

Our Ref: F3875

5 April 2023

The Hon. Sonya Kilkenny MP
Minister for Planning
via email: sonya.kilkenny@parliament.vic.gov.au

Dear Minister Kilkenny

**Re: Macedon Ranges Planning Scheme
Lancefield Development Areas - Development Plan Overlay Schedule 24**

Macedon Ranges Shire Council is seeking your intervention, requesting that you remove Development Plan Overlay Schedule 24 from the Macedon Ranges Planning Scheme.

Lancefield is an important town in our shire that benefits from a protected settlement boundary as part of our broader shire, which is declared as a Distinctive Area and Landscape. The three areas nominated for settlement in Lancefield, within the protected settlement boundary area, are within a Development Plan Overlay (DPO). The implementation of development plans for each of the areas within the DPO has effectively not occurred and has limited the provision of housing within Lancefield.

In one case, Council has recently met with a landholder/developer, 'Urban Land Developments', located in Area 3 of the DPO in Lancefield. Whilst the landholder/developer is willing to fund the preparation of a development plan for the area to facilitate development, the landowner has outlined significant delays with progressing a development plan, due to the difficulty in engaging with other landowners within the DPO Area 3. The development would provide at least 35 immediate lots to the housing supply of Lancefield.

Development Plan Overlay 24 was put in place to facilitate and guide residential development of three areas in Lancefield to ensure new residential development respects the town character and is delivered in a coordinated and integrated manner.

These three areas are all within Lancefield's Protected Settlement Boundary and represent the last significant areas of undeveloped residential land within the township.

The land areas will provide up to additional estimated 300 single detached dwellings within Lancefield. The new housing is forecast to meet an estimated 15 years of residential demand.

Under Development Plan Overlay 24, up to two development plans can be approved for Area 1 and Area 2 respectively and one for Area 3. Whilst the Overlay was originally considered appropriate to manage development, it has become a barrier for development to occur.

Background

At its Scheduled Council Meeting held on 22 February 2023 Council considered a report that outlined the feasibility and options to remove Development Overlay Schedule 24 – Lancefield Development Plan Areas. This report was prepared in response to a previous Council resolution made at its Scheduled Council Meeting held on 23 November 2023.

At the Scheduled Council Meeting held on 22 February 2023 Council resolved:

That Council seeks to remove Development Plan Overlay Schedule 24 from the Macedon Ranges Planning Scheme through a Ministerial Amendment application.

Development Plan Overlay 24 – Lancefield Development Plan Overlays was introduced into the Macedon Ranges Planning Scheme via Amendment C117macr which was gazetted on 16 January 2020. Development Plan Overlay 24 was introduced to cover three relatively undeveloped areas of Lancefield that combined provide approximately 60 hectares of residentially zoned land.

Since the introduction of Development Plan Overlay 24, only one development plan covering three properties in Area 1 has been approved. This approved development plan will enable the delivery of 31 residential lots.

Over the last three years Council has consistently heard various concerns from some landowners within the three areas covered by Development Plan Overlay 24 about the ability to progress a development plan application. These concerns have generally centred on difficulties with engaging with other landowners in the preparation of development plans and the cost and complexity of the development plan process. For example in DPO Area 2 there are 14 different landowners.

Council has attempted to address these concerns through the exploration of a range of options including the preparation of development plans for all three precincts, which included an application, ultimately unsuccessful, to the Victorian Planning Authority Streamlining for Growth program. Council has also held various forums for landowners over the last few years including one for all landowners in December 2021, hosting a session for all landowners in Area 2 in 2022 and engaging with various landowners since the inception of Development Plan Overlay 24.

It is now Council's view based on landowner feedback that Development Plan Overlay 24 has created a barrier to the development of the three areas and has caused significant anxiety and frustration among some landowners. For these reasons Council believes the removal of Development Plan Overlay 24 may better enable those landowners who wish to do so to develop their land.

Council therefore requests the Minister uses her powers to amend the Macedon Ranges Planning Scheme to remove Development Plan Overlay 24 – Lancefield Development Areas for the following reasons:

- There is urgency to resolve the uncertainty and barriers to development that the application of Development Plan Overlay 24 has unintentionally created for some landowners. The timely removal of the Development Plan Overlay will better enable the realisation of the development potential of these residential areas and realise additional housing to support the current and future Lancefield community.
- Council has invested considerable resources over the last few years to assist landowners both on an individual level and as a group to better understand the requirements of Development Plan Overlay 24 and support their pursuit of developing their land. To date this has not alleviated landowners concerns about the overlay nor created pathways to enabling the pursuit of development approvals. Consequently, the removal of Development Plan Overlay 24 is now viewed as the only option available to enable the timely development of these areas.

I look forward to hearing from you.

Yours sincerely



Councillor Jennifer Anderson
Deputy Mayor