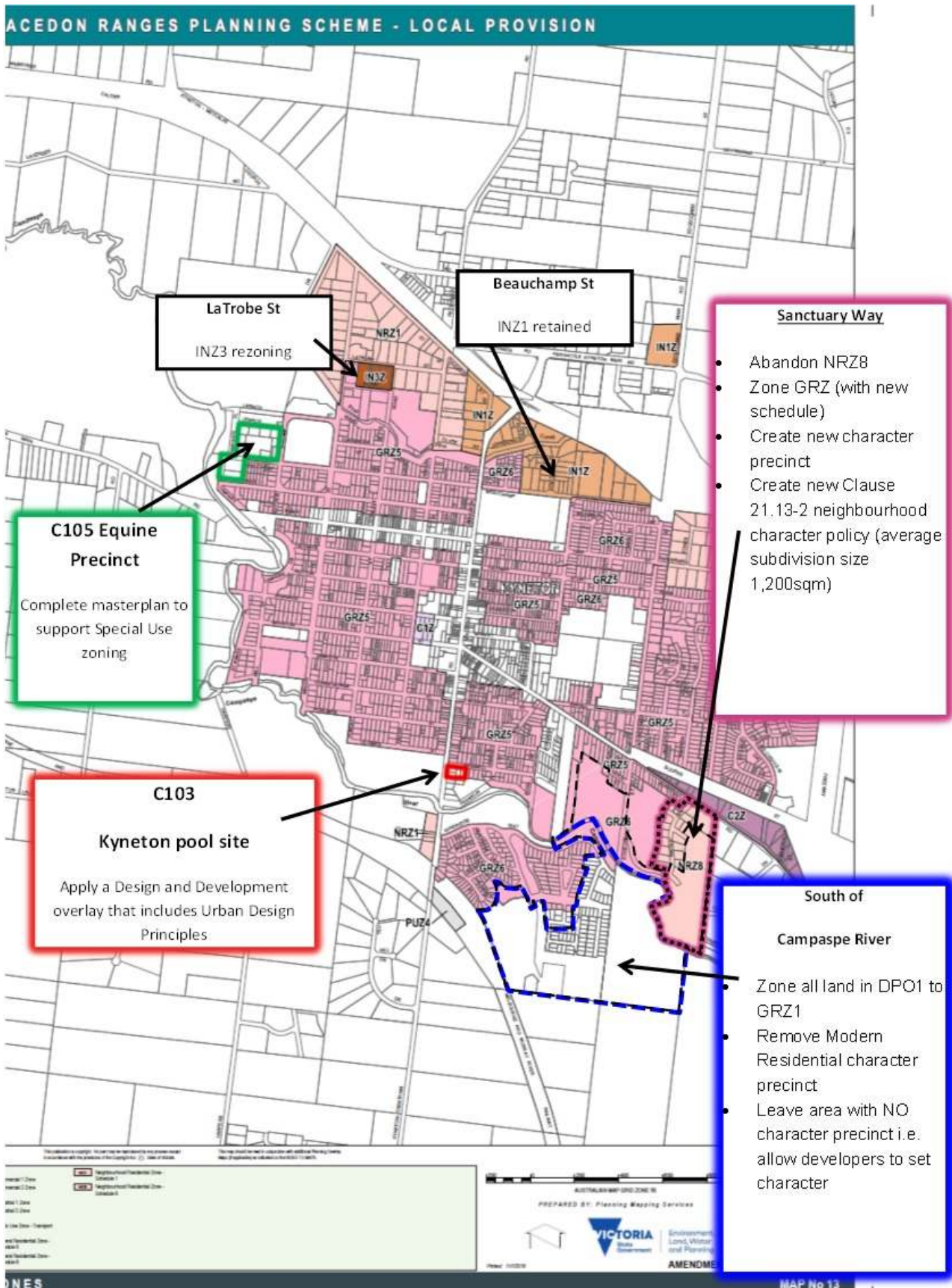


Summary of Kyneton C99, C103 and C105 Panel Report

MAP 1: Zone and precinct change recommendations C99 (Kyneton) Panel Report



Main Issues From C99 Panel Report

Although the Panel Report broadly supports Amendment C99 with Council's post-exhibition changes adopted on 16/12/15, and additional changes to zones and neighbourhood character precincts submitted by Council at the panel hearing, the Panel also wants further changes.

1. General Residential Zone [GRZ]

The Panel Report supports application of GRZ across almost all of the town: C99's GRZ 5 and GRZ6, with varied ResCode development standards, and also GRZ1 (same zone as today, no variation of ResCode standards).

2. Neighbourhood Residential Zone

The Neighbourhood Residential Zone sets minimum subdivision sizes and restricts dwellings to two per lot. The General Residential Zone does not; it allows smaller lot subdivision and medium density development.

Neighbourhood Residential Zone 1 (2,000sqm) is retained to the north east, northwest and a small area south of the town centre. The Panel did not support Neighbourhood Residential Zone 8 (1,200 sqm), near Sanctuary Way, and recommends the area be General Residential Zone, with its own zone schedule (GRZ7), and a new neighbourhood character precinct with average, rather than minimum, 1,200 sqm subdivision size.

3. Preferred Medium Density Areas

Although recommended by the Macedon Ranges Settlement Strategy and the Kyneton Structure Plan, Council did not include preferred medium density development areas within 400 – 500 metres of the town centre in C99. As a result, medium density development can occur anywhere in the General Residential Zone i.e. most of the town.

4. Residential Development Areas South of the Campaspe River

Panel recommends leaving all undeveloped land covered by Development Plan Overlay 1 in the General Residential 1, with unvaried (default) ResCode development standards (i.e. same as today), and removing the Modern Residential neighbourhood character precinct, leaving the area without a defined character type. The Panel concluded neither Kyneton nor the Shire had a 15 year supply of residential land, and supported extensive areas identified for future growth in C99 (Map 2). *Existing and future growth areas (further south to Pleasant Hill Road), offer an opportunity to encourage a greater diversity of housing types including more compact housing... that produces a character different from established parts of the precinct. The Panel supports allowing a new type of character to emerge, leaving it up to developers to set character (e.g. as in the Development Plan approved by Council last December).*

5. Significant Landscape Overlay

The Panel agreed with Council that additional overlay protection for landscapes south of the Botanic Gardens, as recommended in the Kyneton Structure Plan, wasn't needed.

6. Beauchamp Street Industrial 1 Zone

Exhibited as Industrial 3 zone. Panel agreed with Council's change back to Industrial 1 zone (to remain IN1Z).

7. Latrobe Street Industrial 1 Zone Area

Exhibited as General Residential Zone 5. Panel agreed with Council's change to Industrial 3 zone.

8. Amendment C103 Former Kyneton Pool Site

The Panel did not support Council's proposal to include Urban Design Principles for the site only in a letter to be attached to the Vendors' Statement, and recommended they be included in a Design and Development overlay to be applied to the land. *Note: In Council's proposed DDO, not all Principles are included, and Council has given itself the authority to waive requirements.*

9. Amendment C105 Equine Precinct (near the Kyneton Racecourse) Special Use Zone

Panel recommends a masterplan to support the zoning, and clearer definition of what constitutes 'equine-related activities'. Council is proposing to adopt the SUZ zoning without a masterplan, and considers its initial description of 'equine-related activities' (which the Panel said needed strengthening) to be adequate and no improvement is proposed.

Additional Issues:

- Environmental Significance Overlay schedule 7 (Kyneton Creek Waste Treatment plant) is to go ahead.
- Council's weakening of Structure Plan wording from 'do it' to "should be done" in MSS Clause 21.13-5 policy (to provide more flexibility) is deemed to appropriately implement the Structure Plan, and to be faithful to the general intent of the Structure Plan.
- Council's Neighbourhood Character Profiles, which replaced the Structure Plan's neighbourhood character study without consultation, are endorsed.
- The Panel accepted changes made without notice that moved/expanded the Kyneton town boundary.
- Eight metre building height restrictions are not supported and are to be replaced by 9 metres.
- The Panel gives Council authority to make changes to character profiles and other parts of the planning scheme as a consequence of changes recommended in the Panel Report (i.e. "consequential" changes), without specific panel directions about which changes are to be made, or further public consultation.

Factors Which Have Influenced C99 Panel Report Recommendations:

Council's Residential Land Demand and Supply Assessment (submitted Post-Panel Hearings)

Following the Kyneton, Woodend and Riddells Creek Structure Plan panel hearings, Council forwarded data about residential land demand and supply in the towns and the Shire to those panels. Council's assessment:

- *Relied upon 21 sources for information, including figures provided to panels by developers' consultants;*
- *Provided data for 6 towns only, and then failed to provide information about land supply at Lancefield;*
- *Included demand figures based on land areas much bigger than the towns themselves.*

Although asked by the Panels to confirm the *Shire* has 15 years' residential land supply (as required by State policy), Council's residential land supply "assessment" was described by Panels as "rudimentary" and failing to provide data for the Shire. Panels interpreted the "assessment" as showing the *Shire* has only between 9 and 23 years' residential land supply and consequently neither Kyneton township nor the Shire have the 15 years' supply required by State policy. These findings, and developer and Council submissions on growth to the Panels influenced recommendations supporting this level or more development in the towns.

C99 Over-Emphasizes Character Protection

The Panel Report considers C99 over-emphasised character protection, including over-use of Neighbourhood Residential Zone, and needed to take a broader view of urban development policies (i.e. State policy Clause 16). As the General Residential Zone [GRZ] already has a purpose of '*encouraging development that respects neighbourhood character*', GRZ (as opposed to Neighbourhood Residential Zone) would protect character.

Residential Zones Standing Advisory Committee – Overarching Issues Report June 2014

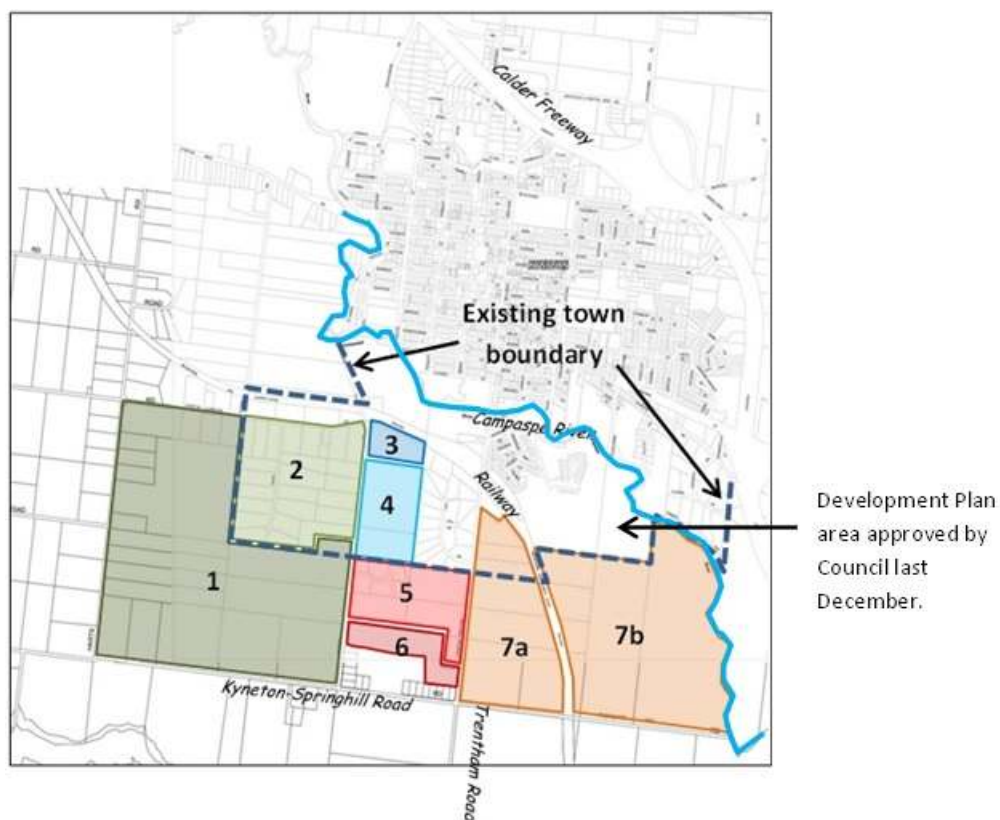
This report, prepared under the previous (i.e. Liberal) State government, evaluated 14 draft planning scheme amendments that were the first attempts by Victorian Councils to apply the new State residential zones, most of which related to the Melbourne metropolitan area. The report's finding that the General Residential Zone should be applied to greenfield areas and areas being subdivided and developed has been used to justify replacing Neighbourhood Residential Zones with General Residential Zones in C99 (and other towns).

Compatibility with "State-Level protection" Not Measured

There is no discussion in Woodend, Kyneton or Riddells Creek Structure Plan Panel Reports of whether or how the amendments or panel recommendations and conclusions for those towns, are compatible with the State government's intentions to protect Macedon Ranges, including its towns.

Council will consider panel recommendations at the 24 August council meeting. The officers' recommendation is to adopt the Panel's recommendations (for all towns). *C99, C103 and C105 Panel Report:* http://www.mrsc.vic.gov.au/Planning_Building/Planning_for_Our_Future/Town-Based_Projects/Kyneton

Map 2: Growth Areas planned and endorsed for Kyneton



Kyneton Proposed New Development Areas		
1	Amendment C110	200ha rezone Farming (40ha) to RLZ2 (2ha)
2	Amendment C110	65ha rezone RLZ5 (8ha) to RLZ2 (2ha)
3	Farming Zone (40ha)	8ha
4	Low Density Residential zone	24ha vacant
5	Farming Zone (40ha)	34.5ha "potential future low density residential area" - KSP
6	Amendment C102	13ha rezone Farming (40ha) to LDRZ (0.35ha average). 33 lots.
7	Amendment C99	7a = C99 "investigate for long-term growth" 62ha
	Future residential growth areas	7b = C99 "medium term growth area" 119ha

Overall, the total area proposed for new development (Areas 1, 2, 5, 6, 7) is almost 495ha (4.95 km²), which is almost 69% of the area counted as the Kyneton Urban Centre in the 2011 census.