resources.*

An agronomic assessment of the site was undertaken by Cadeema, as an accredited agricultural and environmental consultant. From a strictly agricultural perspective, the site is considered to be very poor, with widespread rock providing a major hinderance to any sort of productive agricultural pursuits.

In considering the proposal against the relevant local objectives for agriculture (above), the subject site is unlikely to remove or prejudice existing or future agricultural land – as outlined elsewhere within this report.



The proposal could potentially promote environmental management of the site – with Council having the ability to enforce the ongoing management, pest control and revegetation as a condition on the sought planning permit.

### 21.08-3 Tourism

- *To facilitate Mitchell becoming a recognised tourist destination*

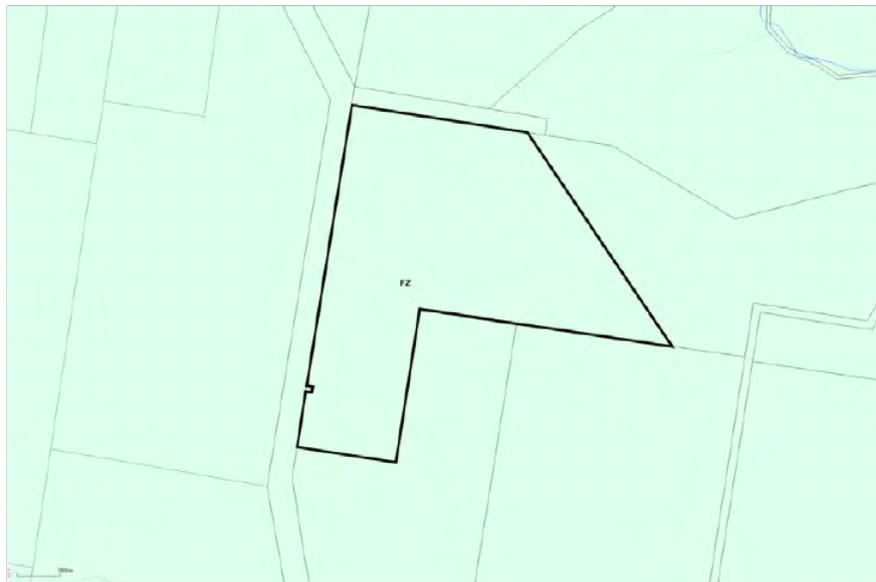
Local policy acknowledges that tourism generates employment through visitor spending and supports the local economy, with 4.8% of the Mitchell workforce employed in the tourism industry.

It is expressly stated that motorsport, recreation and other activities are directly contributory to the Shire maximising the benefits derived from tourism. This policy expressly recognises the value of the Broadford State Motorcycle Sports Centre and the Hume International Raceway – although the proposal is not of the scale of these commercial facilities. To this end it would provide for the diversification of the Shire's economic base in accordance with the below Strategies that seek to:

- *Support and develop the tourism industry.*
- *Encourage new uses that promote or assist local tourist attractions and visitation.*

### 4.3 Farming Zone (35.07)

The subject land is within the Farming Zone (FZ), which requires a planning permit for the proposed use and development of land for a Restricted Recreation Facility – pursuant to Clause 35.07-1.



**Figure 5 – Zoning Map**  
Site identified in Farming Zone – **outlined in black** (Image: VicPlan)

The proposal is for recreation facility of a nature for which would reasonably be expected to be located within a rural area due to the need to observe separation



distances that can only be achieved in the FZ. Accordingly, the use of land within the FZ is considered an appropriate outcome consistent with the intention with the objectives of preserving high value agriculture.

The stated purposes of the Farming Zone that are applicable to this application are:

- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

Accordingly, a detailed response against the applicable decision guidelines of the FZ are provided below to demonstrate the FZ is the appropriate Zone for the proposal.

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the **decision guidelines** in Clause 65, the responsible authority must consider, as appropriate:

**General issues**

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *Any Regional Catchment Strategy and associated plan applying to the land.*
- *The capability of the land to accommodate the proposed use or development, including the disposal of effluent.*
- *How the use or development relates to sustainable land management.*
- *Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.*
- *How the use and development makes use of existing infrastructure and services.*

The proposed drift training facility will directly use the existing crossover on the subject site. There will be no substantial cut and fill, or additional earthworks required to facilitate the proposal.

For the purpose of waste and effluent disposal, the subject land is in excess of 40 hectares and would be readily able to contain any wastewater treatment – subject to the appropriate septic approvals. Alternatively, in considering the extent of use of the site, it is possibly that the existing dwelling will provide for additional effluent disposal.

**Agricultural issues and the impacts from non-agricultural uses**

- *Whether the use or development will support and enhance agricultural production.*
- *Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.*
- *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*
- *The capacity of the site to sustain the agricultural use.*
- *The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.*
- *Any integrated land management plan prepared for the site.*



The proposed use has been demonstrated to be compatible with nearby rural land uses. Therefore, inappropriate noise and the like would be closely regulated and monitored at all times.

#### **Dwelling issues**

N/A.

The property has an as-of-right entitlement for a dwelling, thus the consideration of the merits of a dwelling should not form part of this application.

#### **Environmental issues**

- *The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.*
- *The impact of the use or development on the flora and fauna on the site and its surrounds.*
- *The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.*
- *The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.*

The proposal retains adequate separation from nearby waterways and will use existing cleared areas for ancillary purposes to the training track and its curtilage.

#### **Design and siting issues**

- *The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.*
- *The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.*
- *The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.*
- *The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.*
- *Whether the use and development will require traffic management measures.*

The built form of the proposal is considered to be relatively minor and would be substantially lesser than what would reasonably be expected within the FZ.

The only buildings would be the site office/ facilities, which would be portable buildings that would be single-storey and of muted tones that would be compatible with a rural setting.

The volume of site patronage is low enough that traffic management is not considered to be an issue. Broadford-Glenaroua Road is an all-weather regional arterial which is capable of supporting heavy vehicles and traffic. The existing road would easily accommodate any traffic generated by the proposal.



There are no recognised areas or significant landscapes – identified within the Mitchell Planning Scheme – that warrant consideration or protection within the vicinity of the subject site.

**4.4 Vegetation Protection Overlay (42.02)**

Although the subject site is not within the Vegetation Protection Overlay (VPO), the adjacent road reserve containing Broadford-Glenaroua Road is wholly within the VPO1.

The VPO1 is used throughout Mitchell Shire to provide a planning permit trigger for vegetation removal that would otherwise be exempt pursuant to Clause 52.17. In particular, the VPO1 provides control over vegetation impacts for new crossovers.

The subject site would not require vegetation removal to facilitate access, as there is an existing access provided from Broadford-Glenaroua Road along the western boundary.



**Figures 6 & 7 – Overlay Map / Crossover details**  
Showing existing crossover from Broadford-Glenaroua Road within VPO1 (Images: VicPlan and Nearmap)



#### 4.5 Signs (52.05)

The proposal does not include any temporary signage. The proposed facility will be largely used for the residents and their immediate circle of personal and professional contacts only. Advertising will be done through third-party media and the applicant's professional network.

Thus, no business identification signage otherwise is considered necessary or desirable for this proposal as discretion is preferable for the orderly operation of the site and surrounds.

#### 4.6 Car Parking (52.06)

There is no statutory requirement within Clause 52.06 to provide car parking for a Restricted Recreation Facility, nor any broader land uses under which a Restricted Recreation Facility is nested.

Nevertheless, there will be a practical requirement for on-site car parking to be provided to facilitate a smooth operation of the proposed facility.

To this end, the proposal includes a hardstand area that will be set aside for the purposes of parking.

This parking area will provide for parking for drift cars, as well as transportation vehicles that will transport the cars to the site.

It should again be noted that any visitors to the site would typically be limited – as the site is not an active events centre as such, so patronage at the site would be unlikely to extend beyond the associates of participants on any given day.

#### 4.7 Native Vegetation (52.17)

The potential impacts to vegetation as a result of the proposal have been considered in the site selection, siting and design phases. Due to the existing accessways, which will allow access and egress to the site for a range of vehicles, including the light and medium trucks that will transport track cars to and from the site.

Accordingly, there will no requirement for vegetation removal to facilitate access, car parking or the operation requirements of the proposal.

#### 4.8 Bicycle Facilities (52.34)

Pursuant to Clause 52.34-1, "A new use must not commence ... until the required bicycle facilities and associated signage has been provided on the land."

Accordingly, a "minor sports and recreation facility", under which a restricted recreation facility requires a bicycle parking rate of 1 per 4 employees and 1 per 200sqm of net floor area.

In response, the site has ample space to satisfy the requirements of this Clause, if Council deem it appropriate.

However, in considering the nature of the proposal – being a rural use that requires equipment that will be towed in to the site, the provision of formal bicycle spaces would be both unwarranted and inappropriate.



#### 4.9 Decision Guidelines (65)

The matters set out in Clause 65 of the Mitchell Planning Scheme are addressed in various sections of this report. The proposal has been assessed to be in accordance with all relevant decision guidelines

The proposal demonstrates that the use of the land for a Restricted Recreation Facility responds to the various objective that seek to preserve land within the Farming Zone for agricultural uses – where appropriate, and the management of amenity impacts expectant of the Farming Zone and rural localities.

##### **Draft Mitchell Rural Land and Activities Review**

As part of the due diligence process, a pre-application meeting was held with Council planning officers to determine the matters of interest for the application. It was noted that the Shire currently has a seriously entertained Rural Land and Activities Review (RLAR) on exhibition – this review is currently in draft format. The site sits at the interface of the Policy Area 1 and 2 – within Policy Area 2.

In undertaking an assessment of the proposal against the RLAR, the site would not fragment land, and based on the agronomic assessment of the site, its use for any meaningful agricultural pursuits is considered to be unlikely.

Further, the surrounding area is unlikely to see further agricultural investment due to mitigating circumstances – namely, lot configuration, soil quality and topographical constraints.

## 5 Conclusion

The proposed use and development of the land for a Restricted Recreation Facility is in accordance with all relevant strategies and the objectives and zone provisions of the Mitchell Planning Scheme. The proposal:

- Provides an appropriate response to the Planning Policy Framework;
- Responds appropriately to the consideration of preserving high values agricultural land in the Farming Zone – as the land is of marginal agricultural utility;
- Appropriately manages any potential off-site noise impacts and complies with the standards set out in NIRV; and
- Preserves native vegetation on the subject site.

It is therefore respectfully requested that a permit, as applied for, be granted.

**Chris Smith & Associates**

Shane & Katrina O'Hare  
Drift Republic  
1280D Broadford-Glenaroua Road  
Glenaroua VIC 3764

# **Drift Republic**

# **Business Management Plan**

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## Business Summary

**Aim:** To provide a place where drivers of all experience levels can learn car control, practice, test, develop skills & have fun, in a safe and controlled environment.

**Business name:** Drift Republic

**Business structure:** Partnership

**Business location:** 1280D Broadford-Glenaroua Road, Glenaroua VIC 3764.

**Business owner(s):** Shane & Katrina O'Hare

**Relevant owner experience:** Shane has been involved in motorsport for the past 12 years. He has been competing across Australia as a professional driver for the past 7 years in both of Australia's National Pro-Drifting competitions, ADGP (Australian Drifting Grand Prix) and Hi-Tec Oils Drift All Stars. Katrina has been responsible for the day to day running of a small auto business and will bring 12+ years of administration, systems, customer relations & project management experience.

**Products/services:** Hosting track time for drivers to come with their own cars to test vehicle setups, develop skills & have fun. Customers can learn the fundamentals of drifting in a fun, structured way, with a professional driver alongside.

**What is drifting:** Drifting is the fastest growing motorsport in the world right now. Drifting is a driving style in which the driver uses the throttle, brakes, clutch, gear shifting and steering input to keep the car in a state of oversteer while manoeuvring from turn to turn.

## **The Market**

### **Customer demographics:**

Motorsport & drift fans of all ages. We aim to provide those with an interest in drifting, a safe and cost-effective transition from the grandstand to the driving seat. The professional drifting competitions in Australia have grown exponentially in popularity year by year. Yet Victoria unlike other states in Australia does not have a dedicated drift track. We would be the first and only purpose-built venue in Victoria.

### **Marketing strategy:**

We would advertise mainly online through social media, leveraging Shanes already large following as a professional driver. Drift republic will have its own website and social media pages for advertising. Our professional drift car gains exposure when in televised national competitions. Option to advertise in auto magazines and utilising websites like red balloon to promote Driving experiences from Drift Republic.

Shane has a large network with connections within various motorsport enthusiasts and businesses from his involvement in local and national motorsport which will be beneficial. At local and National drift events marketing merchandise for Drift Republic will be displayed & distributed to the public in Shanes pit area during pit walks as well as on his professional drift car which has been featured in newspapers, magazines, television and online globally.

## **The Future**

### **Vision statement:**

Making motorsport dreams come true.

To provide a place where drivers of all experience levels can learn car control, practice, test, develop skills & have fun, in a safe and controlled environment.

### **Goals/objectives:**

To a build a pristine facility that both us and the local community will be proud of.

To give customers an enjoyable and unforgettable driving experience.

Attract a solid and close-knit customer base which would enable the continuous improvement of our facility, further enhancing the customer experience and help grow the sport in a professional manner.

Have a private professionally run facility that creates a sense prestige for all who visit.

## Business details

**Products/services:** The focus is driving experiences. Experiences offered include:

- Drifting for beginners – learn the fundamentals from a professional driver.
- Passenger ride hot laps in a pro car with a pro driver.
- Practice days for drivers with their own drift cars.

In the future we would like to offer track hire to third-party users beyond the applicants' immediate professional network – however, this would be subject to subsequent written approval from the Mitchell Shire Council and would strictly exclude any competitive racing or the like.

Any such hire of the facility would be strictly for training and recreational purposes, only, and would be under the supervision and guidance of the site operators.

## Business premises

**Business location:** The business would be located at 1280D Broadford-Glenaroua Road, within 12 acres of a 100-acre property. This 100-acre rural property is a 12-minute drive from Broadford train station, 15 minutes from the Hume Freeway, 65 minutes from Shepparton, and 50 minutes from Campbellfield.

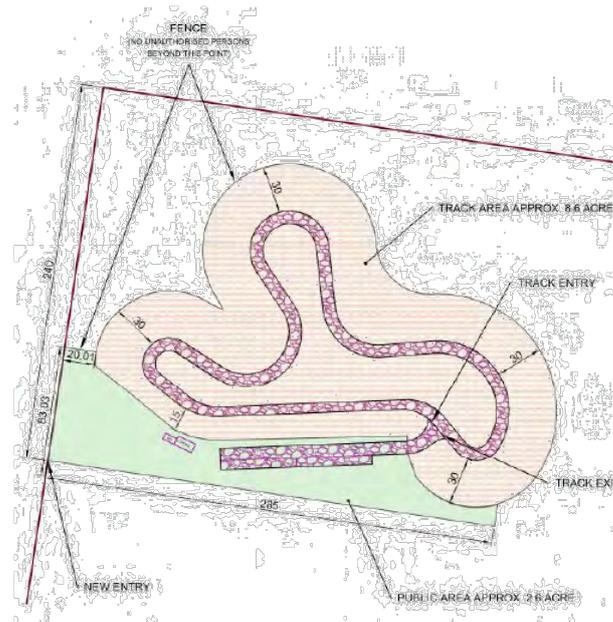


Figure 1 Business area

**Buy/lease:** Shane & Katrina O'Hare own the 100-acre property at 1280D Broadford-Glenaroua Road, Glenaroua VIC 3764.

**Planning zone:** Farm zone

**Facilities:**

The track is a winding 0.7km x 8m wide tarmac track with corners purpose designed for drifting.

An office large enough to double as a classroom and a spectator viewing area in wet or hot weather.

There will be two male and two female public toilets on site. These will be plumbed into a septic waste system.

96m x 14m Gravel/crushed rock hardstand pit area with trailer parking included.

In the future we would like lay asphalt over this pit area.

## Management & ownership

**Names of owners:** Shane & Katrina O'Hare

**Details of management & ownership:** As the owners, Shane & Katrina O'Hare will operate the running of the business together. This is a 50/50 partnership. Shane will take act as the Clerk of course/ track manager. Katrina will overlook office duties and customer service.

Shane and Katrina are husband and wife and will build their home on the property at 1280D Broadford-Glenaroua Road.

**Experience:** Shane has been involved in motorsport for the past 12 years. He has been competing across Australia as a professional driver for the past 7 years in both of Australia's National Pro-Drifting competitions, ADGP (Australian Drifting Grand Prix) and Hi-Tec Oils Drift All Stars.

He is a licensed competitor with both CAMS and AASA.

Shane ran his own carpentry business for 7 years, from 2003 to 2010. He brings to the business his network of motorsport enthusiasts and professional contacts.

Katrina has previously been responsible for the day to day running of a small business and will bring 12+ years of administration & customer relations experience. Currently working as a Project Designer, Katrina is working towards her double diploma of Project Management & Leadership & Management.

## **Key personnel**

### **Current staff**

The proposed average numbers have been identified as ideal for Katrina & Shane to manage together without the requirement for additional staff.

### **Required staff**

Should a group like to hire the facilities, they will be required to have their own volunteers to manage their customers while we will still oversee operations as management to ensure that rules are followed.

**Training program:** Shane and Katrina will both have first aid and fire management training.

## **Insurance**

**Public liability insurance:** We have approached a few different insurance brokers and will purchase Business insurance.

## **Operations**

### **Operating hours:**

For private use we would always abide by the NIRV sound guidelines for a farm zoned property. Typically we would privately practice one evening per week.

We would typically open the track for hire to other drivers on weekends, RDO's and public holidays, with cars permitted on track from 8am to 6pm.

If we were to put a maximum number of days forward to be open for customer hire, we would ask for 180 days per year.

**Bookings:** Booking in advance is essential. There will be a maximum number of 16 Cars and drivers. Drivers must be 17 years old or over.

**Regulations:** Driver sign-in & driver briefing each morning is compulsory. At the end of briefing drivers receive an armband granting them track access.

Each morning every car is checked by a scrutineer, only when the scrutineer is happy that the car has met all safety standards and regulations will it be allowed to drive on

that day. Cars that do not meet regulations / pass scrutineering will not be allowed on track. Please see attached regulations.

There will be a remote-controlled traffic light style lighting system stationed at 3 locations along the track to manage cars on track and warn of hazards like slow or stopped vehicles ahead.

The clerk of course will man the track entry, directing the flow of vehicles on and off track. The clerk of course then observes the 4 vehicles on track watching for hazards and controlling the remote control on track traffic light system. In the case of a hazard for example a vehicle that has gone off track into a sand trap, the clerk of course will utilise the stop light system, positioned at three points on the track to signal to the other drivers to slow down or stop as per the rules set out in the drivers briefing. Drivers will be required to grip up and slow down on an amber light and come to a complete stop on a red light.

These lights remain on until the hazard has been cleared and it is safe to continue.

**Drug & Alcohol Policy:** We will operate under a zero-tolerance drug and alcohol policy. Anyone found to be under the influence / consuming alcohol or drugs will be asked to leave the premises immediately. Signage indicating this policy will be displayed on entry to the premises, in the track office and in the pit area. We will also communicate this to our customers via our website.

**Health & Safety:** A risk assessment will be conducted annually. We will adhere to health & safety guidelines.

The track support vehicle will be equipped with firefighting and first aid equipment. It will always be on hand at track entry with clear and immediate access to all areas of the track and pit area.

First aid kits, fire extinguishers and a map communicating the emergency evacuation procedure will be displayed in the office. The emergency assembly point will be near the property entry and will be clearly sign posted. Emergency evacuation points and procedures will be explained in drivers briefing every morning.

The pit area and track tow vehicle will be equipped with oil-spill clean-up kits.

Per the regulations, all vehicles on track will be equipped with an unused and in-date fire extinguisher.

All vehicles on track are required to have a spark arrestor fitted in the form of some type of muffler to help prevent grass fires in dry weather.

Good track management will incorporate ground management and controlling the length of the grass. Care will be taken to ensure the grass is kept neat and short which will also limit the risk of bushfire to the site and surrounding area.

Public/ spectator areas will be securely fenced and marked with clear signage and closely monitored.

**Food & drinks:** Fridges or Vending machines will be located in the track office to provide cold drinks and snacks.

**Predicted numbers:** Practice days will have a maximum of 16 entrants and a maximum of 60 spectators.

**Payment types accepted:** We will accept cash, credit, gift cards, bank deposit & Paypal payments.

**Warranties & refunds:** Bookings can be cancelled up to 7 business days before the scheduled visit.

**Waste management:** Bins will be available in the pit area and spectator area. Daily waste collection, clean-up and maintenance will be a priority as we strive to maintain a safe and clean facility. There will be oil spill clean up kits on site, one in the pits and one in the recovery vehicle.

## **Environmental Impact**

We have opted to position the driving area centrally in relation to neighbouring dwellings to reduce any impact such as noise at those dwellings.

We have put a lot of thought and effort into placing the track in a position that leaves it approximately 900m from both nearest neighbours to minimise any impact. We organised an acoustic report to ensure that we can operate while staying within the local guidelines for sound. Please refer to report: AA837ME-01E04 Acoustic Assessment.

There will be no camping or festivals taking place at this location. The venue will only be used for the stated purpose of drifting and other motorsport, e.g. go-karts and small car enthusiasts. We will strictly not be hosting or hiring to any burnout clubs. Burnouts will be banned in and around the venue and anyone who performs this activity will be asked to leave the premises. It is important to us that this be a highly professional venue and positive experience for all our customers and the local community.

**Impact to the nearby towns:** The daily maximum numbers are 16 drivers with a maximum of 60 spectators. Access to the site is via a sealed main road which can accommodate the increased traffic. Our customers will need, food, fuel and accommodation which will help support local businesses.

Below is a locality plan showing the distance to our nearest neighbours.

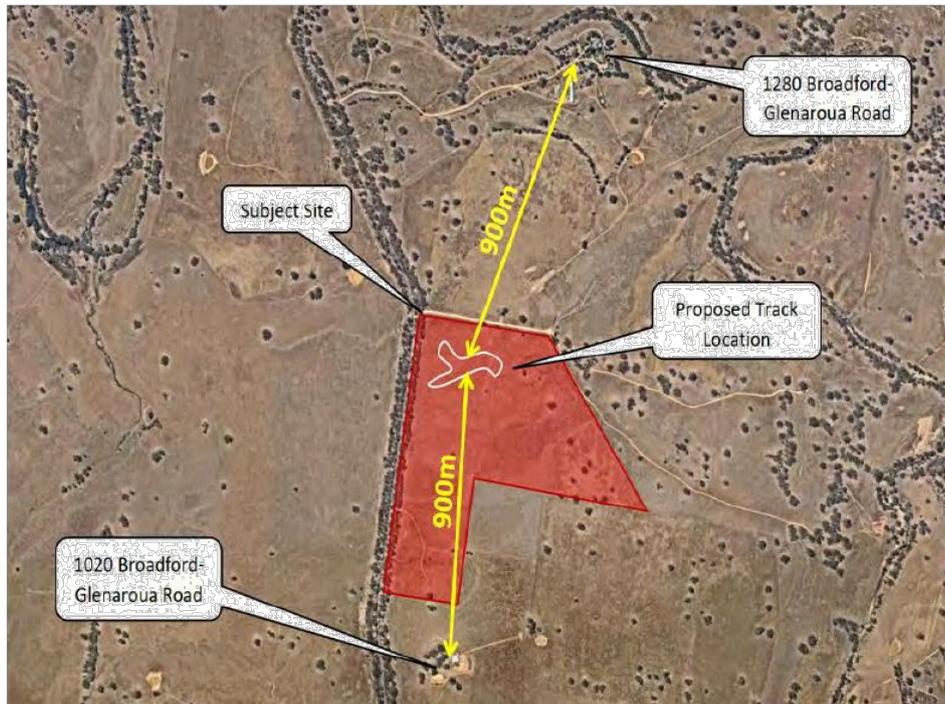


Figure 2: Distance to neighboring dwellings

### 10.5 PLANNING PERMIT APPLICATION PLP290/20 FOR MULTI-LOT SUBDIVISION AT 230 MILL ROAD, KILMORE

**Author:** *Fawaaz Price - Statutory Planner*

**File No:** *PLP290/20*

**Attachments:**

1. *Grounds for Refusal*
2. *Planning Policy Framework*
3. *Proposed Plan of Subdivision*

<b>Property No.:</b>	106168
<b>Title Details:</b>	Lot 1 on Title plan 841198V (formerly known as part of Crown Allotment 67 Parish of Bylands) (Vol. 09985 Fol. 595); Lot 1 on Title Plan 81199T (formerly known as part of Crown Allotment 67 Parish of Bylands) (Vol. 09985 Fol. 594); Lot 1 on Title Plan 855950N (Vol. 10086 Fol. 728); Lot and 2 on Title Plan 849181V (formerly known as part of Crown Allotment 67, part of Portion 75 Parish of Bylands) (Vol. 02332 Fol. 308) and Lot 1 on Title Plan 841196A (formerly known as part of Crown Allotment 75 Parish of Bylands) (Vol. 09985 Fol. 596)
<b>Applicant:</b>	Mr T & Mrs R Exell C/- Mahdlo Property Advisory
<b>Zoning:</b>	Farming Zone
<b>Overlays:</b>	Nil
<b>Objections Received:</b>	None, at the time of writing this report.
<b>Cultural Heritage Management Plan Required:</b>	Yes, the subject site is impacted an area of aboriginal cultural heritage sensitivity, however, a CHMP has not been required as the Aboriginal Heritage Act 2018 does not identify a 3-lot subdivision as high impact activity.
<b>Summary Recommendation</b>	Refusal to Grant a Planning Permit.
<b>Reason Reported to Council</b>	Officers do not have delegation to refuse a planning permit application.
<b>Officer Declaration of Conflict of Interest:</b>	No officers involved in the preparation of this report have any direct or indirect interest in this matter.

PLANNING PERMIT APPLICATION PLP290/20 FOR MULTI-LOT SUBDIVISION AT 230 MILL ROAD, KILMORE  
(CONT.)

**1. Site Map**



*Image 1. Subject site outlined in red (Source: Near Map GIS 2021)*

PLANNING PERMIT APPLICATION PLP290/20 FOR MULTI-LOT SUBDIVISION AT 230 MILL ROAD, KILMORE (CONT.)



Image 2. Subject site outlined in blue and surrounding context (Source: Near Map GIS 2021)

## 2. Application History

- 2.1 The Application was lodged in November 2020.
- 2.2 A Preliminary Assessment resulted in further information being requested, which was requested in December 2020. The applicant responded in full in May 2021.
- 2.3 The application proceeded to notification in June 2021. No objections were received.
- 2.4 The application proceeded to the August 2021 Council meeting; however a decision was not made at this meeting. This report is being brought back before Council as the matter was not finalised at the August 2021 Council meeting.

## 3. Summary

- 3.1 Council received an application for a planning permit to allow for a subdivision at 230 Mill Road, Kilmore.

PLANNING PERMIT APPLICATION PLP290/20 FOR MULTI-LOT SUBDIVISION AT 230 MILL ROAD, KILMORE (CONT.)

- 3.2 The existing site is made up of six (6) individual titles as shown in the Image 1.
- 3.3 Permission is being sought to subdivide the subject site into three separate lots. With the following lot sizes proposed for each lot:
  - Lot 1 – 8.83ha
  - Lot 2 – 1.57ha
  - Lot 3 – 0.96ha
- 3.4 The site is within the Farming Zone and is not affected by any overlays within the Mitchell Planning Scheme.
- 3.5 The application was advertised to the adjoining landowners and occupiers. To date no objections have been received.
- 3.6 The officer recommendation is to refuse to grant a planning permit for the following summarised reasons:
  - The proposal is not consistent with the purpose and decision guidelines of Clause 35.07 Farming Zone.
  - The proposal is not consistent with the objective and strategies of the Planning Policy Framework including Clause 14.01-1S, Clause 21.05-1, Clause 21.11-3 and Kilmore Structure Plan – Urban Framework 1.1 and Urban Framework 1.2 as the proposal will result in fragmentation of land and create additional housing opportunities within Farm Zone land beyond Kilmore’s residential settlement boundary.

## RECOMMENDATION

**THAT** Council having complied with the relevant Sections of the *Planning and Environment Act 1987*, resolve to issue a Refusal to Grant a Planning Permit in respect of Application No. PLP290/20 for Multi-lot subdivision at Lot 1 on Title plan 841198V (formerly known as part of Crown Allotment 67 Parish of Bylands) (Vol. 09985 Fol. 595); Lot 1 on Title Plan 81199T (formerly known as part of Crown Allotment 67 Parish of Bylands) (Vol. 09985 Fol. 594); Lot 1 on Title Plan 855950N (Vol. 10086 Fol. 728); Lot and 2 on Title Plan 849181V (formerly known as part of Crown Allotment 67, part of Portion 75 Parish of Bylands) (Vol. 02332 Fol. 308) and Lot 1 on Title Plan 841196A (formerly known as part of Crown Allotment 75 Parish of Bylands) (Vol. 09985 Fol. 596), known as 230 Mill Road, Kilmore, subject to the conditions outlined below and in Attachment 1 and below:

1. The proposal does not meet the relevant objectives and strategies of clause:
  - a) Clause 11.01-1S – Settlement
  - b) Clause 11.02-2S – Structure Planning
  - c) Clause 11.03-1S – Floodplain management

PLANNING PERMIT APPLICATION PLP290/20 FOR MULTI-LOT SUBDIVISION AT 230 MILL ROAD, KILMORE (CONT.)

- d) Clause 11.03-3S – Peri-urban area
  - e) Clause 12.01-1S – Protection of biodiversity
  - f) Clause 14.01-1R – Protection of agricultural land
  - g) Clause 15.01-6S – Design for rural areas
  - h) Clause 21.04-2 - Floodplains
  - i) Clause 21.05-1 - Agriculture
  - j) Clause 21.11-3 Kilmore
2. The proposal does is inconsistent with the purpose and decision guidelines of Clause 35.07 (Farming Zone) of the Mitchell Planning Scheme.
  3. The proposal is not consistent with the Kilmore Structure Plan.
  4. The proposal is not consistent with the decision guidelines of Clause 65.02 – Approval of An Application to Subdivide Land.

## **Assessment**

### **4. Site and surrounds**

- 4.1 The subject site is located at 230 Mill Road, Kilmore and is legally made up of 6 separate titles. This includes the following: -
  - Lot 1 on Title plan 841198V (formerly known as part of Crown Allotment 67 Parish of Bylands) (Vol. 09985 Fol. 595);
  - Lot 1 on Title Plan 81199T (formerly known as part of Crown Allotment 67 Parish of Bylands) (Vol. 09985 Fol. 594);
  - Lot 1 on Title Plan 855950N (Vol. 10086 Fol. 728);
  - Lot 1 Title Plan 849181V (formerly known as part of Crown Allotment 67, part of Portion 75 Parish of Bylands) (Vol. 02332 Fol. 308)
  - Lot 2 on Title Plan 849181V (formerly known as part of Crown Allotment 67, part of Portion 75 Parish of Bylands) (Vol. 02332 Fol. 308) and
  - Lot 1 on Title Plan 841196A (formerly known as part of Crown Allotment 75 Parish of Bylands) (Vol. 09985 Fol. 596).
- 4.2 The subject site is irregular in shape, includes a lot depth of 350m to the boundary to the south and has a total lot area 10.29ha.
- 4.3 The topography of the land is described as generally flat with a slight slope favouring the north-east sector of the property.

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PLANNING PERMIT APPLICATION PLP290/20 FOR MULTI-LOT SUBDIVISION AT 230 MILL ROAD, KILMORE (CONT.)

- 4.4 The land includes a large drainage basin located centrally on the property. This waterbody is contributory water flow path associated with Kilmore Creek.
- 4.5 The land includes clusters of significant vegetation that is found in a sporadic pattern. Concentrated amounts are found located on the boundary toward the south and west, and a further amount found nearby a low-lying gully on the north-east portion of the site.
- 4.6 The land includes an existing accessway to Mill Road, this access is provided to an existing dwelling that is found on the north west end of the property. The dwelling includes ancillary works such as an outbuilding, swimming pool, rainwater tanks and landscaping.
- 4.7 There is no evident formal agricultural activity on the land, and it appears that the predominant use of the land is for residential purposes. External site inspections have not identified any agricultural or farming use and historic aerial imagery does not note any particular crops, animals or associated infrastructure etc.
- 4.8 Built formations are sited approximately 200m from the front boundary and approximately 30m from a shared boundary to the west.

#### *Planning Background*

- 4.9 Previous planning permits have been issued to the site which includes the following:
  - PLA303918/04 was issued 13 August 2004 for 'Re-subdivision and consolidation'. This permit has expired.
  - PLP342/16 was issued 19 December 2016 for 'Two lot subdivision (resubdivision).

This planning permit was initially lodged as a 3-lot subdivision. The planning officer at the time advised the applicant that they were not willing to support the 3-lot subdivision and subsequently the applicant amended the application to be a two-lot subdivision.

This planning permit is currently active and will expire if one of the following circumstances applies:

- a) The plan of subdivision is not certified by 31 October 2022; or
- b) The registration of the relevant stage of subdivision is not completed within five years from the date of certification of the plan of subdivision.

PLANNING PERMIT APPLICATION PLP290/20 FOR MULTI-LOT SUBDIVISION AT 230 MILL ROAD, KILMORE (CONT.)

*Title/Restrictions/Agreements*

4.10 The site is not encumbered by any covenants or agreements nor do any easements traverse through the property.

Surrounding Area

4.11 The surrounding land is similarly zoned – Farming Zone. However, some lots within the immediate surrounds are limited in size, therefore, they do not operate any common agricultural activity. This statement includes the adjoining properties sited to the east and south.

4.12 Lots that have been developed include dwellings each provide a setback from Mill Road greater than 100m. Further, these lots have been developed to include associated outbuildings.

4.13 Lots within the area vary in size and shape, with a size range between 1.2ha (250 Mill Road) and 65ha (190 Mill Road).

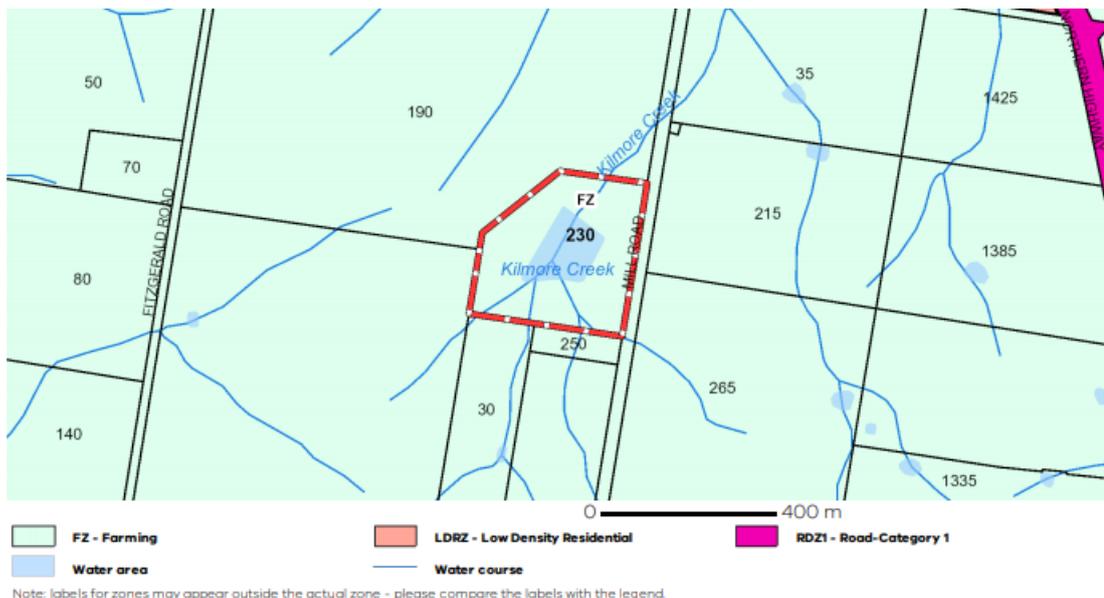


Image 1. Subject site outlined in red and the immediate adjoining properties. (Source: Vic Plan GIS 2020)

4.14 Other lots within the Farming Zone are currently utilized for the purpose of grazing animals.

4.15 The subject site is approximately 4.5km south of Kilmore town centre.

4.16 The nearest low-density residential zone is situated 700m to the north on the opposite side of Gehreys Lane. This Low-density Residential Zone is within the Kilmore Settlement Boundary

4.17 Lots within low-density residential area range in size from approximately 0.4ha to 2ha.

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PLANNING PERMIT APPLICATION PLP290/20 FOR MULTI-LOT SUBDIVISION AT 230 MILL ROAD, KILMORE (CONT.)

## 5. Proposal

- 5.1 The applicant proposes to consolidate the six separate titles and is seeking planning permission to re-subdivide the consolidation to create three lots. The application material contains inconsistencies between the proposed lot sizes. The proposed lots sizes detailed below have been confirmed with the permit applicant are the lot sizes sought. The following description is provided to each proposed lot:

### Lot 1:

- 5.2 This lot will be an irregular shape, with area of 8.83ha and will include the existing dwelling and the large water body. The lot will use the existing access from Mill Road.

### Lot 2:

- 5.3 This lot will be an irregular shape, located to the north-east, and have a total area of 1.57ha. The lot would be burdened by the creek separating the lot into two parts. This lot will share a common boundary with proposed Lot 1 for approximately 250m on the west end of the site.

### Lot 3:

- 5.4 This lot will be irregular in shape, located on the south east, and have a total area of 0.96ha. The site will share a common boundary with proposed Lot 1 for approximately 220m on the west end of the site.
- 5.5 Proposed Lot 2 and 3 will have access to Mill Road.

PLANNING PERMIT APPLICATION PLP290/20 FOR MULTI-LOT SUBDIVISION AT 230 MILL ROAD, KILMORE (CONT.)

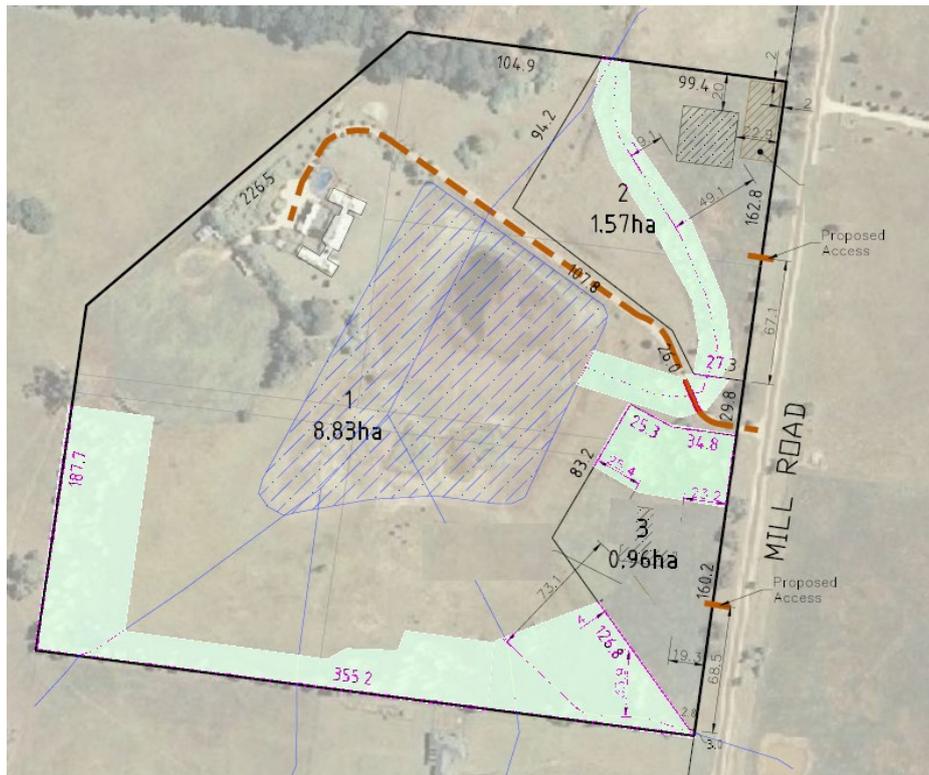


Image 2. Proposed subdivision layout plan (Source: Application Material)

6. Referrals

6.1 External

The application was referred to the following authorities under Section 55 of the *Planning and Environment Act 1987* pursuant to Clause 66 of the Scheme.

Authority	Response
Goulburn Broken Catchment Management Authority	The application was referred to Goulburn Broken Catchment Management Authority who provided consent to the proposal subject to conditions being included on the permit.

6.2 Internal

The application was discussed with council’s Strategic Unit, Subdivision and Major Development Unit and Environment Health. The following comments were provided by our Strategic Planning Unit:

- The principle of the subdivision to reduce the amount of lots within the Farming Zone is supported. However, the envisaged subdivision of low-density style subdivision and future proliferation of dwellings within the zone is not supported by the relevant planning policy framework.

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PLANNING PERMIT APPLICATION PLP290/20 FOR MULTI-LOT SUBDIVISION AT 230 MILL ROAD, KILMORE (CONT.)

## 7. Planning Policy Assessment

### Zoning

#### *Farming Zone*

- 7.1 The site is affected by the Farming Zone; **a planning permit is required to subdivide land**. Each lot must be at least 40 hectares.
- 7.2 A permit may be granted to create smaller lots if any of the following apply:
- The subdivision is to create a lot for an existing dwelling. The subdivision must be a two-lot subdivision.
  - The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
  - The subdivision is by a public authority or utility service provider to create a lot for a utility installation

This proposal is seeking to exercise the opportunity to re-subdivide the existing lots and the number of lots will not be increased. Therefore, the 40ha requirement does not need to be met.

### Overlays

- 7.3 The subject site is not impacted by any overlays within the Mitchell Planning Scheme.

### Particular Provisions

- 7.4 There are no particular provisions that apply to the proposed development.

### Planning Policy Framework (PPF) and Local Planning Policy Framework (LPPF)

- 7.5 There are a number of policies of the PPF and LPPF relevant to the consideration of this application. A full list of the applicable policies considered in the assessment are included as an attachment to this report.

### Other Relevant Documents

#### *Kilmore Structure Plan (August 2016)*

- 7.6 The Kilmore Structure Plan August 2016 was implemented into the Mitchell Planning Scheme under Planning Scheme Amendment C123.
- 7.7 The objective of this document is to facilitate the orderly planning of the Kilmore township.

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PLANNING PERMIT APPLICATION PLP290/20 FOR MULTI-LOT SUBDIVISION AT 230 MILL ROAD, KILMORE (CONT.)

## 8. Public Notification

- 8.1 The application was advertised in accordance with Section 52 of the *Planning and Environment Act 1987* by sending letters to adjoining and nearby properties and landowners.
- 8.2 Following public notification, no objections were received to the proposed subdivision.

## 9. Discussion

- 9.1 Having assessed the application against the relevant sections of the *Planning and Environment Act 1987*, the Planning Policy Framework, the Municipal Strategic Statement, the Farming Zone and the general decision guidelines of Clause 65 advise that the application is identified as a refusal based upon the following provisions:

### Planning Policy Framework

- 9.2 Clause 11.01-1S seeks to deliver sustainable growth and development through a network of settlements. Specifically, to “*limit urban sprawl and direct growth into existing settlements.*” This policy seeks to minimise inappropriate residential development in rural zones. Further, Clause 21.11-3 aims to protect Kilmore precinct from urban sprawl by limiting rural residential development to be within the Kilmore settlement boundary.
- 9.3 Similarly, Clause 11.03-3S aims to manage growth in peri-urban areas to protect their character by preventing dispersed settlement through the establishment of growth boundaries. Clause 21.07-2 reinforces the need to protect agricultural land and their assets from the constraints caused by inappropriate development or siting of dwellings.
- 9.4 This proposal is inconsistent with the strategic objective of rural settlements within Mitchell Shire, as this subdivision is seeking to create two additional lots that are more suited to rural residential development within the settlement boundary. Supporting this proposal would have an impact to the preferred rural character and fragment land within the Farming Zone.
- 9.5 Clause 14.01-1 provides measures to protect agricultural land from urban growth. Specifically, this policy provides clear considerations that must be addressed for subdivision within the Farming Zone this includes the following:

*In considering a proposal to use, subdivide or develop agricultural land, consider the:*

- *Desirability and impacts of removing the land from primary production, given its agricultural productivity.*

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PLANNING PERMIT APPLICATION PLP290/20 FOR MULTI-LOT SUBDIVISION AT 230 MILL ROAD, KILMORE (CONT.)

- *Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.*
- *Compatibility between the proposed or likely development and the existing use of the surrounding land.*
- *The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.*
- *Land capability.*

9.6 Additionally, Clause 21.05-1 (Agriculture) provides an overview of the significance agricultural land and what contribution the industry provides to Mitchell Shire. The policy also provides a clear strategic statement associated with subdivision:

*Council's strategic position is that fragmentation of productive agricultural land by subdivision is to be avoided to ensure that the productive capacity of the land is maintained*

9.7 This policy also includes a range of strategies to protect and enhance rural areas within Mitchell Shire. Specifically, the following strategies are of importance in this instance:

- Protect farming and other agricultural practices from the encroachment of urban growth.
- Discourage the development of rural living style development within established agricultural areas.
- Retain productive land for agricultural purposes.

9.8 Considering the existing limitations of the land it is not considered appropriate to support further fragmentation as the proposed outcome will lead to inappropriate construction. Further, no justification has been provided by the applicant to understand how the proposed subdivision will improve the agricultural productivity of the land.

9.9 Further, supporting this proposed subdivision will lead to the speculation that the land may be suited for rural-residential development. The application material has mentioned building envelopes for the development of dwellings by the inclusion of building envelopes, however the use of the land for dwellings on the proposed lots have not been formally applied for and is not a consideration of the proposal.

9.10 This would ultimately have an adverse impact on the agricultural capability, fragment farming land and inconsistent with Council strategic intent for

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PLANNING PERMIT APPLICATION PLP290/20 FOR MULTI-LOT SUBDIVISION AT 230 MILL ROAD, KILMORE (CONT.)

farming land and subdivision within this area. As such, the proposal is not consistent with the relevant State Planning and Local Planning Policy.

### Farming Zone

9.11 The subject site is located within the Farming Zone. The purposes of the Farming Zone include:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*
- *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

9.12 The decision guidelines of the Farming Zone require the Responsible Authority to Consider the implications associated with an application to use or subdivide land against the following issues, as appropriate:

#### *General Issues:*

- *How the use or development relates to sustainable land management.*
- *Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.*

9.13 The proposed subdivision creates two additional lots that are nearby Kilmore Creek – a designated waterway. This area has been identified as flood prone land as stipulated in the Kilmore Flood Mapping and Intelligence Study – Final Report (2017).

PLANNING PERMIT APPLICATION PLP290/20 FOR MULTI-LOT SUBDIVISION AT 230 MILL ROAD, KILMORE (CONT.)



*Image 3. Subject site outlined in red overlapped with the latest flooding plan (POZI GIS 2021)*

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PLANNING PERMIT APPLICATION PLP290/20 FOR MULTI-LOT SUBDIVISION AT 230 MILL ROAD, KILMORE (CONT.)

- 9.14 It is not appropriate to support the proposed subdivision as any further intensification may reduce the function of the floodplain.
- 9.15 Each proposed lot will be constrained by the Kilmore Creek and any buildings or works on either lot may have an adverse impact to the health of the waterway. Consideration must be given to the protection of the waterway and the potential hazards that can arise due to wastes or pollutants. This is not considered an improvement to agricultural land.
- 9.16 State and Local policy identifies the preservation of agricultural land is an important factor toward sustainability. Subdivision of agricultural land should be discouraged unless it can be demonstrated that it will facilitate and provide improved flexibility for continued agricultural production.
- 9.17 Further, the proposed boundary realignment is not seeking to make minor adjustment neither is the proposal seeking to support productive agricultural outcomes. It is under this precedence that this proposal is not considered suitable or compatible with adjoining and nearby land uses.

*Agricultural issues and the impacts from non-agricultural uses*

- *Whether the use or development will support and enhance agricultural production*
  - *Whether the use or development will support and enhance agricultural production*
  - *The capacity of the site to sustain the agricultural use.*
- 9.18 The application has stated that due to the site constraints associated with the waterway the sites agricultural potential is limited and gives rise to the opportunity to provide additional housing to support employment and population for agriculture.
- 9.19 This statement is contrary to both State and Local Planning Policy that seeks to limit any urban expansion within flood prone areas to assist in the protection of natural flood storage function of floodplains and waterways.
- 9.20 The proposed siting of each newly created lot will be sited within the floodplain; therefore, each lot will not have the capacity to sustain any common agricultural activity. Based on the above, the proposed subdivision is considered a non-agricultural use that will not support or enhance agricultural production.

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PLANNING PERMIT APPLICATION PLP290/20 FOR MULTI-LOT SUBDIVISION AT 230 MILL ROAD, KILMORE (CONT.)

### Kilmore Structure Plan

- 9.21 Kilmore Structure Plan (2016) provides clear guidance toward the strategic development for the town. The strategy identifies sites which can provide infill development and where subdivision is to occur.
- 9.22 The adopted strategy aims to deliver infill on the basis of net community benefit to ensure that growth is well planned and makes a positive contribution to the town as a whole.
- 9.23 This objective will be delivered by ensuring that any infill development is located within the settlement boundary. Stating *“without the influence of a strong settlement boundary... development could continue to spread further disconnecting the emerging communities from the town centre and placing pressure on productive farm land and other values on the outskirts of Kilmore.”* (page 24).

PLANNING PERMIT APPLICATION PLP290/20 FOR MULTI-LOT SUBDIVISION AT 230 MILL ROAD, KILMORE (CONT.)

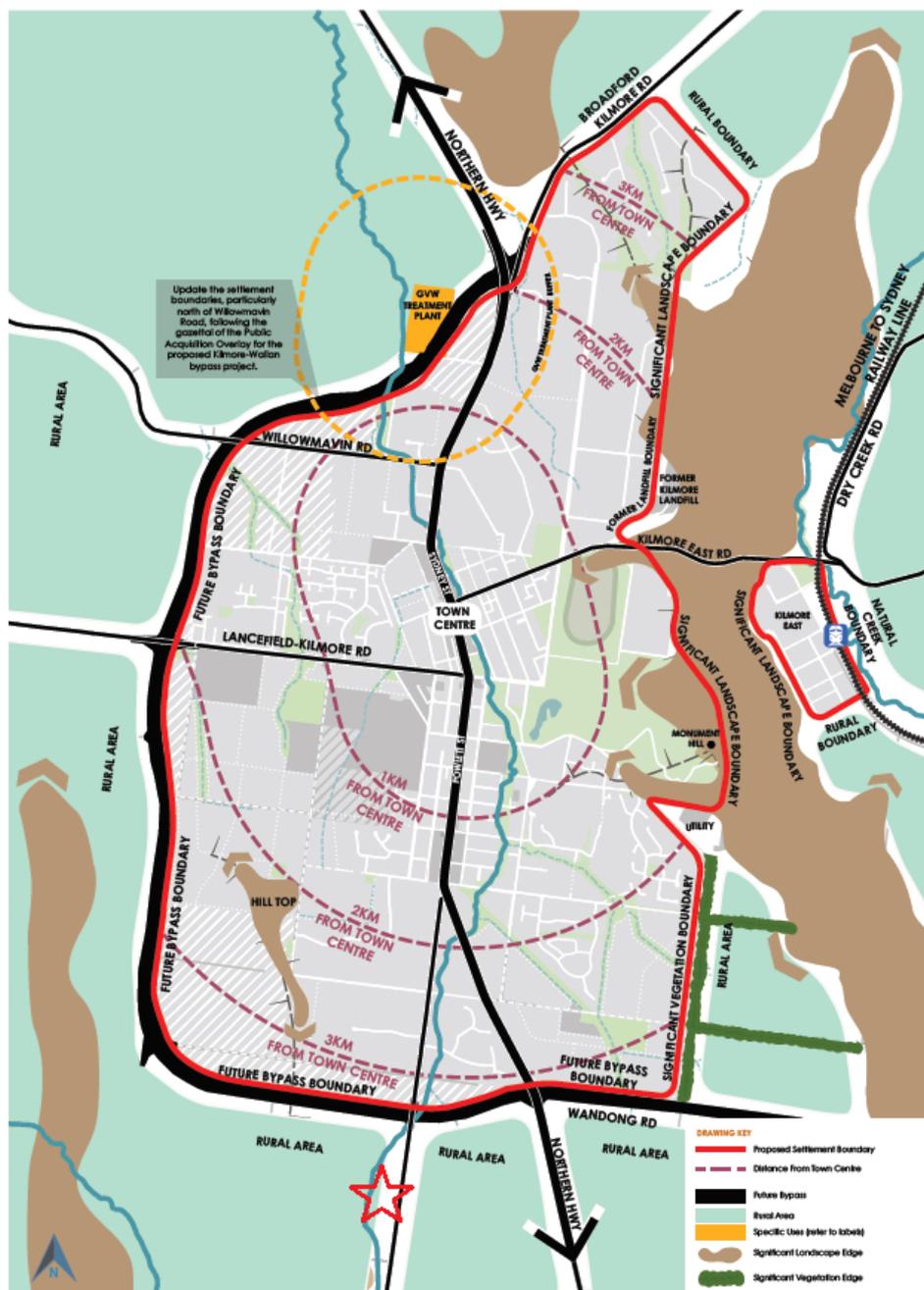


Image 6. Kilmore Settlement Boundary outlined in red and the subject site approximate location denoted as a star (Source: Kilmore Structure Plan 2016)

9.24 As the subject site is not sited within the settlement boundary little consideration has been given toward the future design outcomes within the rural area. However, clear direction has been given toward the long-term boundary for Kilmore (page 31) that includes the following strategies:

- Avoid residential development including rural living and low density-style subdivision outside of the clearly defined Kilmore and Kilmore East settlement boundary as depicted in Figure 8 and as set out in the more detailed boundary guidance provided in Chapter 4; and

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PLANNING PERMIT APPLICATION PLP290/20 FOR MULTI-LOT SUBDIVISION AT 230 MILL ROAD, KILMORE (CONT.)

- Discourage residential development outside of the defined Kilmore and Kilmore East settlement boundary.

9.25 Based on the above, the proposal is not supported as it the subdivision is outside of the settlement boundary and will create a low density/rural living subdivision which is inconsistent with the direction of the Kilmore Structure Plan.

## 10. Conclusion

10.1 The proposed multi-lot subdivision is considered contrary to the orderly planning of the Kilmore Township. Further fragmentation of rural land outside of the settlement boundary will reduce the communities supply of agricultural land, inconsistent with the Kilmore Structure Plan and potentially lead to a proliferation of dwellings.

10.2 Further the proposed subdivision will place increase pressure on the surrounding biodiversity and water supply and likely limit the expansion and operation of nearby agricultural activity.

Council having complied with the relevant Sections of the *Planning and Environment Act 1987*, resolve to issue a Refusal to Grant a Planning Permit in respect of Application No. PLP290/20 for Multi-lot subdivision at Lot 1 on Title plan 841198V (formerly known as part of Crown Allotment 67 Parish of Bylands) (Vol. 09985 Fol. 595); Lot 1 on Title Plan 81199T (formerly known as part of Crown Allotment 67 Parish of Bylands) (Vol. 09985 Fol. 594); Lot 1 on Title Plan 855950N (Vol. 10086 Fol. 728); Lot and 2 on Title Plan 849181V (formerly known as part of Crown Allotment 67, part of Portion 75 Parish of Bylands) (Vol. 02332 Fol. 308) and Lot 1 on Title Plan 841196A (formerly known as part of Crown Allotment 75 Parish of Bylands) (Vol. 09985 Fol. 596), known as 230 Mill Road, Kilmore, subject to the conditions outlined in Attachment 1:

1. The proposal does not meet the relevant objectives and strategies of clause:
  - a) Clause 11.01-1S – Settlement
  - b) Clause 11.02-2S – Structure Planning
  - c) Clause 11.03-1S – Floodplain management
  - d) Clause 11.03-3S – Peri-urban area
  - e) Clause 13.07-1S – Land use compatibility
  - f) Clause 14.01-1R – Protection of agricultural land
  - g) Clause 15.01-6S – Design for rural areas
  - h) Clause 21.04-2 - Floodplains
  - i) Clause 21.05-1 - Agriculture
  - j) Clause 21.11-3 Kilmore
2. The proposal is inconsistent with Clause 21.05-1 – Agriculture of the Mitchell planning scheme as the proposed subdivision will further fragment agricultural land.
3. The proposal is inconsistent with Clause 21.11-3 – Kilmore of the Mitchell Planning Scheme by failing to contribute to the coordinated growth and development of the township.
4. The proposal does not satisfy the decision guidelines of Clause 35.07 – Farming Zone as the proposed use will have an adverse impact on nearby agricultural land.
5. The proposal is not consistent with the decision guidelines of Clause 65.02 – Approval of An Application to Subdivide Land .

## Planning Policy Framework (PPF) and Local Planning Policy Framework (LPPF)

The following clauses of the PPF and LPPF are considered relevant to this application	
Clause 11.01-1S Settlement	This clause is relevant and has the following objective:  <i>To promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.</i>
Clause 11.02-2S Structure planning	This clause is relevant and has the following objective:  <i>To facilitate the orderly development of urban areas..</i>
Clause 11.03-3S Peri-urban area	This clause is relevant and has the following objective:  <i>To manage growth in peri-urban areas to protect and enhance their identified valued attributes.</i>
Clause 12.01-1S Protection of biodiversity	This clause is relevant and has the following objective:  <i>To assist the protection and conservation of Victoria's biodiversity.</i>
Clause 13.03-1S Floodplain management	This clause is relevant and has the following objective:  <i>To assist the protection of:</i> <ul style="list-style-type: none"> <li>• <i>Life, property and community infrastructure from flood hazard.</i></li> <li>• <i>The natural flood carrying capacity of rivers, streams and floodways.</i></li> <li>• <i>The flood storage function of floodplains and waterways.</i></li> <li>• <i>Floodplain areas of environmental significance or of importance to river health.</i></li> </ul>
Clause 14.01-1S Protection of agricultural land	This clause is relevant and has the following objective:  <i>To protect areas prone to erosion, landslip or other land degradation processes.</i>
Clause 14.01-2S Sustainable agricultural land use	This clause is relevant and has the following objective:  <i>To encourage sustainable agricultural land use.</i>
Clause 21.05-1 Agriculture	This clause is relevant and has the following objective:  <i>To encourage and promote environmentally sustainable management of land, water and biological resources.</i>  <i>To ensure that the use, development or subdivision of land is not prejudicial to agricultural enterprises or to the productive capacity of the land.</i>
Clause 21.04-2 Floodplains	This clause is relevant and has the following objective:  <i>To sustainably manage floodplains</i>
Clause 21.11-13 Kilmore	This clause is relevant and has the following objective:  <i>Ensure development of existing and vacant parcels maintains, protects and enhances existing natural character, features and elements such as vegetation and key vistas.</i>



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PROPOSED IMPROVEMENTS PLAN  
 230 Mill Road  
 Kilmore

JOB REF. 16059 REVISION: 01  
 SCALE: 1 : 2000 SIZE: A3  
 SHEET NO. 1

DRAWN: CR DATE: 7/11/2016  
 DESIGNED: CR DATE: 7/11/2016  
 CHECKED: - DATE: -





## 10.6 VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS AND ACTIVITIES CARRIED OUT UNDER DELEGATION

**Author:** Ricardo Ramos - Manager Development Approvals

**File No:** CL/04/004

**Attachments:** Nil

### 1. Purpose

1.1 The following is a summary of planning activity before the Victorian Civil and Administrative Tribunal (VCAT) as well as a list of decisions on planning permit applications dealt with under delegated powers for the period detailed.

### 2. Key Matters

#### Upcoming appeals

2.1 The following is an update of the upcoming VCAT appeals.

APPEAL DATE	REFERENCE NOS.	ADDRESS	PROPOSAL	APPEAL AGAINST
22 & 24 March 2022	VCAT – P1542/2019 Council – TP93/100	Hillview Drive, Broadford	Subdivision of the land into 25 lots and the removal of native vegetation	Appeal against Council's refusal to extend the completion date of the permit
6 August 2021	VCAT – P1055/220 Council – PLP121/20	(540) 74 Davidson Street Broadford	Multi lot subdivision and removal of vegetation	Failure to determine  Waiting on decision from VCAT
30 August 2021	VCAT – 1888/2020 Council PLP055/20	111 Northern Highway, Kilmore	Construction of a major promotion sign	Appeal against Council's refusal to grant a planning permit
1 November 2021	VCAT – P447/2021 Council P306552/11.0 2	22 Dempsey Road, Seymour	Amendment to existing permit for a restricted place of assembly	Objector appeal against Council's approval of an amendment to a planning permit
15 thru 18 November 2021	VCAT – P832/2021 Council – PLP217/19	61 Minton Street, Beveridge	Use and development of the land for industry (concrete batching plant) and reduction in	Appeal against Council's refusal to grant a planning permit

## VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS AND ACTIVITIES CARRIED OUT UNDER DELEGATION (CONT.)

			bicycle parking requirements	
31 January 2022	VCAT – P11037/2021 Council – PLP069/20	158 King Street, Wallan	Multi-lot subdivision	Failure to determine
4 February 2022	VCAT – P11075 Council – PLP100/20	106 Wellington Street, Wallan	Development of the land for two dwellings	Failure to determine
4 February 2022	VCAT – P11256/2021 Council – PLP273/20	27 Sutherland Street Broadford	Development of the land for multiple dwellings	Appeal against Council's refusal to grant a planning permit
21 & 22 March 2022	VCAT – P11075 Council – PL6067/06.01	210 Tallarook Pyalong Road, Tallarook	Use of the land for a place of assembly (Music festival)	Appeal against Council's approval of an amendment to a planning permit

VCAT decisions since last report

*160 Scotts Road, Tallarook (P307127/12) - Use of the land for camping and use of existing buildings for a host farm and function centre*

2.2 Council refused amended planning permit application P307127/12, for the use of the land for camping and use of existing buildings for a host farm and function centre at 160 Scotts Road, Tallarook, Wallan at the 18 November 2019 Ordinary Council Meeting.

2.3 An appeal against Council's refusal was lodged on 10 February 2020 with the hearing schedule for 19 & 20 August 2021. The application was withdrawn from VCAT on 20 August 2021. No detail was provided in the order to the withdrawal of the VCAT hearing.

**3. Activities Carried out Under Delegation**

3.1 A list of planning permit applications dealt with under delegated powers for the month of August 2021 is included below.

Permit No.	Address	Description of Permit	Decision	Date Approved
<b>South Ward</b>				
PLP136/21	6 William Street WALLAN	Three lot subdivision	Planning Permit	9/08/2021
PLP121/21	7 Lewis Street BEVERIDGE	Staged Multi-lot subdivision	Planning Permit	10/08/2021

## VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS AND ACTIVITIES CARRIED OUT UNDER DELEGATION (CONT.)

Permit No.	Address	Description of Permit	Decision	Date Approved
PLP156/21	21 The Heights WALLAN	Development of the land for an outbuilding	Planning Permit	18/08/2021
PLP012/19	88-94 High Street WALLAN	Buildings and works for the construction of an extension to an existing hotel, reduction in car parking requirements, increase in licensed area and patron numbers	Amended Permit	31/08/2021
<b>Central Ward</b>				
PLP294/20	54 Powlett Street KILMORE	Development of the land for two dwellings	Planning Permit	2/08/2021
PLP127/21	15 Glanville Drive KILMORE	Development of the land for a warehouse	Planning Permit	2/08/2021
PLP101/21	8 Morris Court KILMORE	Development of the land for an extension to an existing outbuilding	Planning Permit	2/08/2021
PLP129/21	570 South Mountain Road UPPER PLENTY	Development of the land for an agricultural building	Planning Permit	2/08/2021
PLP078/19	40 Macsfield Road WALLAN	Staged multi-lot subdivision	Planning Permit	5/08/2021
PLP045/21	17 Freeway Drive WALLAN	Use and development of the land for a concrete batching plant and garden supplies	Planning Permit	5/08/2021
PLP238/21	1075 Wallan Whittlesea Road UPPER PLENTY	Development of the land for an outbuilding	VicSmart Planning Permit	6/08/2021
PLP242/21	205 Diggings Road WILLOWMAVIN	Development of the land for an agricultural building	VicSmart Planning Permit	6/08/2021
PLP083/21	20-24 Commercial Drive WALLAN	Development of the land for multiple warehouses	Planning Permit	9/08/2021
PLP337/19.01	5 Sir Leo Curtis Drive WANDONG	Use and development of the land for a dwelling, outbuilding and native vegetation removal	Amended Planning Permit	9/08/2021
PLP027/20	36 Foxtail Circuit WALLAN	Development of the land for a single dwelling Land Subject to Inundation Overlay	Planning Permit	10/08/2021
PLP278/20	1 Murray Street KILMORE	Development of the land for multiple dwellings	Notice of Decision	11/08/2021

## VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS AND ACTIVITIES CARRIED OUT UNDER DELEGATION (CONT.)

Permit No.	Address	Description of Permit	Decision	Date Approved
PLP162/21	30 Sir Leo Curtis WANDONG	Use and Development of the land for a dwelling and outbuilding	Planning Permit	13/08/2021
PLP249/21	5 Stokes Track UPPER PLENTY	Development of the land for an agricultural building	VicSmart Planning Permit	13/08/2021
PLP169/21	42 Ram Circuit WALLAN	Development of the land for a dwelling within the Land Subject to Inundation Overlay	Planning Permit	19/08/2021
PLP208/21	3 Stag Place WALLAN	Development of the land for a single dwelling within the Land Subject to Inundation Overlay	Planning Permit	19/08/2021
PLP163/21	3 Lowell Court KILMORE	Development of the land for an outbuilding.	Planning Permit	23/08/2021
PLP177/21	11 Bindley Court KILMORE	Two lot subdivision	Planning Permit	25/08/2021
PLP222/20	38-50 Mill Road KILMORE	Multi-lot Subdivision, removal of native vegetation and creation of reserve	Notice of Decision	31/08/2021
<b>North Ward</b>				
PLP174/21	98 High Street SEYMOUR	Development of the land for a dwelling extension	Planning Permit	30/07/2021
PLP222/21	20 Elliotts Road BROADFORD	Use and development of the land for an outbuilding	VicSmart Planning Permit	4/08/2021
PLP233/21	825 Broadford Glenaroua Road GLENAROUA	Development of the land for an agricultural building	VicSmart Planning Permit	6/08/2021
PLP008/21	125 Highlands Road SEYMOUR	Two lot Subdivision	Planning Permit	6/08/2021
PLP306/20	1297 Broadford Wandong Road BROADFORD	Use and development of the land for a dwelling	Planning Permit	6/08/2021
PLP088/21	690 Kilmore Glenaroua Road GLENAROUA	Development of the land for a dwelling.	Planning Permit	9/08/2021
PLP052/21	6 Hammond Court SUNDAY CREEK	Use and development of the land for a dwelling and outbuilding	Planning Permit	11/08/2021
PLP051/21	149-151 High Street SEYMOUR	Development of the land for a dwelling	Planning Permit	13/08/2021
PLP248/21	805 Upper Goulburn Road	Development of land for an outbuilding	VicSmart Planning Permit	13/08/2021

## VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL HEARINGS AND ACTIVITIES CARRIED OUT UNDER DELEGATION (CONT.)

Permit No.	Address	Description of Permit	Decision	Date Approved
	WHITEHEADS CREEK			
PLP165/21	3 Horace Court BROADFORD	Development of the land for a second dwelling	Planning Permit	17/08/2021
PLP085/21	95 West Road PYALONG	Development of the land for a single dwelling	Planning Permit	20/08/2021
PLP034/21	195 Delatite Road SEYMOUR	Use and Development of a Dwelling and Outbuilding	Planning Permit	20/08/2021
PLP151/21	43 Davidson Street BROADFORD	Two lot subdivision	Planning Permit	20/08/2021
P307018/12.05	420 Strath Creek Road BROADFORD	Use and development of a restricted recreation facility (outdoor pistol range)	Refusal	23/08/2021
PLP302/20	420 Strath Creek Road BROADFORD	Use of the land for the sale and consumption of liquor	Refusal	23/08/2021
PLP130/21	8 Powlett Street BROADFORD	Two lot subdivision	Planning Permit	24/08/2021
PLP140/20	Hillview Drive BROADFORD	Multi-lot subdivision and removal of native vegetation	Notice of Decision	27/08/2021
PLP152/20	Hillview Drive BROADFORD	Multi-lot subdivision, creation of a reserve and removal of native vegetation	Notice of Decision	27/08/2021
PLP160/21	14B Mentor Street SEYMOUR	Development of the land for a dwelling	Planning Permit	30/08/2021

**RECOMMENDATION**

**THAT** the information in the report be received and noted.

## 10.7 RESPONSE TO NOTICE OF MOTION 1004 - DECLARATION OF CLIMATE EMERGENCY

**Author:** Narelle Liepa - Manager Environment and Sustainability

**File No:** ET/01/001-03

**Attachments:** 1. Summary of current actions to reduce Council's carbon footprint

### 1. Purpose

- 1.1 This report is in response to Notice of Motion 1004 – Climate Emergency Declaration made at the 17 May 2021 Ordinary Council meeting; *“THAT Council in preparation for declaring a ‘Climate Emergency’ receive a report outlining the implications of declaring the emergency and what actions and approach could be taken in response to the declaration”*.

### 2. Background

- 2.1 Council adopted the Mitchell Shire Council Environment Policy in March 2020 which highlights Council’s commitment to *“continuing to reduce greenhouse gas emissions and minimise the impact of climate change”* and *“continuing to respond to climatic changes and emergencies”*. The Environment Policy also aspires to the vision that *“Mitchell Shire Council is a leader in sustainable environmental management in all our business operations and in support of the wider community”*.
- 2.2 In February 2021 members from BEAM-Mitchell Environment Group presented to Council, advocating for Council to take further action on climate change, by declaring a Climate Emergency and developing a Climate Emergency Action Plan (CEAP). The group also coordinated an online petition which has attracted over 1,400 signatures recommending that Mitchell Shire Council declare a Climate Emergency. The petition was not formally presented to Council.
- 2.3 At the 17 May 2021 Ordinary Council meeting a Notice of Motion was passed *“THAT Council in preparation for declaring a ‘Climate Emergency’ receive a report outlining the implications of declaring the emergency and what actions and approach could be taken in response to the declaration”*.
- 2.4 Following delivery of stage one of the Mitchell 2050 Project in April-May 2021 six key themes emerged from the discussions with the community, one of these was *Climate Action*.

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RESPONSE TO NOTICE OF MOTION 1004 - DECLARATION OF CLIMATE EMERGENCY (CONT.)

### **3. Key Matters**

- 3.1 Declaring a Climate Emergency is a public statement that demonstrates Council's commitment to reducing its greenhouse gas emissions and supporting its communities, and future communities, to do the same.
- 3.2 In declaring a Climate Emergency, Council would commit to embedding the impact of climate change into its decision making processes. Specific actions that would be undertaken following a declaration would be outlined in a CEAP.
- 3.3 Since 2016, more than 100 local governments across Australia, including 34 Victorian councils, in addition to over 2,000 local governments across the world, have declared or acknowledged a Climate Emergency.

### **Recommendation**

**THAT** Council:

1. Acknowledges that we are in a Climate Emergency;
2. Supports the development of a Climate Emergency Action Plan to support a Climate Emergency declaration; and
3. Refers funding of \$110,000 to the 2022/2023 Environment and Sustainability operational budget to fund the development of a Climate Emergency Action Plan including community and stakeholder engagement.

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RESPONSE TO NOTICE OF MOTION 1004 - DECLARATION OF CLIMATE EMERGENCY (CONT.)

#### **4. Financial, Resource and Asset Management Implications**

- 4.1 Following the declaration of a Climate Emergency there would be a requirement for a CEAP (including community and stakeholder engagement) to be developed to provide a framework for future action to support the declaration. The delivery of this work is unable to be achieved within the existing Environment and Sustainability department resources.
- 4.2 Therefore, this report recommends Council approves an allocation of \$110,000 for the 2022/2023 Environment and Sustainability department operational budget to fund:
- the delivery of community consultation and stakeholder engagement (internal and external); and
  - the development of a CEAP.
- 4.3 Actions identified in a CEAP will inform future budgets to ensure that Council invests in actions that seek to contribute to reaching net zero carbon emissions in an emergency timeframe.

#### **5. Consultation**

- 5.1 Community leaders from BEAM - Mitchell Environment Group presented to Council in February 2021, requesting urgent action on climate change and that Council declare a Climate Emergency.
- 5.2 Following the delivery of stage one of the Mitchell 2050 Vision in April-May 2021, *Climate Action* has been identified as one of the six (6) major themes by the community.
- 5.3 The development of a CEAP will incorporate the development of a Communications and Stakeholder Engagement Plan that will include staff, the Mitchell Environment Advisory Committee, external stakeholders including the Municipal Emergency Management Planning Committee and the community.
- 5.4 Officers have consulted with a number of Councils around Victoria (including City of Greater Shepparton, City of Greater Geelong, Strathbogie Shire Council and Moreland City Council) that have recently declared/acknowledged a Climate Emergency to ascertain the resources required to develop a CEAP and undertake community engagement and consultation activities.

#### **6. Sustainability Implications (Social and Environmental)**

- 6.1 Declaring a Climate Emergency will have significant environmental and sustainability benefits to Council, its communities, and the environment. It will enable a framework for key actions to be embedded in council and community activities to reduce greenhouse gas emissions.

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RESPONSE TO NOTICE OF MOTION 1004 - DECLARATION OF CLIMATE EMERGENCY (CONT.)

## 7. Policy and Legislative Implications

7.1 In the Australian context the power to declare a formal state of emergency rests with state and federal governments. Consequently, Climate Emergency declarations by local governments in Australia are not a formal declaration in law but are a formal declaration in the form of a motion of council designed to:

- Educate the public about the impacts of climate change through the act of an acknowledgement or declaration,
- Force action by higher levels of government and highlight their limited action to avert a climate catastrophe, and
- Provide the narrative framing for mitigation, resilience and advocacy action by local governments.

### 7.2 Victorian Climate Change Act 2017

The *Climate Change Act 2017* does not impose any mandatory obligations on local government. However, through its strategic planning and transparency requirements, the Act contributes to a consistent and stable policy environment able to support innovation and action by local government.

For the purposes of the *Climate Change Act 2017*, the long-term emissions reduction target for Victoria is an amount of net zero greenhouse gas emissions by the year 2050.

The *Climate Change Act 2017* contains provisions for local governments to submit a voluntary pledge outlining actions they are undertaking over the next five years that are expected to reduce greenhouse gas emissions.

### 7.3 Local Government Act 2020

*The Local Government Act 2020* states that a "...Council must in the performance of its role give effect to the overarching governance principles; "...the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted..."

### 7.4 Mitchell Shire Council Environment Policy

In line with the *Victorian Climate Change Act 2017*, the Mitchell Shire Environment Policy mandates that Council will have Net Zero Emissions by 2050. It also states that:

- "*Climate change risk mitigation is part of business as usual at Mitchell Shire Council*";

## RESPONSE TO NOTICE OF MOTION 1004 - DECLARATION OF CLIMATE EMERGENCY (CONT.)

- *“We will continue to reduce greenhouse gas emissions to minimise the impact of climate change”; and*
- *“We will continue to respond to climatic change and emergencies”.*

7.5 Mitchell Shire Municipal Fire Management Plan 2020-2023

The Mitchell Shire Municipal Fire Management Plan 2020-2023 recognises the impacts climate change has on increasing bushfire risk *“...In southern Australia, fire weather has been becoming increasingly dangerous in the mid Century. This increase is likely to continue, including an increase in the number of fire days and the fire season becoming longer and beginning earlier”.*

7.6 Mitchell Shire Council Municipal Health and Wellbeing Plan 2017-2021

Council’s Municipal Health and Wellbeing Plan Goal includes the following goal *“Protect and enhance the natural environment for the use, wellbeing and enjoyment of current and future generations and reduce the impacts of climate change”.*

**8. Alignment to Council Plan**

The declaration of a Climate Emergency is aligned to the following strategic objective of the 2017-2021 Mitchell Shire Council Plan:

*“To be responsible custodians, by managing and enhancing our environment, minimising the impacts of development, waste, natural disasters and climate change”* and the following key strategy:

*“Be prepared and proactive in responding to the effects of climate change on the community”.*

**9. Conflict of Interest**

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

**10. Risk Implications**

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
Reputation – By not declaring a Climate Emergency, Council could be seen as not adhering to the principles of its Environment Policy	Medium	Council declares a Climate Emergency	No

## RESPONSE TO NOTICE OF MOTION 1004 - DECLARATION OF CLIMATE EMERGENCY (CONT.)

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
or listening to community feedback			
Financial – effect on operating and capital budgets.	Medium	The development and implementation of a Climate Emergency Action plan will require future budget allocations for resourcing and implementation.	No

Table 1.

**11. Discussion****11.1 Climate Change**

The Intergovernmental Panel on Climate Change (IPCC) released its latest assessment report on climate change science in August 2021. The report highlights *“that it is unequivocal that human influence has warmed the atmosphere, ocean and land. Widespread and rapid changes in the atmosphere, ocean, cryosphere and biosphere have occurred.*

*Global surface temperature will continue to increase until at least the mid-century under all emissions scenarios considered. Global warming of 1.5°C and 2°C will be exceeded during the 21st century unless deep reductions in carbon dioxide (CO<sub>2</sub>) and other greenhouse gas emissions occur in the coming decades.*

*Human-induced climate change is already affecting many weather and climate extremes in every region across the globe. Evidence of observed changes in extremes such as heatwaves, heavy precipitation, droughts, and tropical cyclones, and, in particular, their attribution to human influence, has strengthened since the Fifth Assessment Report (AR5).*

*From a physical science perspective, limiting human-induced global warming to a specific level requires limiting cumulative CO<sub>2</sub> emissions, reaching at least net zero CO<sub>2</sub> emissions, along with strong reductions in other greenhouse gas emissions”.*

11.2 In the coming decades Australia will experience ongoing changes to its climate as a result of climate change including continued increases in air temperatures, more heat extremes and fewer cold extremes. There will also be a decrease in cool season rainfall across many parts of southern and eastern Australia, likely leading to more time in drought, yet more intense, short duration heavy rainfall events.

**11.3 Climate Emergency**

## RESPONSE TO NOTICE OF MOTION 1004 - DECLARATION OF CLIMATE EMERGENCY (CONT.)

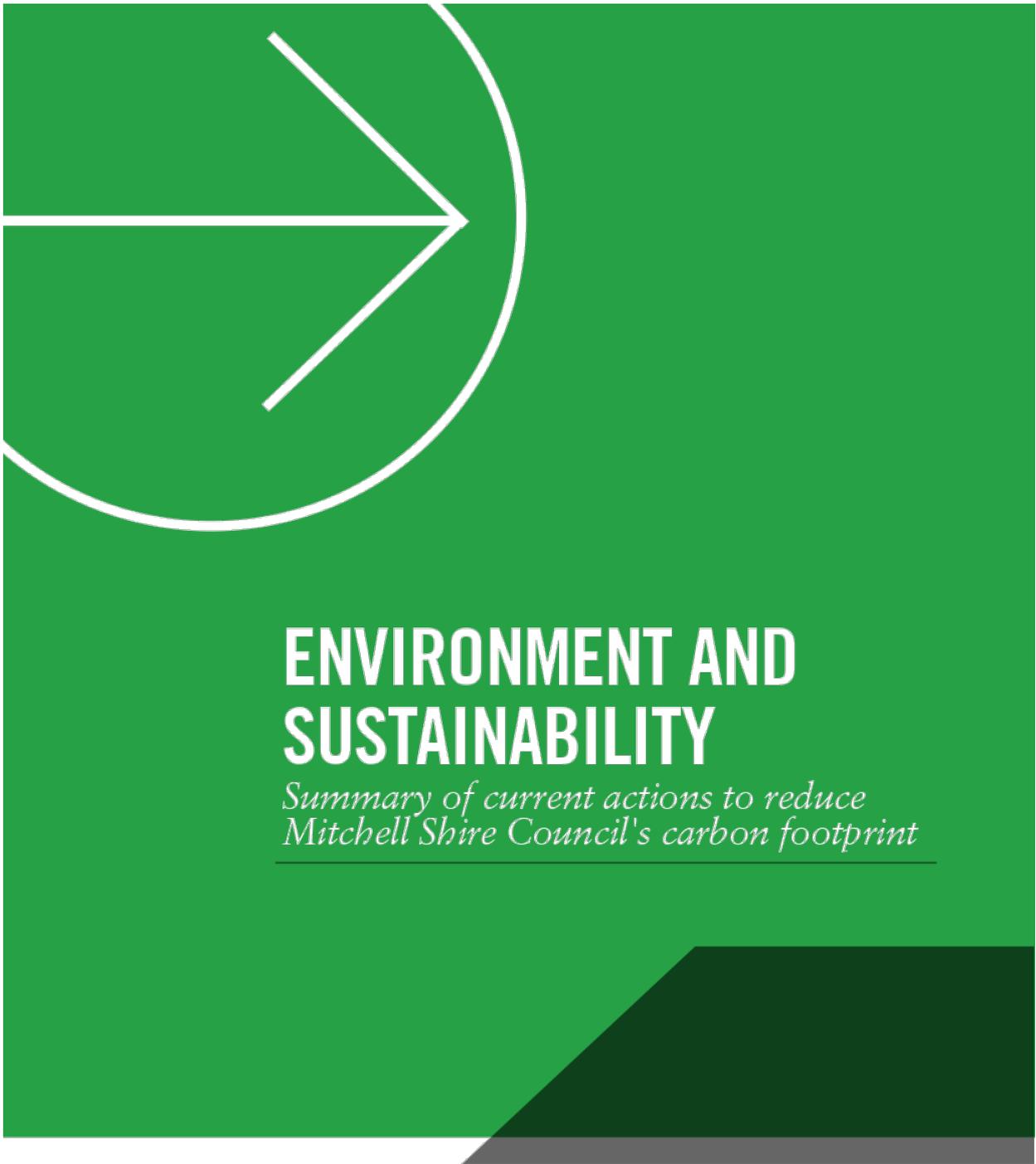
- 11.4 Climate Emergency situation refers to changes to the world's climate caused by human activity and the resulting loss of a safe climate, threatening all life on earth.
- 11.5 Climate Emergency response refers to a specific approach undertaken to address climate change, which seeks to mobilise and take action at a scale and speed that will restore a safe climate, with the least possible loss and damage during the transition back to a safe climate.
- 11.6 What actions and approach can be taken in response to the declaration?
- 11.7 There are different ways and timeframes that a council can respond to a Climate Emergency declaration based on its capacity.
- 11.8 The first step for a council's Climate Emergency response is a public acknowledgement of the Climate Emergency as a motion of Council. The motion generally has two parts:
- a. Acknowledge or declare the Climate Emergency – e.g. *‘Council recognises that we are in a state of climate emergency that requires urgent action by all levels of government, including by local councils’*; and
  - b. Demonstrate a commitment to act – i.e. *development of a CEAP*

Some Councils have declared a Climate Emergency and moved directly into emergency mode while others have nominated to acknowledge a climate emergency as their first step before developing a CEAP.

- 11.9 Once a Climate Emergency is declared the development of a CEAP in consultation with staff and the community will provide a framework for future action. The CEAP should:
- Set a target of net negative emissions for council and the community in an emergency timeframe using a science based approach;
  - Quantify what Council can do towards reaching the target (Council operational capacity);
  - Identify what the community can do towards reaching the target;
  - Identify what State and Federal governments will need to do for the target to be achieved and how they can support council.
  - Build the capacity of staff around Climate Emergency and help them understand the why and how; and
  - Communicate the Climate Emergency approach to the community and seek their support.

RESPONSE TO NOTICE OF MOTION 1004 - DECLARATION OF CLIMATE EMERGENCY (CONT.)

- 11.10 Should Council decide to declare a Climate Emergency the development of a CEAP would provide a foundation to build upon the actions that Council is already committed to undertaking over the next five years (see Attachment 1) to reduce its carbon footprint.



# ENVIRONMENT AND SUSTAINABILITY

*Summary of current actions to reduce  
Mitchell Shire Council's carbon footprint*





## Introduction

The following is a list of some of the key actions that Mitchell Shire Council is undertaking over the next five years to reduce its greenhouse gas emissions.



## Energy

Action	Timeframe
Participate in the Victorian Greenhouse Alliances Charging the Regions Study. This project identifies the need for a rollout of electric vehicle fast charging infrastructure to enable greater regional connectivity and accelerate EV uptake. Priority locations for future EV charging stations will be identified throughout the Shire.	Ongoing
Continue the installation of solar energy generation on Council facilities.	Ongoing
Continue to support community groups and promote opportunities for increased uptake of renewable energy in the broader community.	Ongoing
Continue to purchase 'Greenpower' for our largest public streetlighting account. This accounts for approximately 33% of Council's electricity spend.	Ongoing
Monitor and report on Councils energy use.	Ongoing



## Climate Change

Action	Timeframe
Continue to plan for and respond to climatic changes and emergencies including bushfires, floods and storm events.	Ongoing
Update Council's website to increase the information available to households on how to save energy and water in the home.	2021
Update Council's Sustainable Resource Management Plan.	2021
Develop Environmentally Sustainable Design standards and Policy for new Council buildings	2021
Embed climate change mitigation and adaptation principles into the 2021-2025 Council Plan and the Mitchell Shire Health and Wellbeing Plan	2021



## Land and Biodiversity

Action	Timeframe
Commit to strategic planting of Indigenous species to create wildlife corridors.	Ongoing
Actively manage Council's bushland reserves (approx. 225ha) for ecological and social outcomes.	Ongoing
Implement an annual Grant Program for properties with conservation covenants .	Ongoing
Provide environmental education materials and extension for biodiversity outcomes on privately owned land.	Ongoing
Continue support of Landcare in the Shire.	Ongoing
Support annual National Tree Day activities in the shire to increase biodiversity values and facilitate community connection to nature.	Ongoing
Manage rural roadsides in accordance with the Mitchell Shire Rural Roadside Environment Management Plan 2016-2026.	Ongoing



## Water

Action	Timeframe
Support sustainability and integrated water management, especially in Precinct Structure Plans.	Ongoing
Investigate opportunities to reduce the use of potable water in Council operations.	Ongoing
Work in partnership with Water Authorities to gain access to fit for purpose recycled water for Council operations.	Ongoing
Include water saving in Environmentally Sustainable Design standards and Policy for new Council buildings.	2021
Monitor and report on Councils water use.	Ongoing
Continue participation in the Goulburn Murray Climate Alliance.	Ongoing



## Urban Ecology

Action	Timeframe
Develop the Mitchell Shire Urban Tree Management Policy in 2021 to guide investment in urban trees working towards the goals of the Resilient Melbourne Urban Tree Strategy and Council's Environment Policy 2020.	2021
Include sustainable transport options in the development of the Mitchell Growth Area Integrated Transport Strategy 2021 – 2051.	2021
Advocate for, support and work in partnership with key stakeholders to embed ESD principles into all Precinct Structure plans in Mitchell Shire.	Ongoing
Install an electric vehicle charger at the Broadford Shire office to support the electrification of Council fleet.	2021-2022
Advocate for and actively pursue the installation of Electric vehicle chargers for community use in the Shire	Ongoing
Continue our participation in the Sustainable Subdivisions Framework trial.	2021-2022
Actively participate in the Council Alliance for the Sustainable Built Environment project – 'Elevating ESD Targets Planning Policy Amendment'.	2021-2022



## Resource Use and Waste Management

Action	Timeframe
Implement a Food Organics Garden Organics kerbside collection service in 2025 to divert organics from landfill to reduce emissions from waste.	2025
Update Council's Waste Management Strategy.	2021
Develop a Sustainable Events guide to reduce our ecological footprint when running events	2021
Continue to host the Southern Goulburn Regional Waste and Resource Recovery Education officer position.	2021-2024
Continue to support Clean Up Australia Day activities.	Ongoing





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## 10.8 ENVIRONMENTALLY SUSTAINABLE DESIGN FOR COUNCIL BUILDINGS POLICY

**Author:** *Brendan Garrett - Sustainability Officer*

**File No:** *ET/04/001-01*

**Attachments:**

- 1. Environmentally Sustainable Design for Council Buildings Policy*
- 2. Project Consultation and Submissions Summary - Environmentally Sustainable Design for Council Buildings Policy*

### 1. Purpose

1.1 This report presents the Environmentally Sustainable Design (ESD) for Council Buildings Policy (the Policy) and recommends that Council adopt this Policy.

### 2. Background

2.1 The Policy has been developed in response to the 2050 goal of the Mitchell Shire Council Environment Policy 2020 *“All Council owned buildings and facilities are planned, designed, built or retrofitted to achieve the highest level of environmentally sustainable design”*.

2.2 The Policy seeks to provide guidance and minimum standards for ESD in Council buildings to avoid and minimise environmental impacts throughout their lifecycle.

2.3 At the 19 July 2021 Council meeting, the draft policy was endorsed for public consultation. The consultation period has concluded, and the policy is being presented to Council for adoption.

### 3. Key Matters

3.1 The Policy applies to:

- All new Council buildings, initiated by Council or developer led; and
- All substantial renewals, renovations and upgrades to existing Council buildings and facilities.

### Recommendation

**THAT** Council adopts the Environmentally Sustainable Design for Council Buildings Policy.

## ENVIRONMENTALLY SUSTAINABLE DESIGN FOR COUNCIL BUILDINGS POLICY (CONT.)

**4. Financial, Resource and Asset Management Implications**

- 4.1 It is recognised that some best practice ESD measures can incur an additional upfront cost, however these are significantly outweighed by the benefits achieved over an asset's lifecycle. Implementation of the Policy should result in a reduction in the ongoing operational costs associated with Council's buildings and facilities.
- 4.2 Research undertaken by the Green Building Council of Australia (GBCA) in 2016 of 'Green Star' rated buildings revealed that Green Star projects can be delivered for less than 1% of the overall project budget.
- 4.3 It is important that the 'whole of life' costs are considered at the design phase of a building. While there may be increased upfront costs to deliver some ESD standards, the whole of life operational costs for a facility including heating, cooling and maintenance will be reduced.
- 4.4 If strict budget constraints are present, a simple low cost ESD approach may need to be taken. For example, reducing the complexity and size of Heating, Ventilation and Cooling (HVAC) systems and instead relying on natural ventilation and solar passive design with good insulation and orientation.
- 4.5 In addition, many ESD features such as water efficient fittings, Light Emitting Diode (LED) lighting, construction waste recycling, and low Volatile Organic Compound (VOC) paints have no incremental cost to constructing a building.

**5. Consultation**

- 5.1 The Policy was presented to Council at the 19 July 2021 Ordinary Council meeting where Council endorsed that it be exhibited for public consultation from 20 July for a period of 28 days.
- 5.2 The Policy was placed on public exhibition for the period 20 July to 18 August 2021. In accordance with the *Mitchell Shire Council Community Engagement Policy 2020*, 'Level 2 – Consult' of the International Association for Public Participation (IAP2) spectrum was utilised for the consultation period. Consultation channels included:
  - An online survey via Engaging Mitchell;
  - Hard copy surveys were available at Council's Customer Service Centres;
  - Social media posts;
  - Direct emails to identified stakeholders;
  - Article in Mitchell Shire ENews;

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ENVIRONMENTALLY SUSTAINABLE DESIGN FOR COUNCIL BUILDINGS POLICY (CONT.)

- Presentation to Mitchell Environment Advisory Group (MEAC);
  - Presentation to Mitchell Shire Youth Council;
  - Discussion at meeting with Mitchell Community Energy (MCE); and
  - Article in the North Central Review Newspaper.
- 5.3 At the conclusion of the consultation period a total of seven (7) submissions were received. See Attachment 2: 'Project Consultation and Submissions – ESD Policy' for a summary of the results.
- 5.4 The Policy has been built from and benchmarked against the best practice of other Victorian councils including Darebin City Council, Frankston City Council, Wyndham City Council, Moreland City Council, City of Casey, Mornington Peninsula Shire Council, Bass Coast Shire Council, Maroondah City Council, the City of Monash, Banyule City Council and the City of Melbourne. All of these councils have been forthcoming in sharing their knowledge and insights.
- 5.5 Internal consultation with key staff from a number of council departments has been undertaken during the development of the Policy, these include: Capital Works, Leisure Services, Recreation and Open Space, Building Services, Contracts Management, Waste and Resource Recovery, Operations and Parks, Assets, Community Strengthening, Finance, Building Maintenance, Engineering and Major Projects, Community Development and Youth Services, Children's Services, Emergency Management, Environment, and Life Stages. All comments and feedback have been considered and where appropriate incorporated into the Policy.
- 5.6 Minor Policy Changes
- 5.7 Following the public consultation process, minor alterations were made to the original draft Policy. These changes are summarised below:

**Objectives**

- Added objective to conserve and contribute to no net loss of biodiversity around Council buildings;
- Added to support active travel and zero emissions vehicle uptake;
- Added to increase education of building users and the public in environmentally sustainable design;
- Adjusted wording to include 'circular economy' in the waste avoidance objective, and;
- Added consideration of 'embodied energy' in the construction of buildings

**Procedural Flowchart**

- Sponsor & PM (Project Planning) – Changed criteria from "Projects of \$6m ESD Consultant to be engaged" to "\$2m". Advice from other

## ENVIRONMENTALLY SUSTAINABLE DESIGN FOR COUNCIL BUILDINGS POLICY (CONT.)

Councils suggests the minimal additional costs of engaging an ESD consultant are more than worth the benefits, which also include upskilling architects, contractors and consultants.

## Waste Targets

- “Circular economy” wording has been added to the waste targets.

**6. Sustainability Implications (Social and Environmental)**

- 6.1 The Policy has been developed to provide guidance and minimum standards for ESD in Council buildings to avoid and minimise environmental impacts throughout a buildings lifecycle.
- 6.2 The Policy seeks to ensure that future emissions from buildings, embodied greenhouse gas emissions in construction materials, and waste and energy used in their construction are reduced, and that sustainability is embedded into the earliest stages of project design.

**7. Policy and Legislative Implications**

- 7.1 The *Local Government Act 2020* states that a “...Council must in the performance of its role give effect to the overarching governance principles; “...the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted...”
- 7.2 The adoption and implementation of the Policy demonstrates Council’s commitment to the vision of the Mitchell Shire Council Environment Policy 2020 that “*Mitchell Shire Council is a leader in sustainable environmental management in all our business operations and in support of the wider community*”.
- 7.3 The Policy also assists Council in achieving the following 2050 goals of the Mitchell Shire Council Environment Policy:
- *Mitchell Shire Council to have Zero Net Emissions;*
  - *All Council owned buildings and facilities are planned, designed, built or retrofitted to achieve the highest level of environmentally sustainable design;*
  - *Environmentally Sustainable Design is a core principle for all new developments; and*
  - *Council’s assets are planned and built to respond to the effects of a changing climate.*

## ENVIRONMENTALLY SUSTAINABLE DESIGN FOR COUNCIL BUILDINGS POLICY (CONT.)

**8. Alignment to Council Plan**

- 8.1 The adoption and implementation of the Policy aligns with the strategic objective of the Mitchell Shire Council Plan 2017-2021 *“to be responsible custodians, by managing and enhancing our environment, minimising the impacts of development, waste, natural disasters and climate change”* and the key strategy to *“be prepared and proactive in responding to the effects of climate change on the community”*.
- 8.2 The adoption and implementation of the Policy aligns with the emerging themes of ‘Shaping Neighbourhoods’ and ‘Climate Action’ that have been identified from the responses of nearly 1,500 individuals who actively participated in the *My Mitchell 2050* engagement survey. Themes such as these highlight the increasing desire from community for development and design that is both environmentally responsible and sustainable.

**9. Conflict of Interest**

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

**10. Risk Implications**

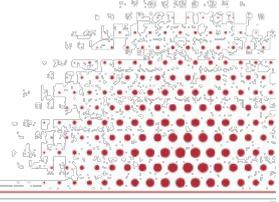
- 10.1 Risk Ranking is determined using [ROHS201-G1-Corporate Risk Matrix](#). Risk is identified as Low, Medium, High or Very High.

Risk	Risk Ranking	Proposed Treatments	Within Existing Resources?
Financial – increased upfront cost to projects to include ESD minimum standards	Low	Project scope will need to be revised to accommodate ESD costs to be included within the current budget.	No
Lack of staff knowledge on how to include ESD standards in projects	Medium	It is proposed that the ESD standards are rolled out in 2021/2022 by piloting on at least 3 projects with technical support provided by Council’s Sustainability officer.  Training and capacity building for staff on ESD principles was delivered in June 2021.	Yes

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**ENVIRONMENTALLY SUSTAINABLE DESIGN FOR COUNCIL BUILDINGS POLICY (CONT.)****11. Discussion**

- 11.1 The ESD for Council buildings Policy will be incorporated into Council's Project Management Framework and implemented as part of the scoping and definition stages of any project.
- 11.2 An ESD Minimum Building Standards for Council Buildings checklist (the check list) is currently under development. The draft checklist has been reviewed by an ESD consultant and will be used as an internal operational document to assist in guiding the implementation of the Policy.
- 11.3 ESD training for staff was conducted in June 2021 to support the introduction of the Policy and build staff capacity and understanding of ESD. The training included:
- What ESD means - in a council building context;
  - The benefits and challenges of incorporating ESD into projects; and
  - How ESD will apply to different projects.



# Environmentally Sustainable Design for Council Buildings Policy

<b>Policy Owner</b>	Environment and Sustainability Economy, Growth & Infrastructure
<b>Creation Date</b>	August 2021
<b>Revision Date</b>	August 2024

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**Purpose**

This policy has been developed to provide guidance and minimum standards for Environmentally Sustainable Design (ESD) in Council buildings to avoid and minimise environmental impacts throughout their lifecycle.

This policy seeks to ensure that future emissions from buildings, embodied greenhouse gas emissions in construction materials, and waste and energy used in their construction are reduced, and that sustainability is embedded into the earliest stages of project design.

This policy will also contribute to improving the resilience of Council's buildings to the impacts of climate change.

**Context**

Buildings typically have a long life and require a significant amount of natural resources and capital to construct and operate, with their siting and design having an impact on their operation and the surrounding natural environment. They can, however, be designed to reduce their ecological footprint and impacts and be sympathetic and connected to their surroundings.

It is recognised that some best practice ESD measures can incur an additional upfront cost, however, these are significantly outweighed by the benefits achieved over an asset's lifecycle, including:

- Delivering assets that are resilient to the impacts of climate change,
- Enhancing the wellbeing of facility users by connecting the natural and built environment and improving indoor environments for buildings,
- Encouraging the uptake of ESD practices in the wider community,
- Securing ongoing operation efficiencies, through improved asset management and less intensive maintenance programs,
- Addressing gaps and the absence of minimum requirements in the National Construction Code (NCC) and relevant legislation,
- Reducing reliance on emissions intensive transport modes and facilitating active transport options, and
- Driving the uptake of low impact construction materials and stimulating local markets for recycled products.

The incorporation of ESD features into building design is essential to achieving corporate sustainability targets and objectives.

**Scope**

This policy applies to:

- All new Council buildings, initiated by Council or developer led, and;
- All substantial renewals, renovations and upgrades to existing Council buildings and facilities.

The policy provides clear objectives, guidance and tools for use by building and facility managers, designers, architects, engineers, project managers and building contractors for all new builds, renewal, upgrade and refurbishment projects.

The policy shall not undermine relevant legislative requirements and regulations such as building requirements for construction in bushfire prone areas or those required for Maternal Child Health Centres and Kindergartens. The policy shall acknowledge and work alongside Mitchell Shire Community Infrastructure Guidelines where appropriate.

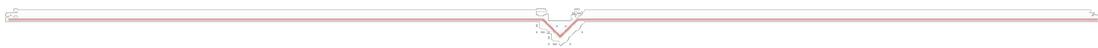
**Policy**

The objectives of the policy are to:

- Reduce the environmental impacts of constructing, refurbishing and operating Council buildings and consider the embodied energy of construction materials;
- Ensure waste avoidance, and promote a circular economy during the planning phase and construction;
- Improve energy and water efficiency of Council owned buildings and facilities;
- Provide a healthy indoor environment in Council owned buildings;
- Demonstrate leadership and corporate responsibility to the community by adopting and promoting sustainable building design suitable for the region's current and future climate;
- Reduce reliance on non-renewable grid electricity;
- Reduce the operational costs associated with Council's buildings and facilities;
- Conserve and contribute to no net loss of biodiversity around Council buildings;
- Support active travel and zero emission vehicle uptake;
- Increase education of building users and the public in environmentally sustainable design.

**ESD Assessment Matrix and Targets**

The following ESD Assessment Matrix will be utilised to achieve minimum ESD targets for Council buildings in conjunction with the checklist requirements in the ESD Minimum Building Standards for Council Buildings.



These targets are the minimum standard required for building project types, in some cases a higher target may be desirable.

Project Type	Building Project	Planning and Design Specification Document	Minimum ESD Targets
<b>Significant</b>	New buildings, upgrades, expansion or renewal projects with a total design and construction cost over \$10 million	ESD Minimum Building Standards for Council Buildings, Green Star Design and As Built Submission (latest version)	6 Star Green Star (certified)
<b>Major</b>	New buildings, upgrades, expansion or renewal projects with a total design and construction cost from \$6-10 million	ESD Minimum Building Standards for Council Buildings Green Star – Design and As Built (latest version) Built Environment Sustainability Scorecard (BESS)	5 Star Green Star compliant, (certified if feasible) or minimum 70% Built Environment Sustainability Scorecard (BESS) rating
<b>Minor</b>	New buildings, upgrades, expansion or renewal projects with a total design and construction cost up to \$6 million	ESD Minimum Building Standards for Council Buildings Built Environment Sustainability Scorecard (BESS)	4 Star Green Star compliant or minimum 60% BESS rating
<b>All Buildings</b>	Furniture, Appliances and Equipment Fit-out, or Bulk Procurement	ESD Minimum Building Standards for Council Buildings, Energy Star Rating Water Efficiency Labelling Scheme (WELS)	<p><b>Furniture and Finishes</b> Good Environment Choice Australia (GECA) or Eco-Specifier Certified product or; Recycled/Repurposed Furniture</p> <p><b>Electrical Appliances</b> Highest Energy Star Rating available applicable to appliance being installed</p> <p><b>Water Using Appliances and Fittings</b> Highest Water Efficiency Labelling Scheme Rating (WELS) available applicable to appliance or fitting being installed</p>

<b>Building Maintenance</b>	Maintenance of specified Council buildings	ESD Minimum Building Standards for Council Buildings	Applicable Works carried out in accordance with the Council ESD Minimum Building Standards
<b>Demolition</b>	Demolition, where 50% or more of the building is demolished	ESD Minimum Building Standards for Council Buildings	Minimum 70% of waste generated during demolition diverted from landfill through circular economy

**Policy Implementation**

The ESD Minimum Building Standards for Council buildings are to be implemented as part of the scoping and definition stages of any project. They shall be incorporated as part of the Project Management Framework for Capital Works.

In accordance with the Mitchell Shire Project Management Framework, the Project Sponsor has ultimate accountability for the realisation of project outcomes and objectives.

It is the responsibility of the Project Sponsor to ensure the ESD Minimum Building Standards are considered in the initiation and concept design development phases of the project and included in the **Project Proposal** document. At this time, a nominal budget allocation for ESD initiatives should be included in the project budget estimate used for the preparation of the project business case.

Guidance on suitable allocations for ESD can be found in the ESD standards.

Upon funding being allocated to either the design phase or execution phase (or both), the Project Sponsor is responsible for ensuring the relevant ESD targets are identified in the **Project Plan** and are not compromised during the project lifecycle. The **Project Plan** should be used to monitor the implementation of these ESD targets.

In the closure phase of the project, the Project Sponsor is responsible for ensuring an evaluation of the ESD targets is carried out.

For developer led projects, including those being undertaken as part of Precinct Structure Plans (PSP), the Project Sponsor / relevant Service Manager is responsible for ensuring compliance with this policy.



**Procedural Flowchart**

The following diagram outlines how to consider ESD during the scoping, planning and design, procurement and construction phases of a project.



**Responsibilities**

The policy applies to all Council officers and the contractors responsible for financing, planning, designing, developing, constructing, renovating and managing Council-owned buildings and facilities including developer led works.



**Related Legislation**

Local Government Act 2020  
Climate Change Act 2017  
Environment Protection Act 1970

**References**

The following Council policies and plans are applicable to this policy:

- Buildings Asset Management Plan
- Mitchell Shire Council Plan 2017-2021
- Mitchell Shire Environment Policy 2020
- Mitchell Shire Procurement Policy 2019
- Mitchell Shire Environment Strategy 2014
- Mitchell Shire Capital Works Framework
- Waste Management Strategy 2016-2021

The following external resources and references are applicable to this policy:

- Australian Building Codes Board (ABCB), National Construction Code (NCC), <https://ncc.abcb.gov.au>
- Australian Government, Water Efficiency Labelling and Standards (WELS) Scheme, [www.waterrating.gov.au/](http://www.waterrating.gov.au/)
- Built Environment Sustainability Scorecard (BESS),
- Ecospecifier, [www.ecospecifier.com.au/](http://www.ecospecifier.com.au/) building materials and products certification,
- Energy Rating, [www.energyrating.gov.au/](http://www.energyrating.gov.au/)
- Forest Stewardship Council (FSC), Public certificate search, <http://info.fsc.org/certificate.php>
- Green Environmental Choice Australia, [www.geca.org.au/](http://www.geca.org.au/)
- Green Building Council of Australia, <http://new.gbca.org.au/>
- Infrastructure Sustainability Council of Australia, ISCA IS Design and As Built rating tool, [www.isca.org.au/](http://www.isca.org.au/)
- WELS Water Rating product labelling: Water Efficiency Labelling and Standards (WELS) Scheme, [www.waterrating.gov.au/](http://www.waterrating.gov.au/)

**Review**

This policy will be initially reviewed 12 months from the date of adoption.

To monitor the effectiveness of the policy, an annual report will be prepared based on the following measures.

<b>Performance Measure</b>	<b>Target</b>	<b>Data collection</b>	<b>Reporting Responsibility</b>
Percentage (%) of capital building projects undertaken during the financial year complying with standards	100%	Capital Works	Environmental Sustainability
Performance of upgraded existing buildings against key sustainability performance targets	Increased renewable energy in kW Reduced potable water usage in kL Increased Water harvesting/Reuse in kL CSIRO Urban Stormwater Best Practice Guidelines have been met and demonstrated through the STORM or MUSIC tools.	Environment and Sustainability	Environment and Sustainability
Waste	Demolition projects achieve 70% of demolished materials recycled or reused through circular economy % Recycled content achieved in building materials (by weight)	Capital Works	Environment and Sustainability

This evaluation will also be recorded in the Benefits Realisation process for each project



**Definitions and Glossary of Terms**

<b>Term</b>	<b>Definition</b>
BESS	The Built Environment Sustainability Scorecard (BESS) is an online sustainability assessment. The BESS tool specifies best practice benchmarks in different environmental categories. Meeting these benchmarks confirms best practice standard for medium to large scale buildings.
Buildings and facilities	Any building or facility owned and/or managed by Mitchell Shire Council. Includes offices, libraries, halls, preschools, sports pavilions, toilet blocks and many other categories. Does not apply to individual structures such as netball shelters or scoreboards, etc.
Circular economy	A circular economy is one that re-uses and recycles resources rather than the traditional linear economy of make, use and dispose.
Ecological footprint	The amount of the environment necessary to produce the goods and services needed to support a particular activity or project.
Embodied energy / emissions	The energy / emissions associated with the manufacturing of a product or services. This includes energy or emissions used for extracting and processing of raw materials, manufacturing of construction materials, transportation and distribution, and assembly and construction.
Green Star	Green Star is a voluntary sustainability rating system for buildings in Australia. The Green Star rating system assesses the sustainability of projects at all stages of the built environment life cycle. There are four tools available – Communities, Design and as Built, Interiors and Performance. Green Star benchmarks projects against the nine categories of: Management; Indoor Environment Quality; Energy; Transport; Water; Materials; Land Use & Ecology; Emissions and Innovation.
MUSIC	Model for Urban Stormwater Improvement Conceptualisation (MUSIC) can model a wide range of treatment devices to find the best way to capture and reuse stormwater runoff, remove its contaminants, and reduce the frequency of runoff.
STORM	Stormwater Treatment Objective Relative Measure (STORM) calculator measures if best practice stormwater objectives have been met by measuring the projected reduction in nitrogen pollution.

## SUMMARY REPORT OF COMMUNITY CONSULTATION AND SUBMISSIONS

### Project name: Draft Environmentally Sustainable Design for Council Buildings Policy

Project overview	1
Engagement overview	1
Key topics raised on the Draft Environmentally Sustainable Design for Council Buildings Policy	2
Submission detail and officer response	3

#### Project overview

The Draft Environmentally Sustainable Design for Council Buildings Policy has been developed to provide guidance and minimum standards for Environmentally Sustainable Design (ESD) for Council buildings to avoid and minimise environmental impacts throughout their lifecycle.

The policy seeks to ensure that future emissions from buildings, embodied greenhouse gas emissions in construction materials, and waste and energy used in their construction are reduced, and that sustainability is embedded into the earliest stages of project design.

The policy will also contribute to improving the resilience of Council's buildings to the impacts of climate change.

#### Engagement overview

In accordance with the *Mitchell Shire Council Community Engagement Policy 2020*, the 'Level 2 – Consult' method of consultation was applied.

The public consultation period was open from 20 July 2021 to 18 August 2021.

Seven (7) submissions were received from:

- Mitchell Shire Youth Council;
- Mitchell Environment Advisory Committee;
- BEAM – Mitchell Environment Group;
- Mitchell Community Energy; and
- Three (3) individuals.

Communication channels that were utilised during the consultation period included:

- An online survey on the Engaging Mitchell website;
- Hard copy surveys at Customer Service Centres;

## SUMMARY REPORT OF COMMUNITY CONSULTATION AND SUBMISSIONS

- Social media posts;
- Discussion at meeting with Mitchell Community Energy;
- Direct emails to identified stakeholders;
- Article in Mitchell Shire ENews;
- Presentation to Mitchell Environment Advisory Committee;
- Presentation to Mitchell Shire Youth Council; and
- Article in North Central Review Newspaper.

### Key topics raised on the Draft Environmentally Sustainable Design for Council Buildings Policy

#### Advocating for higher ESD standards

- *“Council should be working towards the highest possible ESD targets for all projects to demonstrate sustainability as well as to reduce the long-term costs for Council buildings”.*
- *“A 6-Star Green Star commercial building standard should apply to ALL upgrade works, as well as new buildings”.*
- *“BEAM further advocates that every building generate its own power from renewables, with a surplus to charge the EV fleet of the occupants”.*
- *“Would like to see the Shire make a commitment to phase out any gas in existing Council buildings”.*
- *“All new and major, existing Council properties should have facilities to provide for charging of electric vehicles”.*
- *“All new council buildings and existing ones should transition to solar power, either through rooftop installations and/or through using green electricity providers”.*

#### Further Action

Some submissions advocated for Council to undertake further action in response to climate change

- *The Mitchell Environment Advisory Committee suggested Council undertake a subscription to the Built Environment Scorecard (BESS) system, run by the Council Alliance for a Sustainable Built Environment (CASBE).*
- *“Professional development is offered to appropriate Council staff to retain a high level of expertise to achieve ESD goals and Star ratings as a minimum”.*
- *“The Policy evolves as improvements in technology, information and circumstances permit”.*

#### Positive feedback

- The Mitchell Shire Youth Council *“supports adoption of the Environmentally Sustainable Design for Council Buildings Policy in line with efforts to reduce greenhouse gas emissions and respond to climate change.”*
- The Mitchell Environment Advisory Committee *“commends the draft ESD policy and look forward to its incorporation into Council policy and would like to emphasise the*

## SUMMARY REPORT OF COMMUNITY CONSULTATION AND SUBMISSIONS

*importance the ESD policy has in helping to meet the aims and goals of the Mitchell Shire Council Environment policy”.*

- *“Good design and likely to achieve goals”*
- *“Welcome the policy”*
- *“This draft policy also maps a practical and a council-wide bigger thinking about energy efficiency, occupant comfort and the benefit of crucial emissions reduction.”.*
- *“The policy objectives are sound”*
- *BEAM -Mitchell Environment Group and Mitchell Community Energy “...support that the draft policy also addresses energy efficiency of white goods, durability and source of furniture, and significantly in a disposable world, the policy addresses recyclability and keeping resources in our local community”.*
- *“This draft policy is a welcome step down that efficiency path that builds a local resilience for our energy and emissions challenges”.*

### Submission detail and officer response

Submission	Officer Response
<p>Council should be working towards the highest possible ESD targets for all projects to demonstrate sustainability as well as to reduce the long-term costs for Council buildings</p> <p>Advocate that a 6-Star Green Star commercial building standard should apply to ALL upgrade works, as well as new buildings</p>	<p>Projects with lower projected costs will likely not have the overall budget to reach higher ESD targets and the associated certifications that accompany them.</p> <p>In particular, the cost of certification can be significant and would not be appropriate for a small project with a small budget.</p> <p>The highest targets and certifications are reserved for projects that can act as a ‘showcase’ of what can be achieved due to more capacity to invest in smarter and initially more costly design and technology.</p>
<p>More consideration could be given to biodiversity and the natural environment</p>	<p>Added objective to Policy to conserve and contribute to no net loss of biodiversity around Council buildings.</p>
<p>Every building generate its own power from renewables, with a surplus to charge the EV fleet of the occupants.</p> <p>All new and major, existing Council properties should have facilities to provide for charging of electric vehicles. through rooftop installations and/or through using green electricity providers.</p>	<p>Officers will continue to investigate possibilities to increase the uptake of renewable energy on Council buildings. However, many of Council’s buildings are not entirely appropriate for EV charging stations for a number of reasons. This is due to insufficient switchboard and network capacity, locations that may be undesirable for EV charging carparks, only a small number of visitors to the particular buildings, and the cost of EV charging station installation. Officers acknowledge the importance of having a connected and</p>

**SUMMARY REPORT OF COMMUNITY CONSULTATION  
AND SUBMISSIONS**

	<p>dispersed network of charging stations, and have included, where deemed suitable and as a means of future proofing, allowance for at least 1 three phase sub-circuit (80 Amp capacity) to allow for DC fast recharging for EVs.</p> <p>Added an objective in the policy to support active travel and zero emissions vehicle uptake. The latter will be achieved by ensuring capacity for EV charging stations is included for appropriate buildings.</p>
<p>When referring to recycled content and waste minimisation, would be good to refer to Circular Economy – this is the language that is taking off and encompasses more meaning, especially around the design of products/materials.</p>	<p>Adjusted wording in the Policy to include 'circular economy' in the waste avoidance objective and in subsequent areas.</p>
<p>Council undertake a subscription to the Built Environment Scorecard (BESS) system, run by the Council Alliance for a Sustainable Built Environment (CASBE).</p> <p>The Policy evolves as improvements in technology, information and circumstances permit</p>	<p>The policy is scheduled for review 12 months from adoption. During the pilot period over this timeframe, officers will evaluate the benefits of BESS subscription, as well as any other areas where the Policy can be improved and strengthened.</p>
<p>Consider a component in the policy to educate building users and the public.</p>	<p>Added an objective to increase education of building users and the public in environmentally sustainable design.</p>
<p>Professional development is offered to appropriate Council staff to retain a high level of expertise to achieve ESD goals and Star ratings as a minimum.</p>	<p>Within the Policy it is stated that an ESD consultant is to be engaged for projects over \$2m. This will contribute to building the capacity of staff in understanding and working with ESD. A review of the Policy 12</p>

**SUMMARY REPORT OF COMMUNITY CONSULTATION  
AND SUBMISSIONS**

	months after adoption is also an important opportunity to assess needs for further professional development in ESD.
<p>Would like to see the Shire make a commitment to phase out any gas in existing Council buildings.</p> <p>Although this is somewhat already covered in the policy objectives, it might be worth being explicit about 'embodied energy' in the construction process.</p>	<p>The ESD standards that sit under the ESD policy currently state that natural gas should be avoided where possible. Officers will make sure this messaging is clear throughout the document.</p> <p>Officers and Council will continue to increase the uptake of renewable energy on Council buildings, acknowledging the important role this plays in reducing greenhouse gas emissions, increasing energy efficiency and reducing operating costs.</p> <p>Strengthened existing objective in the Policy to include and consider 'embodied energy' in the construction of buildings in order to reduce the environmental footprint of construction.</p>

## 10.9 MITCHELL SHIRE ENVIRONMENT STRATEGIES 2020-2021 ANNUAL REPORT

**Author:** Elyse Kelly - Environmental Programs Coordinator

**File No:** ET/01/001-03

**Attachments:** 1. Mitchell Shire Council Environment Strategies Annual Report 2020-2021

### 1. Purpose

- 1.1 This report provides the annual update on the implementation of the Mitchell Shire Environment Strategies for 2020-2021.

### 2. Background

2.1 Local Government has an important role to play in environmental management, through its controls over strategic land use planning, infrastructure development, facilitating community involvement and education, local laws and as a public land manager.

2.2 Council has adopted various environmental strategies and plans to help facilitate Council's role in both environmental stewardship and management. The Environment Strategies 2020-2021 annual report combines actions from the following documents:

- Mitchell Shire Environment Strategy 2014 – 2024;
- Mitchell Shire Rural Roadside Environmental Management Plan 2016 – 2026;
- Mitchell Shire Sustainable Resource Management Strategy 2011; and
- Monument Hill Reserve, Kilmore Management Plan 2014.

### 3. Key Matters

3.1 The 2020-2021 Environment Strategies annual report identifies 130 actions across the four (4) strategies and plans:

- 111 (85%) actions completed or ongoing;
- 10 (8%) actions in progress and will be delivered; and
- 9 (7%) actions are under review and/or will be considered as part of future work plans.

3.2 The Mitchell Shire Environment Strategy and the Mitchell Shire Rural Roadside Environmental Management Plan have three (3) and five (5) years respectively until a review is scheduled.

3.3 The Monument Hill Reserve, Kilmore Management Plan and the Sustainable Resource Management Strategy are scheduled to be reviewed

MITCHELL SHIRE ENVIRONMENT STRATEGIES 2020-2021 ANNUAL REPORT (CONT.)

in the current financial year. Any incomplete actions will be addressed as part of the review process.

- 3.4 The delivery of many actions during the reporting period has been impacted by COVID-19 restrictions.

**Recommendation**

**THAT** Council receive and note the Mitchell Shire Environment Strategies 2020-2021 annual report.

**4. Financial, Resource and Asset Management Implications**

- 4.1 The projects and initiatives undertaken during 2020-2021 to deliver the actions in the afore mentioned Environment Strategies have been funded by the adopted budget.

**5. Consultation**

- 5.1 The strategies and plans referenced in this annual report were subject to community consultation at the time of their development.
- 5.2 The projects and programs referenced in this report included consultation and collaboration with various groups and agencies including Landcare, the Department of Environment, Land, Water and Planning, CFA, Fire Services Victoria, Goulburn Broken Catchment Management Authority, and the Mitchell Environment Advisory Committee.

**6. Sustainability Implications (Social and Environmental)**

- 6.1 The key environmental outcomes from the works undertaken as part of the implementation of the Mitchell Shire Council Environment Strategies and Plans during the last financial year includes:
- Improved understanding of ecological values of Council reserves;
  - A decrease amount of declared noxious weeds on Council roadsides and reserves;
  - Increased engagement in environmental awareness through educational material and citizen science activities;
  - Increased engagement of new rural landholders;
  - Improved partnerships with key land management agencies;
  - Improved biodiversity values along the Kilmore Creek and Ryan Creek;
  - Increased solar capacity of Councils buildings;
  - The development of a strategic approach to fuel management in a key bushland reserve; and
  - Increased strategic advice provided by the Mitchell Environment Advisory Committee.

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MITCHELL SHIRE ENVIRONMENT STRATEGIES 2020-2021 ANNUAL REPORT (CONT.)

## 7. Policy and Legislative Implications

7.1 The Mitchell Shire environmental strategies and plans referenced in this report are implemented in accordance with a range of Local, Regional, State and National legislation and policies.

## 8. Alignment to Council Plan

8.1 The works undertaken as part of the 2020-2021 Mitchell Shire Environment Strategies assists Council in delivering the *Caring for the Environment* strategic objective of the Council Plan 2017-2021.

8.2 The Mitchell Shire Environment Strategies and Plans support Goal 3 in the Mitchell Shire Council Municipal Health and Wellbeing Plan 2017-2021.

## 9. Conflict of Interest

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

## 10. Risk Implications

10.1 Nil

## 11. Discussion

11.1 Key highlights from the 2020-2021 annual report include;

- A Fuel Management Plan was developed for Monument Hill reserve with funding received from the Safer together program. It was developed in partnership with DELWP, CFA and the Taungurung Land and Waters Council.
- Approximately 769km of roadsides were treated as part of the roadside weed control program.
- A 24Kw solar system was installed at the Greater Beveridge Community Centre, adding to the existing 10kW already installed at the site. A monitoring system was also installed at the site which enables officers to monitor site specific data.
- The Environment team supported seven (7) community environmental events. In total there were 841 participants at these events.
- 338 pieces of environmental information distributed, including 221 new rural landholder kits and various Council environmental publications.
- The provision of environmental advice on statutory and strategic planning matters continues to be a focus for the environment team, with over 100 statutory planning referrals completed. The Environment team also provided comment on an additional 22 other internal projects.

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MITCHELL SHIRE ENVIRONMENT STRATEGIES 2020-2021 ANNUAL REPORT (CONT.)

- Nine (9) Mitchell Environment Advisory Committee (MEAC) meetings were held. The committee provided written advice on seven (7) matters to Council. A new MEAC committee was also appointed during the 2020-2021 year.
- 22 properties received the annual Mitchell Shire Conservation covenant grant.
- A fauna survey was completed for the Monument Hill reserve and Bibron's Toadlet survey (listed as Endangered under the *Flora and Fauna Guarantee Act 1988*) was completed for the Seymour Bushland Park.
- Interpretative signage was installed at the Whitman's Reserve, Broadford and a park name sign at the Highcamp Flora Reserve.
- COVID-19 restrictions resulted in the annual National Tree Day event being delivered via contractors who planted 3,762 native plants along waterways in Kilmore.
- Mitchell Shire became a member of the Council Alliance for Sustainable Built Environment (CASBE) and joined the Sustainable Subdivisions trial and the Elevating ESD targets in the planning scheme project.

MITCHELL SHIRE ENVIRONMENT STRATEGIES AND PLANS 2020/2021

- MITCHELL SHIRE ENVIRONMENT STRATEGY
- MITCHELL SHIRE SUSTAINABLE RESOURCE MANAGEMENT STRATEGY 2011
- MITCHELL SHIRE RURAL ROADSIDE ENVIRONMENTAL MANAGEMENT PLAN
- MONUMENT HILL RESERVE MANAGEMENT PLAN 2014

● Completed  
● In progress  
● Not Commenced

Strategy or Plan	Theme	Total actions	Status	Key Outcomes
Environment Strategy	Biodiversity	15	13 1 1	<ul style="list-style-type: none"> <li>• 11 of these actions are ongoing for example "Undertake, promote and support existing revegetation programs in the Shire" and "Develop, implement and regularly review environmental action plans for Shire reserves"</li> <li>• National Tree Day was delivered via contractors and staff undertaking revegetation - planting 4,446 native plants along waterways in Kilmore and Wallan.</li> <li>• Annual reserve weed control program completed targeting a minimum of 15 weed species</li> <li>• Management of 12 environmental reserves covering 225ha.</li> <li>• Completed Roadside weed control program along significant environmental areas covering approx. 769km.</li> <li>• Completed fauna survey and fungi survey of the Monument Hill Reserve, Kilmore</li> <li>• Completed Bibron's Toadlet survey at Seymour Bushland Park.</li> </ul>
	Waterways and Wetlands	10	10 0 0	All actions in the section are ongoing and were actioned in 2020-2021. Highlights included: <ul style="list-style-type: none"> <li>• Kilmore and Ryans Creek revegetation works</li> <li>• Weed control along sections of at least 8 local waterways including the Taylors, Kilmore, Dabyminga and Sunday Creeks.</li> <li>• Mitchell Shire Council, in partnership with the City of Whittlesea, were successful in obtaining funding from Melbourne Water for a part time Water Sensitive Urban Design Officer to be appointed in the 2021-2022 year.</li> </ul>
	Rural Land Use and Managemnet	6	4 2 0	<ul style="list-style-type: none"> <li>• Conservation covenant program successfully implemented with 22 properties covering 1,200Ha of covenanted land participating.</li> <li>• 221 new rural landholder kits distributed</li> <li>• Whole Farm Plan guideline reviewed and updated</li> <li>• Rural Land and Activity Review in draft format, delivered by Council's Strategic Planning team.</li> </ul>
	Urban Land Use Planning and Development	6	4 2 0	<ul style="list-style-type: none"> <li>• Environment team provided subject matter expertise and/or were part of project teams for the Rural Land and Activity Review, Broadford Structure Plan, Beveridge North West PSP, Wallan South PSP studies, Landscape Assessment Project</li> <li>• Mitchell Shire became a member of the Council Alliance for Sustainable Built Environment (CASBE) and joined the Sustainable Subdivisions program trial and the Elevating ESD targets in the planning scheme project.</li> </ul>





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Strategy or Plan	Theme	Total actions	Status	Key Outcomes
Environment Strategy	Resilience Communities	11		<p>All actions in this section are ongoing. Delivery of a number of events were impacted by COVID-19 restrictions.</p> <ul style="list-style-type: none"> <li>• 7 community events supported for example Backyard bird count and Council stand at the Seymour Alternative Farming Expo.</li> <li>• 841 participants environmental events</li> <li>• 338 pieces of environmental information distributed to the public</li> <li>• 9 meetings of the Mitchell Environment Advisory Committee (MEAC) were held</li> <li>• The Seymour Bushland Park Committee of Management was supported with officers attending 3 meetings and 2 joint site inspections.</li> <li>• Established regular quarterly meetings with Mitchell Community Energy.</li> <li>• Continued to support the South West Goulburn Landcare Facilitator and supported projects with the Hughes Creek Catchment Collaborative landcare.</li> </ul>
Sustainable Resource Management Strategy 2011		12		<p>Of these actions:</p> <ul style="list-style-type: none"> <li>• 3 are ongoing and have been actioned in 2020-2021</li> <li>• 2 are completed</li> <li>• 4 are underway and</li> <li>• 3 are yet to commenced</li> </ul> <p>Highlights for 2020-2021 include</p> <ul style="list-style-type: none"> <li>• The installation of an additional 24kW of solar panels at the Greater Beveridge Community Centre.</li> <li>• Quarterly reports on Council's energy and water consumption are being provided to the Executive Leadership Team.</li> <li>• Draft Environmentally Sustainable Design (ESD) for Council Buildings Policy developed and circulated for public comment</li> <li>• Council joined the Council Alliance for Sustainable Built Environment (CASBE) and is part of two sustainability in planning projects</li> <li>• Environmentally Sustainable Design (ESD) training delivered for staff</li> <li>• Participated in the Goulburn Murray Climate Alliance</li> <li>• A review of this strategy is proposed for the 2021-2022 year.</li> </ul>





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Completed  
In progress  
Not Commenced

Strategy or Plan	Theme	Total actions	Status	Key Outcomes
Rural Roadside Environmental Management Plan 2021-2026		35		<p>Of these actions</p> <ul style="list-style-type: none"> <li>• 9 are complete e.g. "Undertake revised roadside conservation surveys". Completed in 2019</li> <li>• 24 are ongoing and were actioned in the 20/21 year for e.g. "Implementation of Councils roadside weed control program" and</li> <li>• 3 are yet to commence e.g. "Identify and rehabilitate old stack sites in High and Medium Conservation Significance Roadside areas"</li> </ul> <p>Highlights for 20/21 include.</p> <ul style="list-style-type: none"> <li>• 769 km roadside weeds controlled</li> <li>• Received state government funding for weed control</li> </ul>
Monument Hill Reserve Management Plan 2014		35		<p>Of these actions</p> <ul style="list-style-type: none"> <li>• 13 are complete e.g. establish a working group and undertake a fungi survey.</li> <li>• 20 are ongoing and were actioned in the 20/21 year for example – ongoing weed control</li> <li>• 1 is underway – formalisation of the third car park</li> </ul> <p>Highlights for 2020/2021 include.</p> <ul style="list-style-type: none"> <li>• The completion of a fuel management plan developed in partnership with the CFA, DELWP, TLaWC and community</li> <li>• The development of fact sheets for the reserve including fuel management fungi flora and fauna</li> <li>• A nature sound recording was completed</li> <li>• This plan is due to be reviewed in the 2021-2022 year.</li> </ul>





## **11 EXECUTIVE SERVICES**

Nil Reports

## 12 NOTICES OF MOTION

### 12.1 NOTICE OF MOTION: NO. 1009 - SUPPORTING AUSTRALIAN MANUFACTURING

**Author:** *Councillor Bill Chisholm*

**File No:** *CL/04/001-03*

**Attachments:** *Nil*

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I hereby give notice of my intention to move the following motion at the Ordinary Council Meeting to be held on 20 September 2021.

#### MOTION

**THAT** Council:

1. Explores the various ways it could support Australian manufactured products through its tender process. As part of this process, seek guidance from both State and Federal Governments and appropriate Local Government authorities on ways in which this can be achieved.
2. Further that a motion outlining the need to support and encourage Australian manufacturing be brought before a future MAV State Council meeting.

#### Councillors Comment

Following on from the lessons of the COVID pandemic, and the rapidly changing global political situation it is imperative that all Australian's need to show support for Australian manufactured goods and products. Just as individuals should be encouraged to buy Australian, Council's also have an obligation to show leadership in this space.

#### Officer Comment

Council's draft procurement policy includes a 5% weighting to local contractors and services providers. It is currently silent on including a weighting in favour of local manufacturers. The intended outcome of this weighting would be to support Australian manufacturing jobs and our domestic economy. It is often the case that even local contractors utilise products that are acquired from overseas. This can especially be the case with building materials and specialised plant and equipment. It would not be a simple matter of trying to identify whether the good or service was wholly made in Australia. Tenderers would need to provide information on where goods and services included in the tender submission originated from to determine the locally produced component.

NOTICE OF MOTION: NO. 1009 - SUPPORTING AUSTRALIAN MANUFACTURING (CONT.)

**Signed:** \_\_\_\_\_

Cr Bill Chisholm

**Date:** 27 August 2021

**13 DELEGATES REPORTS**

Nil Reports

**14 GENERAL BUSINESS**

Nil Reports

**15 GENERAL BUSINESS****16 URGENT BUSINESS****17 CONFIDENTIAL BUSINESS****RECOMMENDATION**

**THAT** in accordance with Section 66(1) and 66(2)(a) of the *Local Government Act 2020*, Council resolves to close the meeting to members of the public to consider the following items which relate to matters specified under Section 3(1), as specified below.

**17.1 Confirmation of Minutes of previous Confidential Meeting**

s3(1)h confidential meeting information, being the records of meetings closed to the public under section 66(2)(a)

The Minutes of the previous confidential meeting of Council contain information that has been determined by Council to be confidential in accordance with s3(1) of the Local Government Act 2020.

**17.2 RFT20217 - Provision of Professional Services; Restoration Works for Whitburgh Cottage, Kilmore**

s3(1)(g)(ii) Private commercial information, being information provided by a business, commercial or financial undertaking that if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

**17.3 RFT132769 – Greenhill Reserve Main Oval Female Friendly Changeroom Upgrade Project – Contract Amendment**

s3(1)(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

**17.4 RFT202133 – Sport Lighting Project – Wallan Tennis and Kings Park**

s3(1)(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

**17.5 RFT132662 Harley Hammond Reserve Netball and Tennis Pavilion - Contingency Allowance**

s3(1)(a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

**17.6 Re-opening of Meeting to members of the public****18 DATE OF NEXT MEETING**

The next Ordinary meeting of Council is scheduled to be held on Monday 18 October 2021 at the Mitchell Council Chambers, 113 High Street Broadford, commencing at 7.00pm.

**19 CLOSE OF MEETING**