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Macedon Ranges Residents' Association Inc. *Regn. No. A0034439T*

Postal: P.O. Box 183, Gisborne, 3437.

Web: www.mrra.asn.au

Reg. Address: 2 Dalrymple Road, Gisborne, 3437.

Email: mrra.sec999@gmail.com

Telephone: (03) 5428 3197 (Pres), (03) 5427 1481 (Sec)

Submission

Draft Framework Plan: Kyneton South Investigation Area (May 2017)

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1 SUMMARY OF THE KYNETON SOUTH PROPOSAL

- 1) The *Draft Framework Plan – Kyneton South Investigation Area* is ‘investigating’ around 310 ha of existing Farming and Low Density Residential zoned land, south of the Campaspe River, for new residential development. This area represents almost 45% of the area counted as Kyneton township in the 2011 census.
- 2) The 310ha under investigation is additional to the controversial 341 lot Development Plan area south of the Campaspe River (approved without community consultation in 2015), and to the additional 265ha of mostly Farming zone (west of Trentham Road) proposed for 2ha subdivision in Amendment C110 Part 2.

2 THE ASSOCIATION’S POSITION

The Association does not support either the current “investigation”, or the Kyneton South Framework Plan. Primary objections include:

- a) There is no requirement, need or justification for this “investigation”, or the increased growth it represents. Kyneton has already been confirmed as having sufficient capacity to accommodate projected growth (which itself is substantially higher than historical growth levels in the town) out to 2036.
 - b) The Framework Plan is implementing an accelerated growth agenda which significantly exceeds the Macedon Ranges Settlement Strategy’s projected 2036 growth for Kyneton, necessitating major encroachments into Farming zoned land and major investment in infrastructure. There can be no logical or rational answer to the question “why”? It seems to be a case of “build it and they will come”.
 - c) Growth as proposed at Kyneton in the Framework Plan risks upsetting the balance of the Settlement Strategy’s growth plan for the entire Shire.
 - d) The Plan surreptitiously expands the town’s boundary without notice or justification, adding some 350ha of rural zoned land, plus additional land around the main northern Industrial 1 area.
 - e) The Framework Plan quite comprehensively lacks credibility as an “investigation” document. There is no evidence of a comparative analysis of options for selecting this investigation area, or of any other options considered. The steps of investigating, evaluating, demonstrating need, and consulting the community about what type of town it wants have, are also absent.
 - f) The Framework Plan is being represented to the community as being needed to accommodate growth out to 2036, or as being promoted by the State government. The Plan doesn’t ask the community whether it wants this much growth, it merely tells the community how it will happen.
 - g) The Framework Plan does not appear to have been influenced by or respond to introduction of legislative and State policy protection for Macedon Ranges Shire. Its re-setting of the town boundary pre-empts definition of settlement boundaries intended to be protected by legislation.
 - h) Shire resources are being diverted to an unnecessary Framework Plan for unnecessary land and growth at Kyneton at the expense of undertaking critical planning projects, as identified in the Kyneton Structure Plan and the planning scheme.
- 3) The bases for the Association’s position, and further information, are included in Sections 3 – 9 below.

3 EXCESSIVE GROWTH WITHOUT STRATEGIC JUSTIFICATION

The land ‘under investigation’ in the Kyneton South Framework Plan is not required to accommodate the Macedon Ranges Settlement Strategy’s growth projections for Kyneton. The Settlement Strategy concluded no additional land was needed in Kyneton to accommodate projected growth (which represented an almost 50% population increase) out to 2036. This conclusion has since been confirmed in the Kyneton Structure Plan and is further supported in the Loddon Mallee South Regional Growth Plan.

3.1 Macedon Ranges Settlement Strategy (adopted by Council in July 2011)

3.1.1 Projected Growth At Kyneton

- 4) Population and projections for the Kyneton Study Area are shown in the Settlement Strategy at Table 1 (Figure 1, below) which shows “Kyneton” ¹ with a 2006 population of 5,700. Based upon the growth assigned to Kyneton by the Settlement Strategy, Kyneton was projected to grow by 2,900 persons, to 8,600 in 2036 (or around 100 additional persons per year over 30 years).

	2006 Population	Recommended population 2036	Increase in population 2006 to 2036	Est. lot supply required to accommodate 2036 population	Theoretical vacant lot supply (lower) @ 85% take-up ¹	
Larger Settlements & Surrounds	Gisborne ²	8,900	14,700	5,800	2,200	3,320
	Kyneton	5,700	8,600	2,900	1,310	1,310 ³
	Lancefield	2,000	3,000	1,000	480	590
	Macedon	1,400	1,400	0	0	n/a
	Malmsbury	700	900	200	90	230
	Mt Macedon	1,100	1,100	0	n/a	n/a
	Riddells Creek	3,500	6,100	2,600	950	520
	Romsey	4,100	6,000	1,900	760	760
	Woodend	3,700	5,000	1,300	530	520
	Rural Settlements	Ashbourne	320	320	0	0
Benloch		430	430	0	0	0
Bullengarook		710	710	0	n/a	n/a
Carlsruhe ⁴		460	460	0	n/a	n/a
Clarkefield ⁵		0	50	50	20	20
Darraweit Guim		700	720	20	10	10
Tylden		360	500	140	60	60
Newham		590	600	10	5	5
Lauriston ⁴		560	560	0	0	0
Balance		4,770	4,770	0	0	0
Total	40,000	55,920	15,920	6,415	7,345	

Figure 1: Table 1, Recommended Population Projections, Macedon Ranges Settlement Strategy

- 5) The Settlement Strategy determined there was sufficient existing unconstrained ‘lower end’ land supply to accommodate 2036 growth without rezoning any new land. This included some medium density development within 400 metres of the town centre i.e. High and Mollison Sts. ²

Executive Summary

“Important to note is that using this assessment, towns have sufficient zoned land out to 2036 to accommodate the recommended projected population with the exception of Riddells Creek.”

¹ The Settlement Strategy used Study Areas to count population that were bigger than the towns, and included all Low Density and Rural Living zoned land around them.

² Footnote 3, Page 3, Macedon Ranges Settlement Strategy

Conclusion Page 78

“The Strategy and its recommendations for growth can be accommodated on existing zoned and committed urban land. Additional land requirements (rezoning) and intensification are not anticipated or required, apart from at Riddells Creek.”

3.1.2 Growth Proposed Exceeds Sustainable Growth

- 6) The Kyneton South Investigation Area (along with Amendment C110 Part 2 and the Framework Plan's expansion of the town boundary) is additional to, and will produce population growth in excess of, the Settlement Strategy growth projections for the town.
- 7) Settlement Strategy said:

Executive Summary

“Important in this analysis is the relationship between the lot supply and the population Macedon Ranges Shire should ideally be planning to accommodate in each town, in light of all opportunities and constraints.

The recommendation for population establishes the requirement for the number of lots as indicated in Table one. It is recommended each town does not exceed the recommended population levels since these levels reflect the overall analysis of infrastructure capacity and environmental and other constraints.” [emphasis added]

3.1.3 Growth Levels In Kyneton

- 8) The Settlement Strategy evaluated different growth options for Kyneton, including growth at the town’s low historical growth rates between 1991 and 2006 (+0.2% p.a.), growth rates for regional Victoria (+1.1% p.a.) and Victoria In Future growth projections (+1.5% p.a.).
- 9) Although the Settlement Strategy subsequently recommended the highest growth scenario, it wasn't confident that rate of growth would occur, saying:

*“The principle impediment to developing Kyneton to the level forecast through the application of the VIF figures (i.e. 8,900) is the level of historic demand. The low projection of growth (6,000) reflects the magnitude of growth Kyneton has experienced over the past 15 years – just 10 people per annum. Given the large supply of residentially zoned land in Kyneton, and the desire of the community for growth, it will be important for the Council to be proactive in facilitating the growth of Kyneton, as historical growth levels would suggest very low growth would otherwise occur.”*³

- 10) As flagged in the Settlement Strategy, Kyneton’s population continues to grow more slowly than projected growth. Despite the Settlement Strategy saying there is sufficient existing residential zoned land to accommodate 100 persons per year, the 2011 census shows Kyneton township (“Urban Centre”) grew from 4,286 to 4,460 persons between 2006 and 2011, an additional 174 people or 35 persons per year (+0.8% p.a.).
- 11) Further complexity is added by Kyneton’s high “churn” rate (the number of people not at the same address as 5 years before) and number of unoccupied dwellings, which are amongst the highest in Shire. (Figure 2)

³ Macedon Ranges Settlement Strategy, Appendix 3 page 6

Kyneton - Towns In Time: 'Churn' Rates						
Census	Total population	Same address 5 years before		Not at same address 5 years before	Unoccupied Private Dwellings	Persons Per Household
Year	No.	No.	%	%		
1981	3,867	2,010	52.0%	48.0%	11%	2.9
1986	4,079	2,042	50.1%	49.9%	9%	2.73
1991	4,036	2,044	50.6%	49.4%	12%	2.62
1996	3,866	2,037	52.7%	47.3%	13%	2.41
2001	4,140	2,026	48.9%	51.1%	8%	2.36
2006	4,191	2,143	51.1%	48.9%	12%	2.34
2011	4,349	2,148	49.4%	50.6%	11%	2.32

Figure 2: Kyneton 'churn' rates over 30 years 1981 - 2011 (Towns In Time, 2011 – Kyneton) ⁴

3.2 Loddon Mallee South Regional Growth Plan April 2014

- 12) The Loddon Mallee South Regional Growth Plan reflects and is based upon the findings of the Macedon Ranges Settlement Strategy.
- 13) Kyneton, with Gisborne, is identified on Map 1 *Future Growth Framework*, as “Regional Centres / Towns – Manage and support growth”.
- 14) The context for that growth is provided at Page 49, where the Loddon Mallee South Regional Growth Plan says:

“Kyneton

There is a large supply of existing residentially zoned land available in Kyneton. Supply estimates indicate there may be potential capacity for approximately 8600 people to be accommodated on existing residentially zoned land, depending on the density of future development. Planning for settlement growth will need to consider the bushfire risk, bushfire planning provisions and potential flood hazards.

The town has significant infrastructure including the Kyneton Hospital, and is located on the Calder road and rail corridor providing ease of access to Bendigo and Melbourne ¹⁷. The town has a rich legacy of heritage buildings and streetscapes that need to be protected and enhanced. Map 14 shows future land use directions for Kyneton.

¹⁷ Macedon Ranges Settlement Strategy, Kyneton Structure Plan.”

- 15) The Regional Growth Plan’s Map 14, future land use direction for Kyneton, is shown in Figure 3 (below).
- 16) The orange areas are “future growth areas – subject to detailed investigation and planning processes.”
- 17) The Kyneton South Framework Plan area is not identified on Map 14 as a growth area at Kyneton.

⁴ “Towns In Time” (DELWP): enumerated population (includes visitors on census night).

Map 14: Kyneton future land use directions

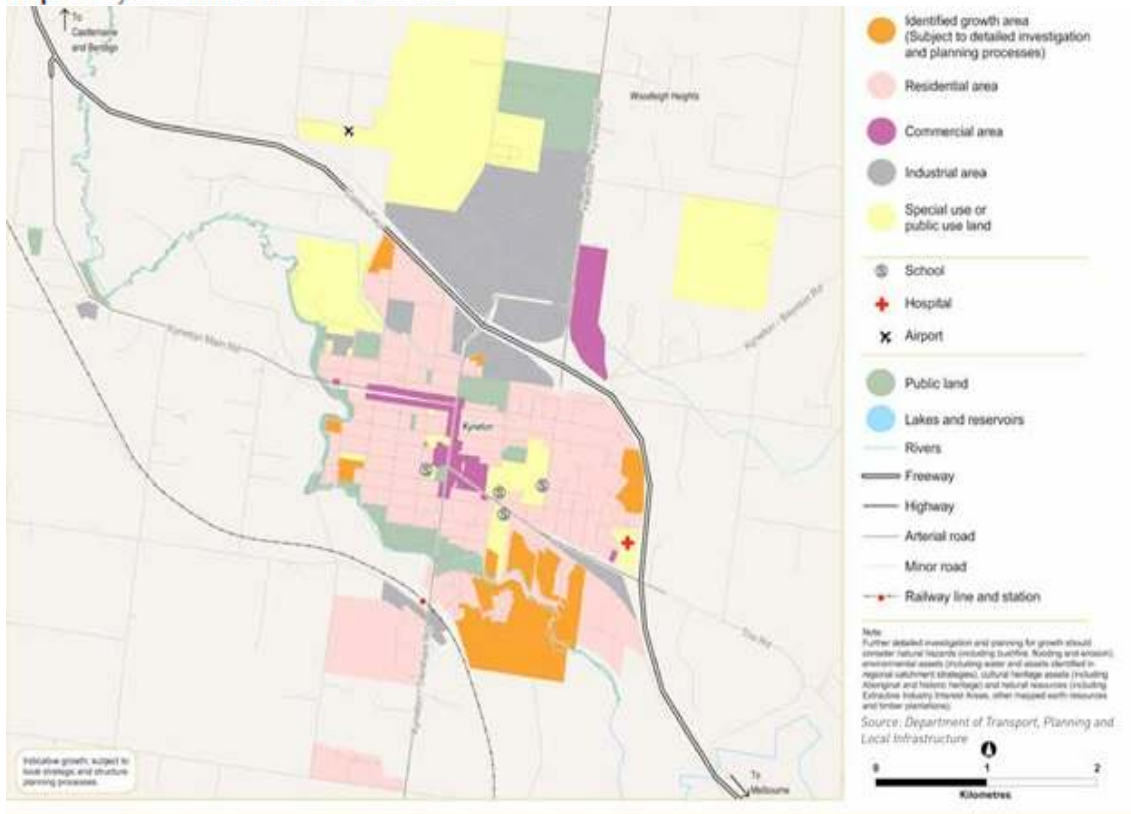


Figure 3: Map 14, Kyneton Future Land Use Direction, Loddon Mallee South Regional Growth Plan

3.3 Kyneton Structure Plan 2013

- 18) The Structure Plan incorporated the Settlement Strategy’s findings for population growth, and affirmed no further land was required, saying:

“Increasing urban density within close proximity to the town centre is considered a more appropriate means of delivering lot supply than further urban expansion in order to support the existing town centre and to preserve landscape character, cultural values and access.”⁵

- 19) The Structure Plan then however made a recommendation that an investigation area (the same area now being investigated) be identified to ensure a future 15 year supply of land in the town.
- 20) State planning policy, at Clause 11.02-1 *Supply of Urban Land*, does not require a 15 year land supply to be maintained in towns, it requires a 15 year land supply within a *municipality*:

*“Plan to accommodate projected population growth over at least a 15 year period and provide clear direction on locations where growth should occur. Residential land supply will be considered on a **municipal basis**, rather than a **town-by-town basis**.”* [emphasis added]

⁵ Kyneton Structure Plan, page 3, Part B

4 ACCELERATED GROWTH

The unnecessary advancement of the Kyneton South Framework Plan is further evidence of the accelerated growth agenda that has been characteristic of the Shire’s strategic planning over the past decade, where Macedon Ranges and its towns seem to be regarded as a metropolitan growth area, rather than the “special” area, warranting legislative and State policy protection, that it is.

4.1 Kyneton South Investigation Area

- 21) The Kyneton Structure Plan identified the Kyneton South area merely for investigation, as an area which *could* be investigated *if* additional land was required in future.
- 22) The basis for choosing this area (i.e. were other options considered?) has not been provided.
- 23) The Structure Plan set requirements for investigating the area (Figure 4):

“Area to be investigated for potential medium to long term (10 – 20 year) future residential growth having regard to the Structure Plan Objectives of consolidation and supply and demand measures being met. Requires analysis of environmental, agricultural landscape factors and protection as appropriate, and consideration of lot size and density ranges, existing industrial and rail uses, servicing, staging and funding matters.”⁶ [emphasis added]

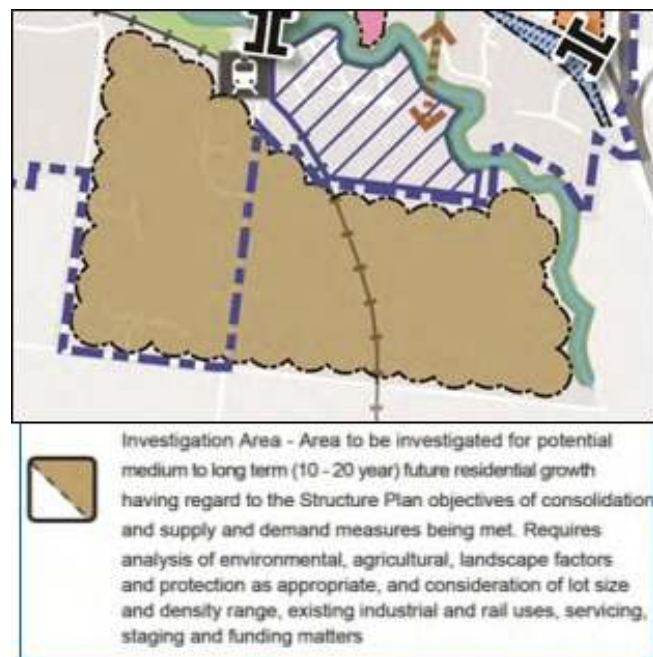


Figure 4: The Kyneton Structure Plan’s Investigation Area and related recommendation

⁶ Kyneton Structure Plan, page 2

- 24) Amendment C99 accelerated the ‘investigation’, and moved forward to assigning timeframes for development within the investigation area (Figure 5, below), saying sufficient progress in investigations had occurred to allow this.⁷

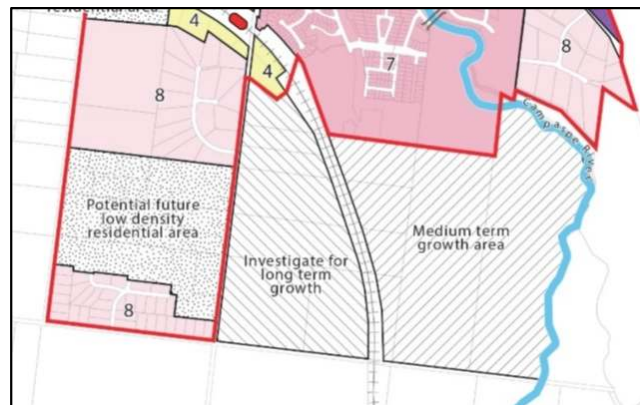


Figure 5 Kyneton Strategic Framework Plan, Clause 21.13-2, Macedon Ranges planning scheme

- 25) When asked by MRRA in 2016 to produce the investigations that had occurred, Council responded:

“The timing “medium term growth area” and “long term growth area” reflects the likely timing for development of these areas based on the planning and investigations undertaken by the relevant landowners.”⁸ [emphasis added]

4.2 Changes To Kyneton’s Town Boundary

It is not an acceptable democratic or planning process to change town boundaries without public notice, comprehensive consultation, AND a very sound strategic justification. In the case of Kyneton, the town boundary has already been changed (in Amendment C99), and is now proposed to be changed again in the Kyneton South Framework Plan – both without notice, consultation or strategic justification.

4.2.1 The Kyneton Town Boundary 2000 - 2017

- 26) From its adoption in June 2000, the Macedon Ranges new format planning scheme identified a town boundary for Kyneton, and required development to be limited with that boundary (Figure 6, below left).
- 27) Amendment C84 (approved September 2015) which inserted the Macedon Ranges Settlement Strategy’s findings into the planning scheme, maintained the original boundary and the requirement to limit development within it (Figure 6, below right).

⁷ Amendment C99 Explanatory Report, Settlement, point 2, variation to Structure Plan recommendation

⁸ Email communication with MRRA

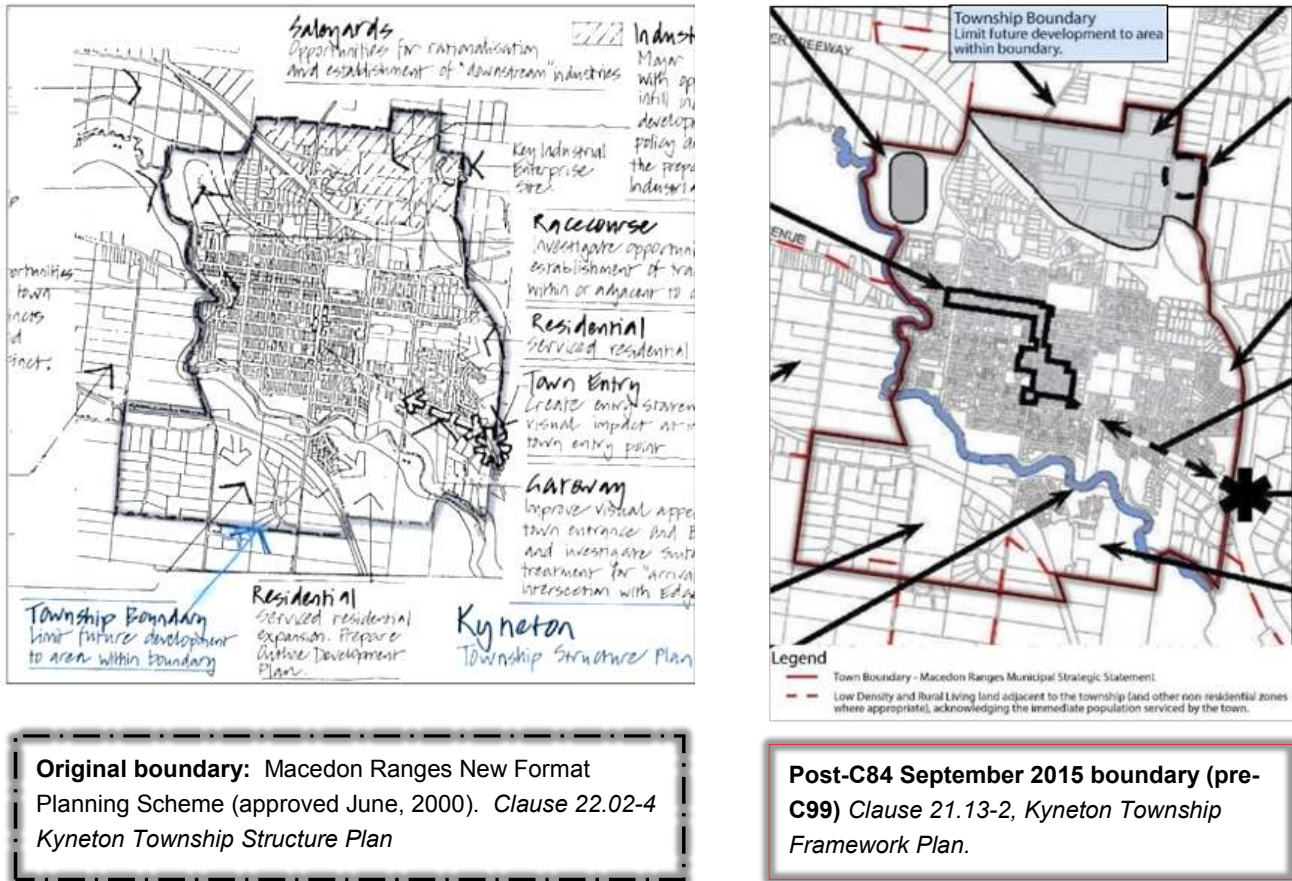


Figure 6: Kyneton Town Boundary from 2000 to 2017

4.2.2 The Amendment C99⁹ Town Boundary

- 28) The Kyneton Structure Plan made no recommendations to change the Kyneton town boundary.
- 29) Prior to exhibition of Amendment C99, the Kyneton town boundary was changed, with new land added and other previously included land excluded in the south, and 35ha (zoned IN1Z) added in the north, without public notice or consultation (Figure 7).

⁹ Amendment C99, approved 15 June, 2017

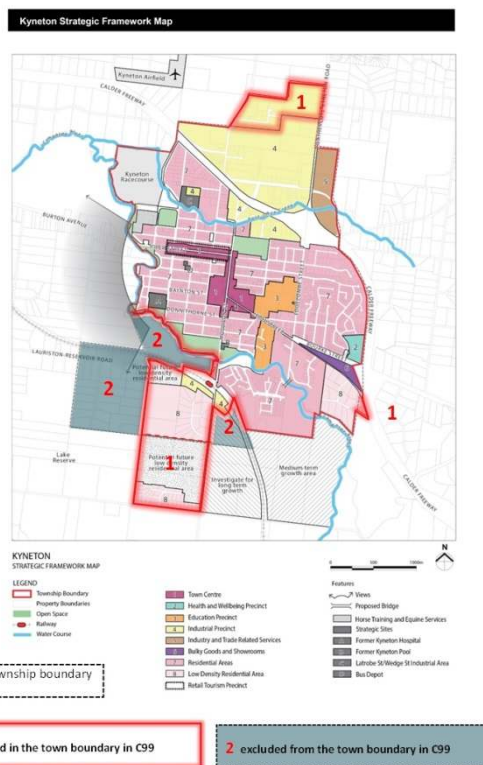


Figure 7: Changes to Kyneton Town Boundary in Amendment C99

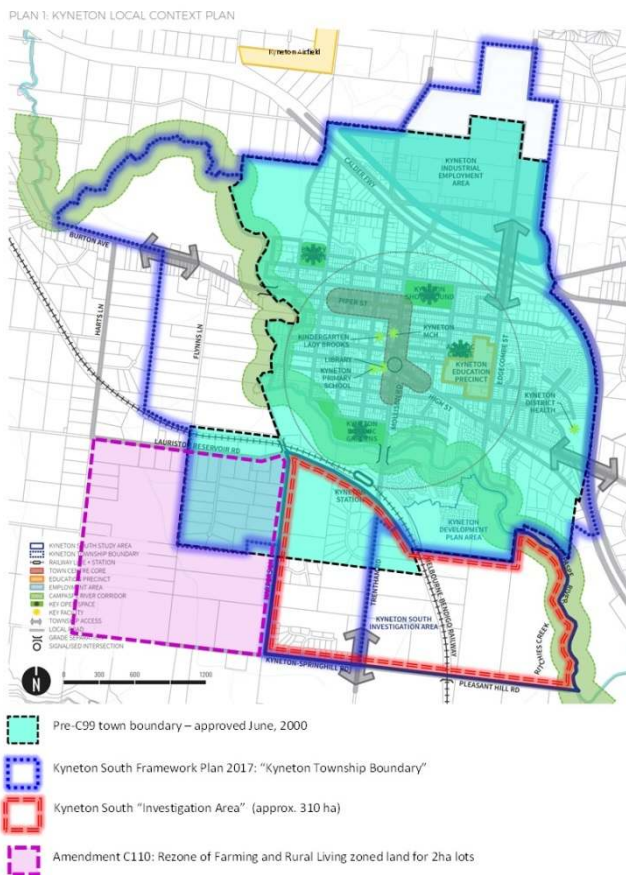
- 30) The only acknowledgement of these changes was included, as a deviation from the Kyneton Structure Plan recommendations, in the Amendment C99 Explanatory Report at the time the amendment was exhibited:

“The town boundary has been modified to include all existing residential zoned land as well as the low density residential and farm zone land west of Trentham Road proposed for low density redevelopment in the short term. This provides a clear distinction between the town’s outer suburbs and the farming and rural living surrounds.” [emphasis added]¹⁰

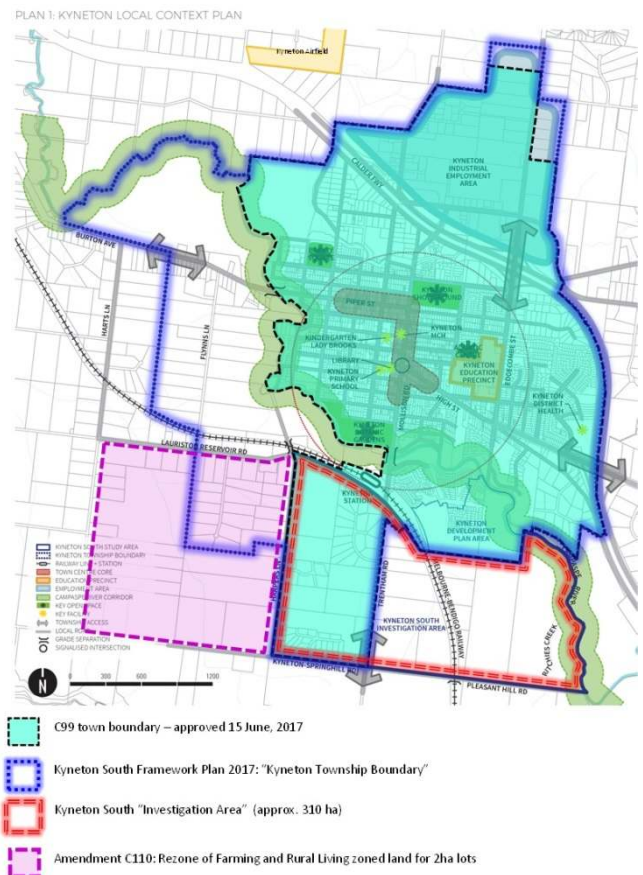
4.2.3 Kyneton South Framework Plan – Town Boundary Expansion

- 31) The Kyneton South Framework Plan includes a vastly expanded Kyneton Township Boundary, which includes around an additional 350ha of mostly Farming Zone to the west of the Campaspe River. This expansion is not discussed in the Framework Plan. Some additional land is also added in the north.
- 32) Only about one-third of the Kyneton South Investigation Area, and only about a quarter of the land affected by Amendment C110 Part 2, is included in the Kyneton South Framework Plan’s township boundary.
- 33) Figure 8 (below) compares the Kyneton township boundary as approved in June 2000 (left), and post-Amendment C99 (right) with the expanded town boundary in the Kyneton South Framework Plan. Also shown is land affected by Amendment C110 Part 2, and the Kyneton South Investigation Area.

¹⁰ Amendment C99 Explanatory Report, Settlement, point 1, variation to Structure Plan recommendation *Macedon Ranges: an ENDANGERED environment*



Pre-C99 Town Boundary & Kyneton South Framework Plan Town Boundary



Post-C99 (current) Kyneton Town Boundary & Kyneton South Framework Plan Town Boundary

Figure 8: The draft Kyneton South Framework Plan’s Township Boundary Compared with Pre-C99 and Post-C99 Town Boundaries

34) The expanded town boundary in the Kyneton South Framework Plan is the Kyneton Structure Plan’s “Structure Plan Boundary” (Figure 9), of which the Structure Plan said:

*“It is noted that the Structure Plan Boundary extends beyond the Study Area Boundary reflecting the proposal to consider the introduction of appropriate planning controls subject to a landscape and view analysis (refer Section 5.4.2 [sic]).”*¹¹

¹¹ Kyneton Structure Plan, page 4

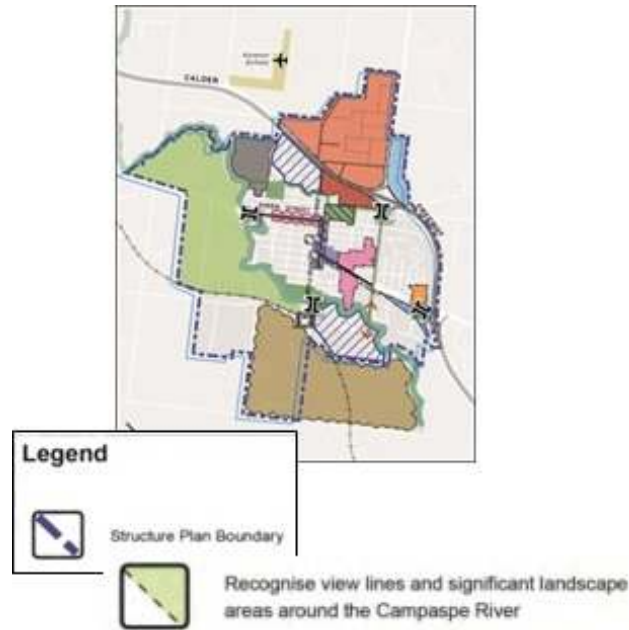


Figure 9: Kyneton Structure Plan’s Structure Plan Boundary, and identification of significant view lines and landscapes ¹²

35) The Structure Plan identified the significant landscape areas included within its Structure Plan Boundary for proposed overlays (Figure 10), and at 5.4.4 stated: ¹³



Figure 10: Kyneton Structure Plan, Figure 8: Proposed Overlays

“5.4.4 For further investigation

Consider the introduction of appropriate planning controls over the Farming Zone land abutting the Campaspe River to the west and south of the Township (generally bounded by Mollison Street to the east, the railway line to the south, Flynn’s Lane to the west and the Campaspe River to the north) to protect landscape views to the west and south, particularly from the Botanic Gardens, and the rural character approach from the south along Mollison Street into the Town Centre of Kyneton and from the west.”

¹² Kyneton Structure Plan, page 2

¹³ Kyneton Structure Plan, page 14

- 36) Council declined to introduce additional planning controls in Amendment C99 to protect these landscapes, which provide a rural backdrop to the town and Botanic Gardens, saying that the existing controls (e.g. Farming Zone) provided sufficient protection.
- 37) The Kyneton South Framework Plan transforms the Structure Plan Boundary, intended to identify areas requiring landscape protection, into the Kyneton town boundary.

4.3 Macedon Ranges’ Settlement Hierarchy

- 38) The Settlement Strategy established a hierarchy for all settlements in the Shire. Kyneton was defined as a “District Town” (between 2,000 and 6,000 persons) in 2006 ¹⁴, projected to grow to a “Large District Town” (6,000 to 10,000 persons) in 2036. ¹⁵ (Figure 11)

Table 1 Settlement hierarchy vision

Town	Hierarchy designation (population)					
	Locality/Hamlet (200>)	Village (500>)	Small Town (2,000>)	District Town (6,000>)	Large District Town (10,000>)	Regional Centre (10,000+)
Gisborne					2011 → 2036	
Kyneton, Romsey				2011 →	2036	

Figure 11: Table 1 at Clause 21.13-04 (Settlement), Macedon Ranges Planning Scheme ¹⁶

- 39) Although the *town* of Kyneton had 4,460 persons in 2011, in the past five years Council has used the ABS State Suburb population data as the population of settlements, mis-representing and exaggerating population in the towns.
- 40) In Amendment C99, at Clause 21.13-2, ABS 2011 State Suburb population of 6,629 (which includes part of Mount Alexander Shire), has been used to prematurely elevate Kyneton to a “Large District Town” in 2011. ¹⁷

4.4 Plan Melbourne ¹⁸

- 41) Map 19 in Plan Melbourne identifies both Gisborne and Kyneton as ‘regional centres’. As the Macedon Ranges Settlement Strategy only identifies Gisborne as growing to a ‘regional centre’ by 2036 (see Figure 11 above), Plan Melbourne represents an acceleration of growth for Kyneton.
- 42) Earlier this year, the Association took this up with the Minister for Planning, and received the following advice from the Department of Environment, Land, Water and Planning:

“The Loddon Mallee South Regional Growth Plan and Macedon Ranges Shire settlement strategy and local policies provide the vision and broad strategic direction for land use and change across the Macedon Ranges regions... Plan Melbourne reaffirms the designation of Gisborne and Kyneton as regional centres.” ¹⁹

¹⁴ Macedon Ranges Settlement Strategy, Figure 3, page 20

¹⁵ Macedon Ranges Settlement Strategy, Figure 1, page 6

¹⁶ Only the settlement hierarchies, not the Settlement Strategy’s population projections, were finally included in the planning scheme (Amendment C84)

¹⁷ UCL ABS data included in response to MRRA submission to the exhibited C99 amendment

¹⁸ Amendment VC134 introduced Plan Melbourne (Refreshed) to all planning schemes in March 2017.

¹⁹ Julian Lyngcoln, Executive Director, Planning Implementation

- 43) Neither the Loddon Mallee South Regional Growth Plan nor the Macedon Ranges Shire Settlement Strategy identify Kyneton as growing to a 'regional centre'. The *draft* Loddon Mallee plan did, but the *approved* Loddon Mallee South Regional Growth Plan does not.

5 THE ACCELERATED GROWTH FUTURE BEING SET FOR KYNETON

Together the Kyneton South Investigation Area (310ha), Amendment C110 Part 2 (265ha) and land included within the Kyneton South Framework Plan's expanded town boundary (350ha) almost double the urban footprint of Kyneton, when the town does not need any additional land to accommodate projected growth out to 2036.

Conversion of these areas for residential development has potential to take close to 900ha of rural zoned land out of rural production.

5.1 Additional Factors For Increased Growth and Development Potential

5.1.1 Kyneton South Framework Plan

- 44) The Framework Plan says at Page 11, "Servicing":

"Low Density housing compromises the feasibility to deliver new infrastructure to service the land use:"

- 45) This statement raises concerns that the land west of Trentham Road within the investigation area, identified in the Kyneton Strategic Framework Plan²⁰ as "potential future low density development", may be being contemplated for higher density residential development, further increasing growth potential.

5.1.2 Neighbourhood Residential Zone

- 46) In March 2017 the State government removed the Neighbourhood Residential Zone's provision that had allowed the maximum number of dwellings on a lot to be specified. Amendment C99 originally proposed a maximum of 2 dwellings per lot in NRZ1 and NRZ8 (NRZ12 in the approved C99 amendment). There are now no limits to dwellings on lots in these areas.

5.1.3 Amendment C99

- 47) The approved C99 amendment:

- a) Applies the Neighbourhood Residential Zone across the town, but only NRZ1 specifies a minimum subdivision size. All other NRZ zone schedules do not.
- b) Provides for multi-dwelling development anywhere in the town even though the Settlement Strategy only counted higher density infill within 400 metres of the town centre in assessing land supply.
- c) Does not apply a neighbourhood character precinct to the Development Plan area south of the Campaspe River (approved in 2015), and retains this land in the General Residential Zone 1, without any variations to ResCode standards, allowing development to 'form its own character'.

²⁰ Clause 21.13-2, Macedon Ranges planning scheme

- d) Deletes the minimum subdivision size previously applied to the Riverwalk area (NRZ12 in approved C99). This land is included in the Large Lot neighbourhood character precinct and was exhibited with 2,000 square metre minimum subdivision size, subsequently revised to 1,200 square metres. It now has none.
- e) Rezones land around the Industrial 3 zone near Wedge Street to residential.

5.1.4 Other contributing factors

- 48) Amendment C103 (approved November 2016) rezoned the former Kyneton pool site to General Residential Zone 1 with no ResCode variations. The land is intended to accommodate intense residential development.
- 49) Amendment C102 (approved February 2017) rezoned Farming zoned land, adding 33 Low Density Residential lots, south of the town.
- 50) The former Kyneton hospital site has no planning controls to manage residential development, and is currently the subject of a high density development proposal.

6 THE KYNETON SOUTH FRAMEWORK PLAN

In terms of ‘investigating’ rural land for residential conversion, the Kyneton South Framework Plan can only be described as substandard. It fails to meet the requirements set down in the Structure Plan for such investigation.

The key focus of the Framework Plan seems to be in presenting a shopping list of frighteningly large (and expensive) infrastructure and servicing items – bridges new sewerage treatment facility, new roads and town bypasses, etc. – without costings or even feasibility. Discussion of environmental constraints, projected lot sizes / densities and the population it could accommodate and other factors normally expected of an ‘investigation’ are also notably absent.

- 51) Setting aside for the moment that land is not needed to accommodate growth, the ‘investigation’ now underway has stepped over even a ‘planning 101’ analysis of whether, in the first instance, the land is even fit-for-purpose in terms of soils, and impacts on environment, natural resource, agriculture and landscape values. It instead opens the public process by leaping straight into what would be needed to support the undisclosed amount of additional growth proposed.
- 52) Kyneton has soils with extremely poor capability (the black “pug” among them) which are not suitable for residential use. It is also located in a Special Water Supply Catchment which supplies water for human consumption; existing development within the investigation area is not guaranteed a potable water supply likely necessitating a new water treatment facility; a high pressure gas pipeline is in close proximity; and a new sewerage treatment facility will result in Kyneton being “book-ended” by twin sewerage treatment plants. The south-western edge of the investigation area also borders the catchment for Lauriston Reservoir.
- 53) Turning Kyneton into a metro-style growth suburb also has potential to detrimentally impact Kyneton’s tourism appeal.
- 54) Where is the investigation and analysis of these and other fundamental issues?
- 55) Where are the expert studies addressing these issues?

7 CONSULTATION

The first questions – that of whether the community want this much growth, and is this the kind of town they want – haven't even been asked. To say the people of Kyneton have been transparently and accountably informed or consulted would be a significant mis-representation of fact.

- 56) Consultation on the Framework Plan has in the first instance been compromised by the short-comings of the Framework Plan, and the 'investigation' processes themselves.
- 57) Prior to the Framework Plan, there was apparently an Issues and Options Paper prepared, based on information provided by council and the State government, which doesn't seem to have been placed in the public domain or subjected to public consultation.
- 58) The Framework Plan doesn't just affect people in the investigation area and the town. Proposed works include diverting traffic to Carlsruhe, bypasses through the rural hinterland of the town and, apparently, a new sewerage treatment plant south of the investigation area. People affected by these works don't appear to have been alerted to them.
- 59) The survey on council's website (which is similar to a recent survey in Gisborne purporting to relate to a neighbourhood character study) seemed to be a cross between push-polling, and a *de facto* census (asking people how much they earn, what language is spoken at home and so on). What it didn't ask was 'do you want this much growth in Kyneton?'
- 60) Unreliable information seems to be being given. Kyneton residents report they are being advised, variously, that the investigation is needed to accommodate growth out to 2036, or that this accelerated growth responds to State government requirements. Some say compulsory acquisition of land has also been raised.

8 MACEDON RANGES STATE-LEVEL PROTECTION

There is no obvious reference in the Framework Plan to the protection being introduced by the State government, or how the Plan responds to it, including a requirement to protect, amongst other things, landscapes.

- 61) The township boundary shown in the Kyneton South Framework Plan encompasses unprotected landscapes identified in the Kyneton Structure Plan as important.
- 62) Legislation is proposing to protect "settlement boundaries", requiring parliament's approval to change them. The Framework Plan could be seen as potentially pre-empting any public process or consultation to set those settlement boundaries.

9 THE FRAMEWORK PLAN MAKES POOR USE OF COUNCIL RESOURCES

There is no justification or need to investigate or rezone any more land in Kyneton. Why are resources being wasted on attempting to add more residential zoned land at Kyneton? Other strategic planning work has higher priority.

- 63) The Macedon Ranges Planning Scheme, at Clause 21.13-2, *Further strategic work*, identifies a requirement for the following: ²¹
- *“Prepare a development contributions plan for the existing town and new greenfield development areas and apply the Development Contributions Plan Overlay, as relevant.*
 - *Investigate the application of a Design and Development Overlay that aims to maintain the low front fence character of relevant residential precincts, as appropriate.*
 - *Conduct and implement a heritage review of the township to ensure any unprotected places of identified heritage value are suitably protected.*
 - *Investigate the need for rezoning land north of the abattoir in Redesdale Road from Industrial 1 Zone to Industrial 2 Zone to support the expansion of the abattoir’s operations, and any controls required to manage the interface between the site and adjacent uses.”*
- 64) Neither the Kyneton Structure Plan nor the Macedon Ranges planning include “investigation” of the Kyneton South area as priority strategic work. Funds and resources diverted to this unnecessary project could have been more usefully spent on work that is actually needed, including the above, as well as a masterplan for the Equine Precinct approved in Amendment C105, development controls for the former Kyneton hospital site, and applying overlays to significant landscapes.

10 CONCLUSION & RECOMMENDATIONS

- 65) The Macedon Ranges Settlement Strategy noted:

“Kyneton

The Kyneton listening post was well attended by the local community. Approximately 30 people attended the listening post. Residents were generally satisfied with the recommendations, although they expressed they were opposed to development that would compromise the character of the town.” Appendix 2, page 3

- 66) The Kyneton South Framework Plan is not acceptable. It presents a whole new growth plan for the town, not as an option but as a fact. This scenario, with Amendment C110 Part 2, almost doubles the size of the town, without notice, or consultation, or community endorsement.

The Association requests that Council:

- a) Not support or further progress the Kyneton South Framework Plan.
- b) Reaffirm its commitment to implementing its adopted Macedon Ranges Settlement Strategy.
- c) Refer the following matters arising from Amendment C99 to the next planning scheme review:
 - The C99 change to the Kyneton town boundary.
 - Assignment of time-frames to the Kyneton South investigation area at the Clause 21.13-2 Kyneton Strategic Framework Plan without undertaking an acceptable standard of investigation.
 - Inclusion of State Suburb population data, and elevation of Kyneton to a “Large District Town” at Clause 21.13-2 “Overview”.
- d) Direct funding and resourcing to priority strategic work identified at Section 9 of this submission, and protection of landscapes at Kyneton.

MARRA Contacts:

President: Brian Whitefield 5428 3197 pumps11@bigpond.com

Secretary: Christine Pruneau 54271481 mrra.sec999@gmail.com

²¹ As at approval of Amendment C99