

Questions arising/On Notice

Q. Why were these zones chosen and not other ones?

Planning Permit PLN/2010/416 (for the Grandview Estate - Cnr of Park Lane & Beckermans Lane, Lancefield) was refused by Council and VCAT. The VCAT case is attached. Upon refusing the permit Member Baird remarked:

'I appreciate the logic of the Structure Plan's desire to integrate new development with the existing older and valued character however the document and its specific directions cannot carry the weight of a Scheme policy. Nevertheless, character and other design and layout considerations are relevant through Clause 56 (eg. Standard C6) and policies such as 22.02-7 including integration with the surrounding the environment'.

The member also remarked that the *'principle of a more intensive residential subdivision than currently seen in the older established area is acceptable in the policy and physical contexts that apply'.*

In this case Council argued for wider roads, larger lots and larger lot frontages, removal of cul-de-sac roads and pedestrian links.

Ultimately, Planning Permit PLN/2011/373 was issued on 4 December 2012. The permit took the advice of VCAT through PLN/2010/416 and an earlier case to allow a 123 lot subdivision, now known as Grandview Estate. Whilst Council still had concerns related to the above, it ultimately headed the advice by VCAT as outlined above. It was clear that Council could not achieve the character outcomes it desired without an additional tool in the Macedon Ranges Planning Scheme.

With Grandview Estate approved, these areas represented the last of the lots available for further subdivision in Lancefield Areas for the Development Plan Overlay (DPO) were discussed at the Ordinary Council Meeting of 22 March 2017. In this Report it was noted that:

'Council has received a number of inquiries by potential landowners/developers to subdivide properties in these locations. Some properties have been recently sold which has increased the interest in seeking Council advice on what controls are in place to guide subdivision in these locations.

The Macedon Planning Scheme does not include Development Plan Overlay provisions to control the form or type development in these locations. There is a concern that in the absence of specific development controls in the planning scheme, the development of these sites may result in ad hoc, uncoordinated development outcomes (i.e. potential for a series of "court bowl" subdivisions).

It is proposed to prepare a schedule to the Development Plan Overlay to include specific controls to guide a coordinated and site responsive approach to future subdivision of this land. These controls will ensure new development responds to the unique character elements of the Lancefield Township.

This direction is in accordance with the recommendations of the Macedon Ranges Small Towns Study which identified the following strategies for Lancefield:

“Residential Development of vacant zoned land should aim to respect the principles of original settlement, including where practicable grid street patterns, wider road reserves in key access streets, soft engineering solutions, and street tree planting consistent in pattern and structure with older parts of the town.”

Q. Much of zone 3 was relatively recently planned and sub divided by council. Why has council now overlaid another DPO over our house block?

I believe this question relates to the property at 4 Kilmore Lancefield Road. Council has no specific information as to why this lot has been included. The property was included in the very first draft of the concept maps consulted on in early 2017. It can be assumed that the lot has development potential and abuts what would be a logical road/pathway connection.

It is acknowledged that the final concept plans do not use the road connection abutting the property as access. However it should be recognised that the concept plan was not tested with any detailed background technical reports and could be subject to change.

Q. On the matter of consent can we clear up – I think 3 people so far that I know of have asked this question and all been given different answers. While we are here I would like someone to explain to me, if in my area there’s five landowners, if we don’t all consent to subdivide or to engage in the DPO, does that mean that none of us can do it?

Consent from landowners in an area is not required to prepare or for Council to endorse a Development Plan. If a landowner in a Development Plan area is recognised as a ‘specified person’ under the *Planning and Environment Act 1987*, the specified person may have appeal rights to Council’s decision at VCAT.

Consent may be needed of landowner’s in a development plan area for consultants and Council, to enter properties to prepare or authenticate technical background documents.

If landholders are have concerns about progressing a development plan, they are encouraged to contact Leanne Khan on 5421 0333 or lkhan@mrsc.vic.gov.au