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C123**21.12-1**28/03/2019
C123**IMPLEMENTATION****Application of zones, overlays and local planning policy****Zones**

The objectives, strategies and policy guidelines in the Planning Scheme are implemented through the application of the following zones.

- A range of zones has been applied in the major towns of Seymour, Kilmore, Broadford, Wandong-Heathcote Junction and Wallan including the General Residential Zone, Neighbourhood Residential Zone, Low Density Residential Zone, Rural Living Zone, Mixed Use Zone, Industrial 1 and 3 Zones and Commercial 1 and 2 Zones.
- The Township Zone has been applied to the smaller townships.
- The Farming Zone has been applied with a minimum lot size linked to the land capability of areas – generally 80ha minimum lot size in the former Seymour Shire area, 20 ha in the Davidson Street area of Broadford and 40ha in all remaining areas.
- The Special Use Zone has been applied to operating extractive industries.
- The Comprehensive Development Zone has been applied to the residential development area west of Beveridge and over the Hidden Valley residential area north of Wallan.

Overlays

The objectives, strategies and policy guidelines in the Planning Scheme are implemented through the application of the following overlays.

- The Environmental Significance Overlay has been applied to:
 - Declared catchment of Lake Eppalock.
 - Major watercourses.
 - The Sunday Creek declared catchment.
 - Mt Piper and surrounds.
- The Vegetation Protection Overlay has been applied to:
 - Major roadside vegetation corridors.
 - Major freeway vegetation corridors.
- The Significant Landscape Overlay has been applied to:
 - Monument Hill.
 - Tallarook Ranges.
 - Mt Disappointment.
- The Development Plan Overlay has been applied to Kilmore's residential growth areas and key infill development sites across the municipality.
- The Design Development Overlay has been applied to Kilmore's town centre and gateway precincts, Wandong Village and equine lifestyle areas within Kilmore and Seymour.
- The Heritage Overlay has been applied to heritage places including a number of heritage precincts.
- The Erosion Management Overlay has been applied to extensive areas based on the Centre for Land Protection Research (CLPR) land capability mapping.

- The Salinity Management Overlay has been applied to extensive areas based on the CLPR land capability mapping.
- The Flooding Overlay has been applied to areas identified as subject to flooding.

Local Planning Policy

The objectives, strategies and policy guidelines in the Planning Scheme will be implemented through the application of the following local planning policy.

- Clause 22.01 (Gaming) seeks to protect the community from the adverse effects of gaming machines by ensuring they are located only where there will be a net community benefit.

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Further work

Council will undertake or participate in the following further work to implement the objectives, strategies and policy guidelines in the Planning Scheme.

Strategic Planning Projects

Undertake the following strategic planning projects:

- Prepare a Rural Areas Strategy.
- Prepare a new Seymour Structure Plan.
- Prepare a new Broadford Structure Plan.
- Prepare a Small Town/Settlement Strategy (Pyalong, Tallarook, Tooborac, Reedy Creek, Clonbinane, and Sunday Creek).
- Investigate potential open space and land use strategies for the Beveridge West hills having regard to the outcomes of the Precinct Structure Planning process for Beveridge.
- Undertake the Priority Projects listed in the *Wallan Structure Plan 2015* and the *Wallan Town Centre Masterplan and Urban Design Framework 2016*.
- Review the open space structure of Kilmore.
- Prepare a heritage gap study for Kilmore.

Zones

Undertake the following zoning actions:

- Investigate the application of Public Park and Recreation Zone to publicly owned open space areas including the network of rail trails in the Shire.
- Review proposals to apply Public Conservation and Resource Zone to sites nominated in submissions to the *Mitchell Planning Scheme Review Final Consultant Report*, April 2012.
- Investigate the application of the Residential Growth Zone in the Wallan Town Centre to facilitate higher residential densities in accordance with the *Wallan Town Centre Masterplan and Urban Design Framework 2016*.
- Investigate the application of the Commercial 1 Zone and Commercial 2 Zone in the Wallan Town Centre, to facilitate land use and development outcomes that are consistent with Wallan's designation as a Major Activity Centre in *Plan Melbourne 2017-2050*.

Overlays

Undertake the following overlay actions:

- Modify the Environmental Significance Overlay 2 maps to extend to all of the Lake Eppalock Special Water Supply Catchment Areas.

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- Modify the Environmental Significance Overlay 3 maps to extend to 50m for all waterways (100m in Special Water Supply Catchment Areas).
- Modify Environmental Significance Overlay Schedules 2 and 3 to:
 - Emphasise the protection of waterways;
 - Include decision guidelines; and
 - Exempt out unnecessary referrals and exemptions.
- Investigate and apply a Vegetation Protection Overlay (or Environmental Significance Overlay) to environmentally sensitive areas identified.
- Investigate and apply a Significant Landscape Overlay to prominent hilltop, ridgeline and other visually sensitive areas.
- Apply the Heritage Overlay to sites and areas of identified heritage significance.
- Review the need for Development Plan Overlay Schedule 1 given that parts of this area has been extensively developed.
- Identify potential sites for the application of the Environmental Audit Overlay in consultation with EPA.
- Review the application of the existing Restructure Overlay and remove it from areas that do not have a Restructure Plan.
- Consider the application of the Restructure Overlay (with Plan) to encourage the consolidation of groupings of small lots in rural areas including those with reticulated sewerage.
- Review all Bushfire Management Overlay mapping in consultation with the CFA every three years.
- Investigate biodiversity and vegetation values on the western slopes of Wallan and apply appropriate overlays for its protection, if appropriate.

Referral of Permit Applications

Undertake the following actions in relation to the referral of permit applications:

- Review the agreement between Council and Department of Environment, Land, Water and Planning relating to the referral of applications under the Salinity Management Overlay, Significant Landscape Overlay and Erosion Management Overlay and consider whether to extend it to other relevant agencies.
- Investigate the use of agreements to either exempt permits or referrals in overlay schedules.

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Other actions

Settlement

- Participate in the preparation of the Growth Area Framework Plan and the suite of Precinct Structure Plans for that part of the northern growth corridor.
- Develop and implement marketing strategies, structure plans and urban design frameworks for Mitchell's activity centres and industry hubs.
- Implement or support the Key Directions and Strategies recommended in the *Wallan Structure Plan, December 2015*.
- Manage and plan for the growth of Wallan in accordance with the Indicative Staging Plan (Figure 5) within Part D of the *Wallan Structure Plan, December 2015*.

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- Implement or support the Key Objectives and Strategies recommended in the *Kilmore Structure Plan, August 2016*.
- Manage and plan for the growth of Kilmore in accordance with Section 4 of the *Kilmore Structure Plan, August 2016*.

Environmental risks

- Identify and document remnant vegetation, biodiversity assets and wildlife corridors.
- Investigate measures for the protection of Hernes Swamp and environs.
- Seek opportunities to secure alternate renewable sources of energy that enhance sustainability and reduce carbon emissions.

Natural resource management

- Raise awareness of the need to, and methods of, minimising water use.
- Achieve the concept of ‘zero’ waste to landfill by 2015, in accordance with the Mitchell Shire Waste Management Plan.
- Review land ownership and zoning along waterways to monitor opportunities to consolidate open space corridors.
- Maintain and improve Council’s drainage infrastructure to improve the quality of water discharged into Mitchell’s creeks and rivers.

Built environment and heritage

- Develop a Design Awards scheme to promote high quality architectural design.

Economic development

- Advocate for the identification and development of major, strategically located commercial and industry hubs in the Municipality to increase access to local employment.
- Encourage the growth of tertiary education opportunities in the major centres of the Shire.
- Investigate ways of ensuring that a greater supply of affordable office accommodation is provided across the Shire through attracting decentralised government offices to establish in key centres such as Wallan and Seymour.
- Support regional initiatives to develop the equine industry (horse racing, training, events etc) including support for the installation of a synthetic track at Kilmore.
- Work with the State Motorcycle Centre and local industry to assist in facilitating the development of an automotive testing/research cluster at this location.
- Assist business operators looking to expand existing facilities, or those looking to relocate to the Shire.
- Plan and coordinate existing retail and commercial areas of the towns in the Shire to reduce escape expenditure and generate greater self sufficiency.

Transport

- Develop a Transport Plan for the Shire identifying transport corridors and traffic issues.
- In conjunction with State Government, transport providers and other agencies, examine ways in which public transport links between townships might be enhanced.
- Prepare a Parking Management Strategy for the Wallan Town Centre.

Infrastructure

- Provide an effective voice for the Shire in discussions with State and Federal Governments, agencies, private sector and other stakeholders so as to ensure appropriate funding, infrastructure and services are delivered for Mitchell residents and businesses.

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Reference documents

Settlement

- *Mitchell 2020 Community Plan*
- *Ten Major Challenges and Vision, 2011*
- *Mitchell 2020 Vision Discussion Paper, 2011*
- *Council Plan 2009-2013 (Update)*
- *Hadfield Park Development Plan, 2010*
- *Mitchell Shire Municipal Health Plan*
- *Health and Wellbeing Plan 2009-2013*
- *King and Queen Streets (Wallan) Structure Plan, 2014*
- *Mitchell Shire Open Space Strategy, 2013-2023*
- *Wallan Structure Plan, December 2015*
- *Wallan Town Centre Masterplan and Urban Design Framework, 2016*
- *Wandong-Heathcote Junction Structure Plan, August 2016*
- *Wandong-Heathcote Junction Neighbourhood Character Assessment, July 2017*
- *Kilmore Structure Plan, August 2016*
- *Kilmore East Planning Controls Review, June 2017*
- *Kilmore Town Centre Revitalisation, August 2016*

Environmental risks

- *Planning Conditions and Guidelines for Subdivisions, Country Fire Authority, 1991*
- *Code of Practice for Fire Management on Public Land, Department of Conservation and Natural Resources, 1995*
- *Design and Siting Guidelines: Bushfire Protection for Rural Houses, Country Fire Authority and Ministry for Planning and Environment, 1990*
- *Building in Bushfire-Prone Areas, CSIRO and Standards Australia (SAA HB36-1993), May 1993*
- *Merri Creek and Environs Strategy 2009*
- *Taylor's Creek Strategic Plan 2010*
- *Municipal Fire Prevention Plan, Mitchell Shire Council*

Natural resource management

- *Land Capability Study of the Shire of Mitchell, Centre for Land Protection Research, July 1996*
- *Mitchell Shire Environment Strategy, 2008*

Built environment and heritage

- *Heritage Assessment of Victorian Railway Institute Building, Seymour, 2001, Lorraine Huddle, Heritage Advisor, Mitchell Shire Council*

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- *Kilmore Heritage Study, 1982, Planning Collaborative*
- *Mitchell Shire Planning Scheme Review - Heritage Assessment, 1996, Andrew Ward*
- *Planting guidelines for new estates in the Mitchell Shire, Mitchell Shire Council*
- *Heritage Citation Report – HO110 Kilmore Railway Station Complex*
- *Mitchell Shire Stage Two Heritage Study Volumes 1-5, Lorraine Huddle Pty Ltd, 2006*
- *Mitchell Shire Heritage Amendment, Review of Heritage Precincts, Context Pty Ltd, 13 December 2012*
- *Mitchell Shire Stage 2 Heritage Study Review, Context Pty Ltd, 12 March 2013*
- *Mitchell Shire Review of Individual Places 2013, Context Pty Ltd*
- *The Heritage Overlay: Guidelines for Assessing Planning Permit Applications (Public Draft February 2007)*

Economic development

- *Mitchell Shire Economic Development Planning and Tourism Strategy, Essential Economics, 2010,*
- *Mitchell Shire Tourism Strategy 2010-2015*

Infrastructure

- *Kilmore Infrastructure Framework, August 2017*
- *Mitchell Shire Council Infrastructure Services Agreement (Adopted 17 March 1998) and Review (Adopted 15 June 1999)*
- *Mitchell Shire Domestic Wastewater Management Plan Final Report, RMCG 2006*
- *Mitchell Stormwater Management Plan, 2008*
- *Mitchell Shire Land Capability Mapping and Assessment Tools for Domestic Wastewater Management, RMCG, June 2006*
- *Mitchell Shire Gaming Policy Framework, Coomes Consulting, October 2007*
- *Urban Stormwater: Best Practice Environmental Management Guidelines (1999). (GMW)*