



Q and As - Design and Development Overlay 6 Hepburn Planning Scheme, Amendment C80hepb

What is the proposed DDO6?

The proposed DDO6 is a Design and Development Overlay – Schedule 6. It is a development control that aims to limit the number of residents living within 500 metres of the Daylesford Transfer Station. The aim of the control is to limit the numbers of new residents impacted by the operation of the facility.

The Daylesford Transfer Station is located on a closed landfill site.

There are two inherent risks that are applicable being the amenity risks posed by the operation of the transfer station and secondly, potential landfill gas from the closed landfill. This amendment and overlay responds to the first risk.

Why has Council exhibited this DDO6?

Council have exhibited DDO6 to respond to inherent risks and concern in relation to the operation of the Transfer Station and the amenity impacts.

Council used the available tools in the planning scheme to try and reduce land use conflicts between the Daylesford Transfer Station and residential land. The DDO has been designed to limit new development within the radius of the Transfer Station. The review of Councils Waste Management Strategy scheduled for 2020/21 will further inform the DDO6.

Prior to exhibition of the amendment, Council engaged with the Environment Protection Authority. Council is aware that it will need to separately consider the long term management of the closed landfill and the potential risk to the surrounding residential area. This may require an Environmental Analysis and Audit to determine the impacts on ground water, gas emissions and any other environmental risk such as bushfire. Once Council has undertaken this it will work collaboratively with the community on the best approach to managing any future potential risks and impacts identified.

Does the DDO limit my ability to rebuild my house if it burns down?

No!

The intent of the control is to limit the numbers of new dwellings within 500 metres of the Daylesford Transfer Station, not control existing dwellings or their replacement due to bushfire or another reason.

In the event of a fire or destruction of a dwelling in the DDO6 area, replacement dwellings are covered by Clause 63.10 of the Planning Scheme which allows a permit to be granted to reconstruct buildings or works which may not comply with this new overlay.

Will the DDO devalue my property?

It cannot be directly assumed that the DDO6 will cause a decline in property values.



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Why was a buffer of 500m chosen?

The overlay seeks to discourage new homes and subdivisions within 500 metres of the Transfer Station. This is based on a State provision in the Hepburn Planning scheme at Cl 53.10, Ministerial Direction 19 and the EPA's Landfill Best Practice Environmental Management Publication 788.3 Siting, Design, Operation and Rehabilitation of Landfills. The proposed DDO aims to manage and limit residential growth around the Transfer Station.

At the conclusion of the exhibition period for the amendment, Council will consider all submissions and determine whether to refer submissions to an independent panel or discontinue all or parts of the Amendment. This will determine in what circumstances subdivision and new dwellings can be allowed or not allowed within 500 metres of the Transfer Station.

Can I subdivide my property?

In order to limit residential growth in close proximity to the Transfer Station, Council is seeking to discourage new homes and subdivisions within 500 metres of the Transfer Station. The proposed DDO aims to manage residential growth around the Transfer Station with a 1 hectare minimum subdivision area rather than the 0.2 hectare requirement of the zone (LDRZ) for lots connected to reticulated sewage.

Can I build on my vacant land?

The DDO proposes that a permit will be required to build a house on vacant land. In some circumstances in the mapped DDO6 area, new houses will not be supported so that the intensity of residential development is not increased within 500 metres of the Transfer Station.

Can I extend my existing house, balcony or private open space or build a pool?

The DDO proposes that a permit will be required to extend an existing house, including a balcony or private open space area or a pool. The proposed control aims to limit a balcony or private open space area directly facing the Transfer Station.

What are the requirements for fencing?

Currently the DDO proposes that a permit will be required to build a fence and requires that separation be provided by a fence between a dwelling and the Transfer Station. The proposed control aims to provide a visual barrier between a dwelling, balcony or private open space that directly faces the Transfer Station. Council is committed to undertaking further work to clarify which may be exempt.

Why was I not informed about these changes in writing?

All householders and land owners were notified by mail of the proposed Amendment. Letters were sent by direct mail (Australia Post) to all Shire landowners living inside and



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outside the Shire in addition to all householders. These letters were an A4 double sided letter in an addressed envelope.

All households and land owners were 'letter box dropped' an A3 double sided coloured brochure. This was also mailed to owners who are absentee landowners.

The key aspects of community engagement include:

- A six week exhibition period (longer than the required one month period);
- An FAQ page and advice on how to make a submission;
- Direct mail out to all residents and ratepayers with simple FAQ flyer attached;
- Direct mail out to those residents and ratepayers who are impacted by
 - (i) DDO6: Daylesford Waste Transfer Station
 - (ii) the Significant Landscape Overlay:
 - (iii) Residential zone changes
 - (iv) three Development Plan Overlays to be removed
 - (v) the proposed Heritage Overlay (Potato huts)
- Advertisements in the local newspaper, Government Gazette and Council's website;
- Signage placed in the main streets of Daylesford, Clunes, Creswick, Glenlyon and Trentham.
- Copies of all documentation provided on Council's website that includes
 - (i) a webinar that explains what the amendment is and how to make a submission;
 - (ii) a portal to survey monkey to make it easy to make a submission but which gives prompts to ensure the submissions meet the requirements of the Planning and Environment Act 1987;
- The DELWP website will also have the amendment information;
- Facebook updates and regular posts;
- Hard copies of the amendment;
- Neighbourhood based information sessions using 'Zoom' on a scheduled evening.

Council officers can provide you with the details of who any letter was addressed to. Please contact planningscheme@hepburn.vic.gov.au if you have further queries.

Will I still be able to run my business if this goes ahead?

The DDO is a planning tool designed to management the impacts of development but it does not determine what are considered acceptable land uses. This means that DDO6 does not impact on any existing rights to run your business.

The DDO does not apply to the expansion of a non-residential use, such as a warehouse in the Industrial 1 Zone. The intent of the DDO6 is to limit the intensity of residential development around the Transfer Station, and it cannot prohibit residential or other uses.

What are Council's plans for the Materials Recycling Facility?

Council has no plans to reopen or extend the former MRF facility.



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All households and land owners were 'letter box dropped' an A3 double sided coloured brochure. This was also mailed to owners who are absentee landowners.

Large signs were fixed to bins in local streets in townships and notices were published in local newspapers with details included on Council's website and Facebook posts.

Council officers can provide you with the details of who any letter was addressed to. Please contact planningscheme@hepburn.vic.gov.au if you have further queries.

Why have all submissions not been made publicly available?

Council will make all submissions available to view online on its website in the week starting the 31 August 2020. This is a requirement of the Planning and Environment Act 1987.

All submissions made available online will be redacted to remove any personal names, telephone and address details. Submissions will be removed from the website once the Amendment is finalised.

Residents have asked how does this relate to the Grampians Waste Management Plan 2017?

The Grampians Central West Regional Implementation Plan 2017 sets out the waste and resource recovery infrastructure needs for the region over the next 10 years including Hepburn Shire. It includes objectives and actions to achieve this such as siting new

infrastructure appropriately, protect existing facilities and hubs from encroachment and develop potential planning mechanisms to protect buffers for existing and proposed facilities and hubs where required.

There are many other actions which emphasise other matters including best practice and management approaches for resource recovery facilities and developing management strategies and rehabilitation approaches for closed landfills including further work needed between Council, the EPA and community.

The Hepburn Planning Scheme Review 2020 and Amendment C80hepb emphasise these approaches and the further work required. The absence of an adequate buffer between the Daylesford Transfer Station and residential land continues to be a concern for Council.



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How do I voice my views on the proposed Amendment and what happens next?

Any person who may be affected by the amendment may make a submission to the Council about the amendment. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the amendment is supported or opposed and indicating what changes (if any) the submitter may wish to make.

Name and contact details of submitters are required for Council to consider submissions and to notify you of the opportunity to attend Council meetings and any public hearing held to consider submissions.

Submissions can be sent to the Planning Scheme Review Officer, Hepburn Shire Council, PO Box 21 Daylesford 3460 Victoria or planningscheme@hepburn.vic.gov.au. You can also make a submission online via the website www.hepburn.vic.gov.au/planning-building/hepburn-planning-scheme-exhibition/.