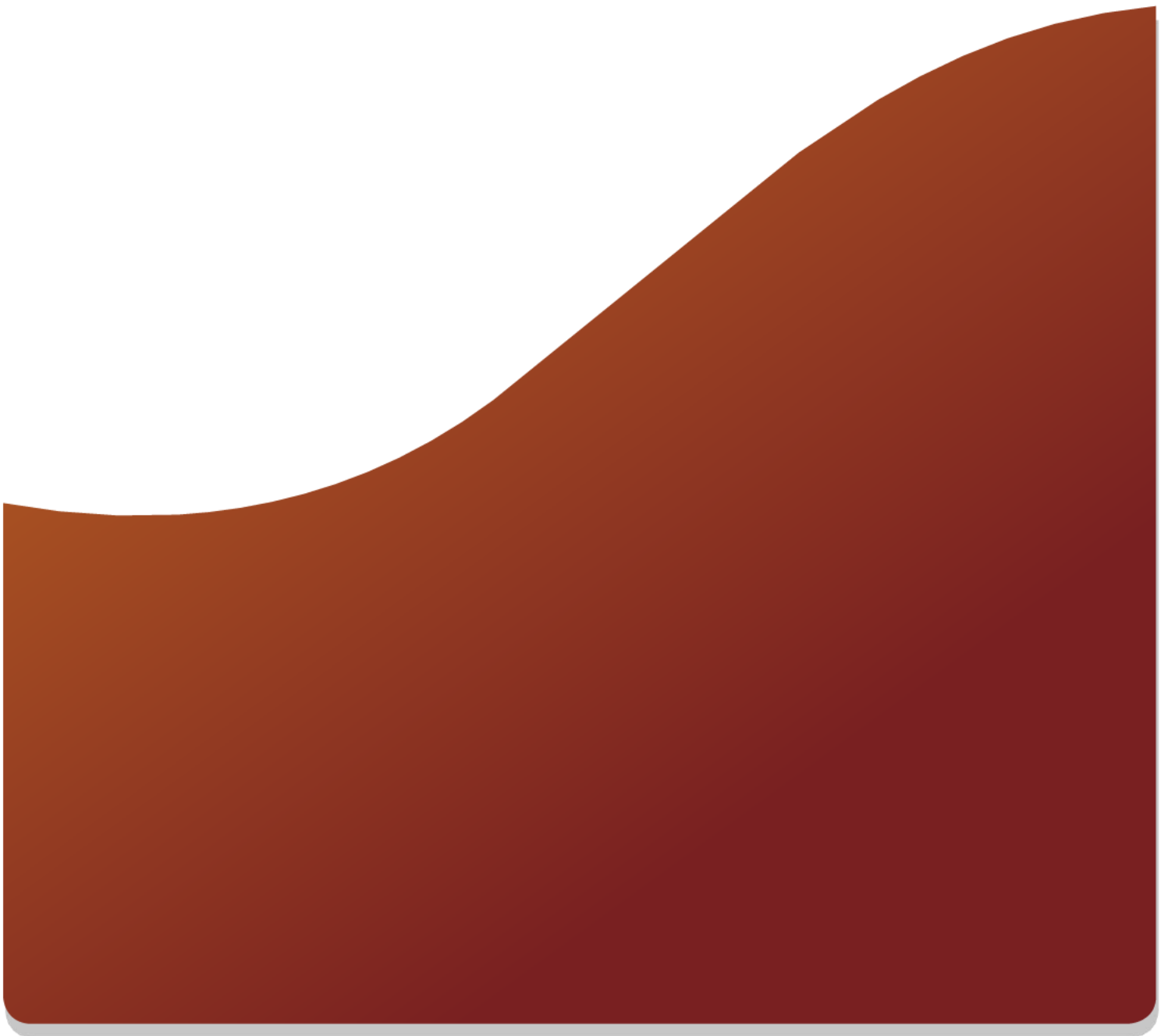


# **Planning Delegated Committee Meeting Agenda**

**Planning Delegated Committee Meeting  
Wednesday 11 October 2023 at 7pm  
Held online and livestreamed at [mrsc.vic.gov.au](https://mrsc.vic.gov.au)**





Notice is hereby given that a Planning Delegated Committee Meeting will be held in the Held online and livestreamed at [mrsc.vic.gov.au](http://mrsc.vic.gov.au) on:  
**Wednesday 11 October 2023 at 7pm**

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## **1 ACKNOWLEDGEMENT OF COUNTRY**

Macedon Ranges Shire Council acknowledges the Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung Peoples as the Traditional Owners and Custodians of this land and waterways. Council recognises their living cultures and ongoing connection to Country and pays respect to their Elders past, and present.

Council also acknowledges local Aboriginal and/or Torres Strait Islander residents of Macedon Ranges for their ongoing contribution to the diverse culture of our community.

## **2 RECORDING AND LIVESTREAMING OF THIS COMMITTEE MEETING**

This meeting is being recorded and streamed live on the internet, in accordance with Council's 'Live Streaming and Publishing Recordings of Meetings' policy, which can be viewed on Council's website.

## **3 PRESENT**

## **4 APOLOGIES**

## **5 CONFLICTS OF INTEREST**

## **6 PURPOSE OF PLANNING DELEGATED COMMITTEE**

Council established the Planning Delegated Committee to provide a regular forum for hearing from people who have made a submission to Council or who are an applicant or objector in relation to a planning permit application.

The Committee is authorised to determine statutory planning applications and Planning Scheme amendments only in relation to the Planning and Environment Act 1987. Its purpose is to hear from applicants/land owners and objectors/submitters on statutory and strategic planning matters, planning applications and to determine other planning matters.

## **7 ADOPTION OF MINUTES**

### **Recommendation**

**That the Committee confirm the minutes of the Planning Delegated Committee of Macedon Ranges Shire Council held on Wednesday 13 September 2023, as circulated.**

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**8 HEARING OF SUBMITTERS**

<b>8.1</b>	<b>HEARING OF SUBMITTERS - PLN/2023/17 - USE OF THE LAND FOR DOMESTIC ANIMAL HUSBANDRY (5 DOGS) - 7 REGAN DRIVE ROMSEY</b>
<b>Officer:</b>	<b>Chelsea Bongiovanni, Statutory Planning Officer</b>
<b>Attachments:</b>	<b>PLN/2023/17 - 7 Regan Drive Romsey - Submissions - REDACTED <a href="#">↓</a></b>

**Summary**

To hear from submitters in relation to Planning Application PLN/2023/17, regarding the use of the land for Domestic Animal Husbandry (5 Dogs).

**Recommendation**

**That the Committee:**

- 1. Notes the submissions received in relation to Planning Permit PLN/2023/17, Use of the land for Domestic Animal Husbandry; and**
- 2. Requests that recommendations be prepared, based on all relevant information, including the submissions received, for consideration and determination at the next Planning Delegated Committee Meeting on 9 November 2023.**

**Background**

The land is flat and includes an existing dwelling and associated outbuildings. Vehicle access to the property is via a crossover located in the north-east corner of the lot. There are no street trees planted along the subject site frontage.

The surrounding area is residential in nature, with a mix of land sizes and dwelling densities. There is a noticeable emerging character of multi-unit developments replacing old housing stock on similar sized lots as the subject site. The subject site is located within the Established Area A precinct (3) as outlined Design and Development Overlay – Schedule 18 and is approximately 750 metres south of the Romsey township core.

The site subject has good proximity to Romsey's community infrastructure, school and childcare centres. The surrounding area to the south of Regan Drive is within an established residential area. An unsealed access way connects the northeast corner and the centre of the south frontage. Informal car parking occurs adjacent to this. The site has minimal landscaping and is mostly level.

**Summary of proposal**

The application is for the use of the land for domestic animal husbandry (5 Dogs). No buildings and works have been proposed. The applicant currently has 5 dogs at the subject site and therefore the proposal is retrospective.

The Dog Husbandry is not commercial in nature and the applicant is a registered breeder with Dogs Victoria and the German Shepherd Council of Australia. According to the application documents, 1 fertile female dog currently on the site, and that they only want to

breed a litter every now and then. The applicant advises the Shepherd puppies have to be legally kept on the site for 8 weeks of age and then can be transferred to a new home.

**Planning permit trigger/s**

Clause 32.08-2 – Use of the land for Domestic Animal Husbandry (must be no more than 5 animals or the use is prohibited).

**Summary of submissions**

A total of five (5) objections were received to this application. They are summarised as follows:

Objection/concerns regarding application
<ul style="list-style-type: none"> <li>• Noise (loud, aggressive and frequent barking);</li> </ul>
<ul style="list-style-type: none"> <li>• Loss of residential amenity;</li> </ul>
<ul style="list-style-type: none"> <li>• Hygiene/smells;</li> </ul>
<ul style="list-style-type: none"> <li>• Environmental impacts (air quality and loss of wildlife);</li> </ul>
<ul style="list-style-type: none"> <li>• Curfews are not in place as claimed by the applicant;</li> </ul>
<ul style="list-style-type: none"> <li>• Already housing multiple dogs and litters without Council permission;</li> </ul>
<ul style="list-style-type: none"> <li>• Direct impact from existing flood lights;</li> </ul>
<ul style="list-style-type: none"> <li>• Safety;</li> </ul>
<ul style="list-style-type: none"> <li>• Too scared to keep a pet of their own due to concerns of aggravating the applicant’s dogs further;</li> </ul>
<ul style="list-style-type: none"> <li>• Fear they will exceed the number of animals permitted at the site if permit is granted.</li> </ul>

**Officer declaration of conflicts of interest**

All officers involved in preparing this report have declared that they do not have a conflict of interest relating to the subject matter.

Submission 1

D23-106795



T: (03) 5422 0333 | [mrsc.vic.gov.au](http://mrsc.vic.gov.au) | ABN 42 686 389 537

**Objection to a Planning Permit Application**

Any person who may be affected by the grant of a permit may object. Provided your objection is received prior to the application being decided, your objection will be considered and you will be notified of the decision when it is made. This form has been designed to assist with collecting the required information for an objection, but you are not required to use this form.

For assistance completing this form, call Statutory Planning on (03) 5421 9699.

**Objector Details**

**Name/s\*:** [Redacted]

**Organisation:** [Redacted]

**Phone:** [Redacted]

**Address:** [Redacted]

*\* If multiple people are making this objection please list your preferred contact person first as we will only send correspondence regarding the objection to this person.*

**Planning Permit Application Details**

**Application Number:** PLN/ 2023/17

**Property Address:** 7 Regan Drive, Romsey VIC 3434

**PRIVACY COLLECTION NOTICE**

Macedon Ranges Shire Council is committed to protecting your privacy. The personal information you provide on this form is being collected for the primary purpose of registering and considering your objection.

Where required, in accordance with the Planning and Environment Act 1987, a copy of your objection will be provided to:

Available to	Information provided
Council staff and external agencies involved in the planning process.	Full copy of objection.
The applicant for the planning permit and their representatives.	Copy showing objector name/s and address with other personal information redacted.
To any persons who wish to inspect your objection prior to a decision being made for the application.	Copy with all personal information redacted available to view/inspect only.
On Council's website if the application goes to a Planning Delegated Committee or Council Meeting.	Copy with all personal information redacted.

If your objection contains personal information of any other parties you must gain their consent to include their personal information in your objection and provide them with a copy of this notice.

Your personal information will not be disclosed to any other external party without your consent, unless required or authorised by law. If you wish to gain access to, or alter, any personal information you have supplied on this form, contact us on (03) 5422 0333.

You can access Council's Privacy Policy at [mrsc.vic.gov.au/privacy](http://mrsc.vic.gov.au/privacy)

**Objection Details**

Ensure that you clearly understand the application prior to objecting. You can view all planning applications at our Gisborne office during business hours. During the 14 day advertising period (where applicable) documents are available to view online at: [mrsc.vic.gov.au/planning-register](http://mrsc.vic.gov.au/planning-register)

**Describe the reason/s for your objection including how you would be affected by the grant of the permit:**

\*Firstly the residents at 7 Regan drive have had five adult dogs on the property since they moved in back in June of 2021 & have also had three litters in the time they have lived at the property with a total of 21 puppies! So to me it shows they do not abide by rules & who's to say they will, whether the permit is approved or not.

\*Also I would like to state that [REDACTED]

sense danger such as someone approaching our property.

\*The changes we have had to deal with since the residents at 7 Regan drive moved in back in June 2021 include the following:

\*We can not open our back sliding door without the dogs barking.

[REDACTED] cannot play basketball without the dogs barking & now rarely plays basketball due to the barking.

\*We cannot go to the bins without the dogs barking.

\*I can't garden in [REDACTED] without the dogs barking.

\*I have been woken up as early as 4.45am by the sound of barking dogs within the last month.

\*If the residents at 7 Regan drive are not home the dogs are locked outside & bark, cry & howl constantly until the residents return home.

[REDACTED] the barking is a constant disruption.

\*This barking is not just a regular woof woof, it is very aggressive barking & from multiple dogs at once, therefore we feel like we are walking on egg shells [REDACTED]

\*German Sheppards have a very high sense of smell & are very protective. Therefore the slightest noise & they erupt into very aggressive barking. German Sheppards are known for being very vocal & their bark is very loud ranging from 86 decibels & can go as high as 106 decibels!

[REDACTED] more tranquil, quite country life style with [REDACTED] that until the new residents moved into 7 Regan drive in June of 2021 & since then we have had to [REDACTED] for fear of disrupting these hyper sensitive dogs & therefore I highly object to this permit request.

**HOW TO SUBMIT**

**EMAIL:** Send to [mrsc@mrsc.vic.gov.au](mailto:mrsc@mrsc.vic.gov.au)

**IN PERSON:** Bring this form to one of our service centres.

**POST:** Mail to Macedon Ranges Shire Council, PO BOX 151, KYNETON VIC 3444



Submission 2

D23-106799



T: (03) 5422 0333 | [mrsc.vic.gov.au](http://mrsc.vic.gov.au) | ABN 42 686 389 537

**Objection to a Planning Permit Application**

Any person who may be affected by the grant of a permit may object. Provided your objection is received prior to the application being decided, your objection will be considered and you will be notified of the decision when it is made. This form has been designed to assist with collecting the required information for an objection, but you are not required to use this form.

For assistance completing this form, call Statutory Planning on (03) 5421 9699.

**Objector Details**

**Name/s\*:**

**Organisation:**

**Phone:**

**Address:**

*\* If multiple people are making this objection please list your preferred contact person first as we will only send correspondence regarding the objection to this person.*

**Planning Permit Application Details**

**Application Number:** PLN/ 2023/17

**Property Address:**

**PRIVACY COLLECTION NOTICE**

Macedon Ranges Shire Council is committed to protecting your privacy. The personal information you provide on this form is being collected for the primary purpose of registering and considering your objection.

Where required, in accordance with the Planning and Environment Act 1987, a copy of your objection will be provided to:

Available to	Information provided
Council staff and external agencies involved in the planning process.	Full copy of objection.
The applicant for the planning permit and their representatives.	Copy showing objector name/s and address with other personal information redacted.
To any persons who wish to inspect your objection prior to a decision being made for the application.	Copy with all personal information redacted available to view/inspect only.
On Council's website if the application goes to a Planning Delegated Committee or Council Meeting.	Copy with all personal information redacted.

If your objection contains personal information of any other parties you must gain their consent to include their personal information in your objection and provide them with a copy of this notice.

Your personal information will not be disclosed to any other external party without your consent, unless required or authorised by law. If you wish to gain access to, or alter, any personal information you have supplied on this form, contact us on (03) 5422 0333.

You can access Council's Privacy Policy at [mrsc.vic.gov.au/privacy](http://mrsc.vic.gov.au/privacy)

**Objection Details**

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**Describe the reason/s for your objection including how you would be affected by the grant of the permit:**

I'm very concerned about the noise, and hygiene consequences that the breeding of dogs in this purely residential area will create.

**HOW TO SUBMIT**

**EMAIL:** Send to [mrsc@mrsc.vic.gov.au](mailto:mrsc@mrsc.vic.gov.au)

**IN PERSON:** Bring this form to one of our service centres.

**POST:** Mail to Macedon Ranges Shire Council, PO BOX 151, KYNETON VIC 3444

Submission 3

D23-106946



T: (03) 5422 0333 | [mrsc.vic.gov.au](http://mrsc.vic.gov.au) | ABN 42 686 389 537

**Objection to a Planning Permit Application**

Any person who may be affected by the grant of a permit may object. Provided your objection is received prior to the application being decided, your objection will be considered and you will be notified of the decision when it is made. This form has been designed to assist with collecting the required information for an objection, but you are not required to use this form.

For assistance completing this form, call Statutory Planning on (03) 5421 9699.

**Objector Details**

**Name/s\*:**

**Organisation:**

**Phone:**

**Address:**

*\* If multiple people are making this objection please list your preferred contact person first as we will only send correspondence regarding the objection to this person.*

**Planning Permit Application Details**

**Application Number:** PLN/ 2023/17

**Property Address:** 7 Regan Drive, Romsey VIC 3434

**PRIVACY COLLECTION NOTICE**

Macedon Ranges Shire Council is committed to protecting your privacy. The personal information you provide on this form is being collected for the primary purpose of registering and considering your objection.

Where required, in accordance with the Planning and Environment Act 1987, a copy of your objection will be provided to:

Available to	Information provided
Council staff and external agencies involved in the planning process.	Full copy of objection.
The applicant for the planning permit and their representatives.	Copy showing objector name/s and address with other personal information redacted.
To any persons who wish to inspect your objection prior to a decision being made for the application.	Copy with all personal information redacted available to view/inspect only.
On Council's website if the application goes to a Planning Delegated Committee or Council Meeting.	Copy with all personal information redacted.

If your objection contains personal information of any other parties you must gain their consent to include their personal information in your objection and provide them with a copy of this notice.

Your personal information will not be disclosed to any other external party without your consent, unless required or authorised by law. If you wish to gain access to, or alter, any personal information you have supplied on this form, contact us on (03) 5422 0333.

You can access Council's Privacy Policy at [mrsc.vic.gov.au/privacy](http://mrsc.vic.gov.au/privacy)



**Objection Details**

Ensure that you clearly understand the application prior to objecting. You can view all planning applications at our Gisborne office during business hours. During the 14 day advertising period (where applicable) documents are available to view online at: [mrsc.vic.gov.au/planning-register](https://mrsc.vic.gov.au/planning-register)

**Describe the reason/s for your objection including how you would be affected by the grant of the permit:**

- The affects of this permit will have on our everyday living. To date we have been feeling restricted, anxious, disturbed & isolated by the constant barking & sounds that come from the neighbouring property due to the premises housing multiple dogs & husbandry since they acquired the property back in June 2021.
- Barking occurs from the slightest sounds of our daily chores eg: taking the rubbish to the bin, getting wood [REDACTED], gardening & children playing outside. Barking can be heard within our home & over the sounds of the TV & radio.
- The residents have outlined in their permit application that they have time curfews in place (10pm-7am), however this is not the case, as I have been in contact with Local Laws over the past few months who instructed us to record barking diaries. Noise disturbances occur throughout a 24 hour period.
- Avoidance of applying for this permit when acquiring the property, continued to house multiple dogs & breed multiple litters without council permits & ignoring the Domestic Animals ACT 1994: ruling S45 (page 87)
- Environmental impacts due to removal of trees & vegetation to accommodate the canines & kennels, which has reduced the purification of air quality & bird/wildlife.
- Water wastage from their dog bathing unit is flowing into the creek behind our property which is polluting our water ways & potentially harming wildlife.
- Breeding programs require separation of the male canines from the fertile females that are on heat which will incur more excessive barking, erratic & aggressive behaviour issues including banging on fences & neighbour disturbances. This will also increase bowl movements from the dogs which incur an environmental stench to the neighbouring residential properties.
- Neighbouring noise disturbances are affecting [REDACTED] during business hours as they can be heard [REDACTED] which interrupts [REDACTED]

**HOW TO SUBMIT**

**EMAIL:** Send to [mrsc@mrsc.vic.gov.au](mailto:mrsc@mrsc.vic.gov.au)

**IN PERSON:** Bring this form to one of our service centres.

**POST:** Mail to Macedon Ranges Shire Council, PO BOX 151, KYNETON VIC 3444

D23-107069

Submission 4



PO Box 151  
 KYNETON Vic 3444  
 Tel: (03) 5422 0333  
 Fax: (03) 5422 3623  
 Email: [mrsc@mrsc.vic.gov.au](mailto:mrsc@mrsc.vic.gov.au)  
 Web: [www.mrsc.vic.gov.au](http://www.mrsc.vic.gov.au)

**NOTICE OF AN APPLICATION FOR A PLANNING PERMIT**

Planning And Environment Act 1987 Section 52(1)

An application for a planning permit has been made which may affect you.

**THE LAND AFFECTED BY THE APPLICATION IS LOCATED AT:** LOT 142 LP 118130 P/Monegeetta  
 7 Regan Drive ROMSEY VIC 3434

**THE APPLICATION IS FOR A PERMIT TO:** Use of the Land for Domestic Animal Husbandry (5 Dogs)

**THE APPLICANT FOR THE PERMIT IS:** Michelle Therese Rovetto

**THE APPLICATION REFERENCE NUMBER IS:** PLN/2023/17

**Officer contact details:** Chelsea Bongiovanni  
 Senior Statutory Planning Officer  
 P: (03) 5422 0333  
 Email: [mrsc@mrsc.vic.gov.au](mailto:mrsc@mrsc.vic.gov.au)

You may look at the application and any documents that support the application at the office of the responsible authority or call (03) 5422 0333 to arrange a time to look at the application and any documents that support the application. This can be done during office hours and is free of charge as follows:

MACEDON RANGES SHIRE COUNCIL	Online	<a href="https://www.mrsc.vic.gov.au/Build-Plan/Planning-Permits-Approvals-Forms/View-planning-applications-online">https://www.mrsc.vic.gov.au/Build-Plan/Planning-Permits-Approvals-Forms/View-planning-applications-online</a>
	In person	40 Robertson Street GISBORNE VIC 3437 8.30am – 5.00pm Monday to Friday

**To make an objection or submission to the Responsible Authority, it must:**

- Be in writing
- Include your name and mailing address
- Additionally for objections include:
  - Reason/s for the objection
  - State how you would be affected by the granting of a permit
  - Any suggestions on how to address concerns.

Any person who may be affected by the granting of the permit may object or make other submissions to the responsible authority.

The responsible authority must make a copy of every objection available for any person to inspect free of charge until the end of the period during which an application maybe made for review of a decision on the application.

More information about the objection process, including our privacy collection notice and our prescribed objection/submission form is located on Council's website at <https://www.mrsc.vic.gov.au/Build-Plan/Planning-Permits-Approvals-Forms/Object-to-an-application>.

Objections and submissions can be emailed to [mrsc@mrsc.vic.gov.au](mailto:mrsc@mrsc.vic.gov.au) or posted to PO Box 151 Kyneton Vic 3444 or delivered in person to any Macedon Ranges Shire Council office.

The responsible authority will not decide on the application before at least 14 days after the date the last notice under [section 52\(1\)](#) or (1AA) of the Act is to be given.

If you make an objection, the Responsible Authority will inform you of its decision.



Applicant signature: *Michelle Rovetto* Dated: 17/7/2023

We wish to submit our objection for Lot 142 LP118130...Application Ref No. PLN/2023/17

[REDACTED] we object to the land being used for Domestic Animal Husbandry.

As it is now & since they moved in approx.. 2yrs ago, the 5 dogs bark a lot. When we are in our garden, whether it be front or back the dogs will bark at us.

- We are unable to enjoy being outside without the dogs barking at us.
- While we are working in our garden, the dogs jump up [REDACTED] which is quite startling & intimidating as the [REDACTED] & being big dogs it concerns us that they could come [REDACTED]
- The property has a number of strong flood lights, some of which [REDACTED] [REDACTED] [REDACTED] We have to close our [REDACTED]
- The breeding of these 5 dogs causes concern of how many dogs/puppies there will end up being there at any one time.
- The noise is a major factor in our objection.
- We are extremely concerned that the 5 dogs have devalued our property already & will further devalue it if this breeding is allowed to go ahead.
- We are reluctant to have any pets of [REDACTED] as the dogs bark at any visiting pets which is quite upsetting.
- It appears they are already exceeding the number of animals you can keep on a ¾ acre property according to MRSC.
- During the warmer months, we're unable to have [REDACTED] due to the barking.

We chose [REDACTED] a quiet semi-rural location. We did not & do not choose to live with Breeding Kennels outside [REDACTED]

[REDACTED]

Submission 5

D23-109302

28/07/23



Macedon Ranges Shire Council,  
P.O. Box 151,  
Kyneton. Vic. 3444.

Attn. Chelsea Bongiovanni  
Senior Statutory Planning Office.

RE: Permit to Use of the Land for Domestic Animal Husbandry (5 Dogs)  
Lot 142LP 118130 P/Monegeetta  
7, Regan Drive, Romsey. Vic. 3434.  
Application ref number PLN/2023/17

I strongly object to this permit being granted as the said dogs have been living at the above address for the last 18 Months.

The dogs bark continuously if my neighbours or I are working in our front or rear gardens also if the owners of the property go out the dogs bark from the time they leave until they return home.

The permit is obviously for the sole purpose of breeding which would be In breach of any permit granted when they already have 5 dogs living on the premises which is already in breach of Council regulations.

I feel that to have 5 dogs living on any residential property definitely does not allow their neighbours the opportunity to be in their gardens in a peaceful environment.





<b>8.2</b>	<b>HEARING OF SUBMITTERS - PLN/2023/4 - LOT 2 WEATHERLEY ROAD BOLINDA - USE AND DEVELOPMENT OF THE LAND FOR A DWELLING AND OUTBUILDING</b>
<b>Officer:</b>	<b>Christo Crafford, Coordinator Statutory Planning</b>
<b>Attachments:</b>	<b>Submissions <a href="#">↓</a></b>

### Summary

To hear from submitters in relation to Planning Application PLN/2023/4 regarding the use and development of the land for a dwelling and an outbuilding.

### Recommendation

#### That the Committee:

- 1. Notes the submissions received in relation to Planning Permit PLN/2023/4 - Use and Development of the land for a Dwelling and Outbuilding; and**
- 2. Requests that recommendations be prepared, based on all relevant information, including the submissions received, for consideration and determination at the next Planning Delegated Committee Meeting on 9 November 2023.**

---

### Background

The subject land comprises a relatively small battle axe lot of 5.7 hectares in area located on the western side of Weatherly Road in the locality of Bolinda. The site is 400 metres north of Bolinda Darraweit Road and 2.5 kilometres south-east of the crossroads at Monegeetta within a rural locality. This area is a relatively level area forming a plateau within the south-eastern area of the Shire other than where it is deeply incised by waterways including Deep Creek that aligns 2 kilometres to the north-east of the site, along with other smaller waterways.

The site itself is of battle axe shape with a long narrow driveway accessing from Weatherly Road to the main rectangular shaped parcel as the western part of the land. The comprises an open paddock that is used for growing hay, whilst hedgerows of mature conifers align the northern and eastern sides of the main body of the site and the northern side of the driveway, with two small clusters of mature trees on the north and west sides of the site. A number of sheds have been constructed in the south-eastern corner of the site mostly in very recent years along with an unusual hay bale installation around the sheds as can be seen from aerial photography of the site. The agricultural production conducted on this land is the growing of hay.

### Summary of proposal

The proposal seeks to use and develop the land for a dwelling and outbuilding (carport). The dwelling would be located towards the south-western corner of the property, 50m from the western boundary and 50m from the southern boundary. The single storey dwelling would occupy a roughly square footprint extending 23.5m x 22.4m (570m<sup>2</sup>) including broad verandas on each side with its internal floor area totalling 265m<sup>2</sup> and incorporating a living/dining/kitchen, three bedrooms, bathroom and laundry facilities. The dwelling would rise to 7.6m height at its roof apex with relatively steep roof pitch of around 27 degrees. The

dwelling would be clad with medium grey rendered walls and dark grey corrugated metal roofing.

The carport would be located immediately adjacent to the dwelling on its north side and would be 81m from the northern boundary at its closest point. The carport would comprise a simple roof with posts construction atop a concrete slab and would occupy a footprint of 6.8m x 6.8m (46.2m<sup>2</sup>) and would rise to 2.9m maximum height for its flat roof. Minor earthworks would be required to level the development area for the dwelling and carport (up to 400mm of fill). A driveway would extend along the northern side of the site before turning to access the dwelling in the rear half of the property. Effluent treatment areas are proposed to the south east side of the dwelling.

The applicant’s submission details that productive agriculture is not proposed other than the limited production of hay but that the limited size of the land previously subdivided along with a Section 173 Agreement applying to the title of the land that precludes any further subdivision and development to no more than one dwelling is sufficient justification for the proposed dwelling being a rural residential outcome.

**Planning permit trigger/s**

Clause 35.07-1 – A permit is required to use the land for a dwelling and outbuilding.

Clause 35.07-4 – A permit is required to construct a dwelling and outbuilding.

**Summary of submissions**

No objections were received to this application. Three submissions in support were received to this application. It is summarised as follows:

Support regarding application
<ul style="list-style-type: none"> <li>• The property is well cared for and a dwelling will further improve it.</li> </ul>
<ul style="list-style-type: none"> <li>• Every block along Weatherly Road has a home so support would not set a precedent.</li> </ul>
<ul style="list-style-type: none"> <li>• The dwelling will not impact on neighbours.</li> </ul>

**Officer declaration of conflicts of interest**

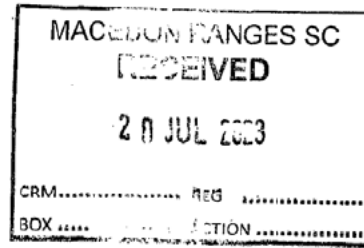
All officers involved in preparing this report have declared that they do not have a conflict of interest relating to the subject matter.

Submission 1

D23-105166

D23-105166

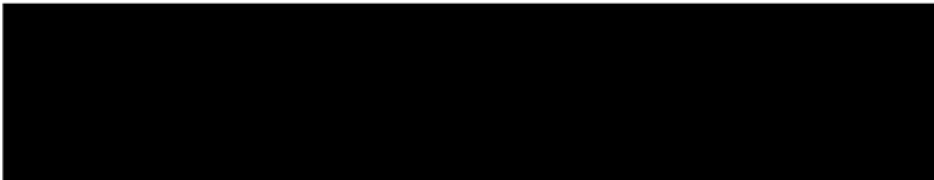
17 July 2023



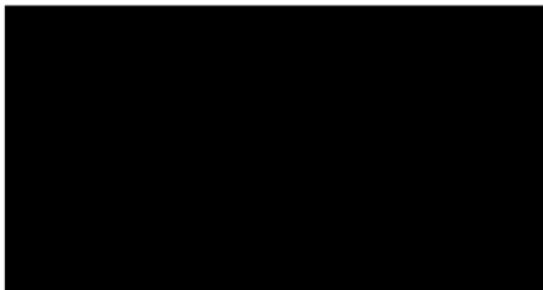
**Macedon Ranges Shire Council**

**PO Box 151**

**KYNETON Vic 3444**



with pleasure I support the idea of [redacted] to build a house and [redacted] for years, keeping [redacted] land neat, productive and reducing fire danger. [redacted] to build on her block does not affect me at all. It will be good to have [redacted] living in the Bolinda area.

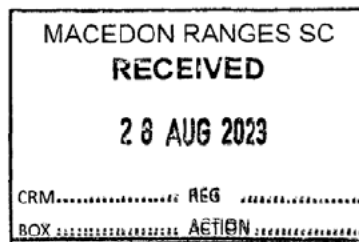
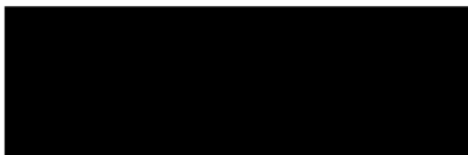


Submission 2

D23-121090

Macedon Ranges Shire Council  
Item received at [Signature] Office  
On 28/8/23 Signed [Signature]

27 August 2023



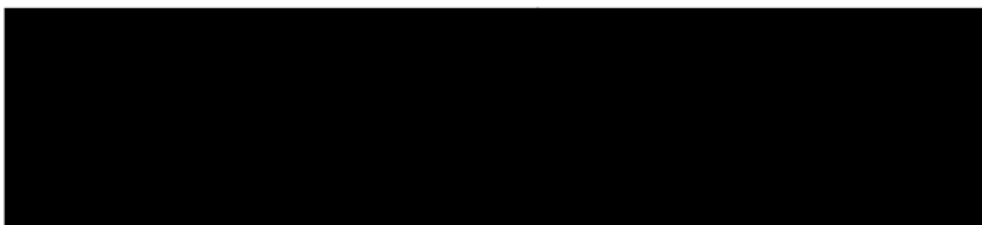
To MACEDON RANGES SHIRE COUNCIL  
KYNETON

RE: PLANNING APPLICATION NO. PLN/2023/4 Lot 2 PS 50646666, 31  
Weatherly Road, BOLINDA

I support passing this application by [Redacted] because [Redacted]  
Removed weeds, made hay to reduce fire risk, planted trees that do well, the  
home [Redacted] wants, suits the site and [Redacted] It will be in a  
secure private location with attractive shelter plantations, where horses have  
proved very successful.

[Redacted] and has proved to be an asset to the  
[Redacted] It will be good if [Redacted] can stay and improve [Redacted] property as [Redacted]  
[Redacted] will do well, I hope the Council is able to pass [Redacted] program.

Council has been improving this area and will find [Redacted] to be a co operative  
person.





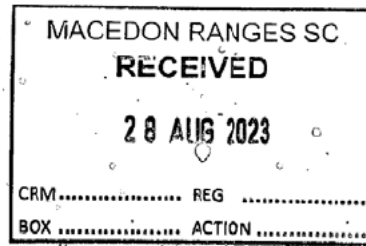
Submission 3

D23-121091

25 August 2023



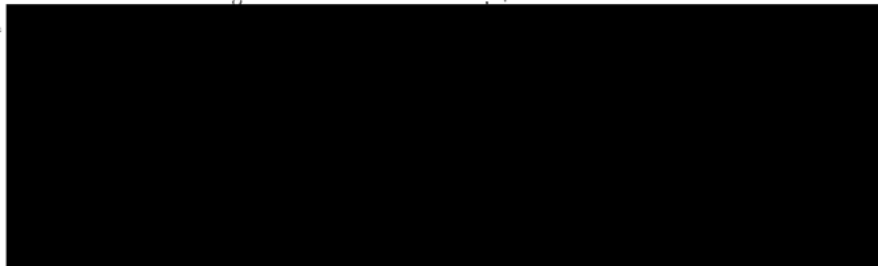
Macedon Ranges Shire Council  
Item received at [signature] Office  
On 28/8/23 Signed [signature]



RE: PLANNING PERMIT APPLICATION NO. PLN/2023/4 lot 2 PS506466G, 31 WEATHERLEY ROAD, BOLINDA.

I support [redacted] application to build [redacted] new home on [redacted] and. Absence of weeds, reduced fire risk by making hay and knowing what trees do well there are great signs. Every other block along Weatherley Road has a home so a decision in favour should not be setting a precedent. If the building goes ahead, [redacted] property will look much better than now.

[redacted] once the South West part of CR allotment seven but a restriction prevents [redacted] so I understand [redacted] You cannot protect it unless you are there.



<b>8.3</b>	<b>HEARING OF SUBMITTERS IN RELATION TO DP/2009/12/C - AMENDMENT TO A DEVELOPMENT PLAN - 75 WILLOWBANK ROAD GISBORNE</b>
<b>Officer:</b>	<b>Leanne Khan, Coordinator Strategic Planning</b>
<b>Attachments:</b>	<b>Submission <a href="#">↓</a></b>

### Summary

To hear from submitters in relation to Development Plan Application DP/2009/12/C.

### Recommendation

#### That the Committee:

- 1. Notes the submission received in relation to DP/2009/12/C; and**
- 2. Requests that recommendations be prepared, based on all relevant information, including the submissions received, for consideration and determination at the Planning Delegated Committee Meeting on 9 November 2023.**

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### Background

Application DP/2009/12/C seeks the approval to amend a development plan located on the land at 75 Willowbank Road and 51 Coop Drive, Gisborne.

The subject land is covered by the Development Plan Overlay Schedule 4 – Gisborne Residential Areas. This requires any development plan or amendment to a development plan be publically advertised for a period of two weeks prior to approval.

### Summary of proposal

An application to amend the development plan known as DP/2009/12/C was received on 21 December 2021 for the land at 75 Willowbank Road, Gisborne. Since the application was lodged, a two lot subdivision was approved on the land, creating 51 Coop Drive, Gisborne. This application covers the land at both 75 Willowbank Road and 51 Coop Drive, Gisborne.

The Development Plan Overlay Schedule 4 (DPO4) – Gisborne Residential Areas allows for more than one development plan to be lodged in each of the specified areas in Gisborne. .

The total site area is just under 6 hectares (5.95ha). The proposal seeks to create 51 lots, which includes two public open space lots to expand Gisborne Fields by 0.54 hectares.

### Planning permit trigger/s

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.

A permit granted must:

- Be generally in accordance with the development plan.
- Include any conditions or requirements specified in a schedule to this overlay.

The development plan may consist of plans or other documents and may with the agreement of the responsible authority, be prepared and implemented in stages.

The development plan may be amended to the satisfaction of the responsible authority.  
The applicant has submitted a development plan for consideration by Council.

**Summary of submission**

One submission was received raising concerns about the overdevelopment of the site and the impacts to native fauna.

**Officer declaration of conflicts of interest**

All officers involved in preparing this report have declared that they do not have a conflict of interest relating to the subject matter.

**Leanne Khan**

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**From:** [REDACTED]  
**Sent:** Sunday, 17 September 2023 10:02 AM  
**To:** Macedon Ranges Shire Council  
**Subject:** DP/2009/12/C 75 Willowbank Rd Gisborne DP Amendment submission  
**Categories:** Planning

To whom it may concern,

I am writing to object to the proposed DP/2009/12/C development plan amendment.

As per Macedon Ranges Planning Scheme Clause 21.13.1, Settlement and housing strategies, item 1.9, lots within Gisborne residential developments Gisborne shall range between 500-1500 square metres. I note there are nine lots in the revised plan which are lower than this requirement, [REDACTED] property.

Item 1.8 permits medium density housing in this location if all of the following apply:

- The site is located near public open space or a local neighbourhood activity centre (met)
- A site responsive and high quality built form outcome is achieved, and generous landscaping that contributes to the local neighbourhood character is provided; (unknown)
- Amenity impacts on adjoining residential properties are minimised; (unknown) and
- The intensity and scale of development is in keeping with the character of the area (not met)

All existing residential lots in the vicinity of our property comfortably meet the requirements of item 1.9, and previous plans gave us every indication that this development would be consistent with our surroundings. The fourth point in item 1.8 above is not in keeping with the character of the area, particularly with [REDACTED]

I believe permitting smaller lots will reduce the value of our property due to additional supply. Furthermore, the proposed plan will give us a [REDACTED] appears to be unprecedented in the wider area south of Willowbank Road, increasing complexity regarding issues such as fencing and privacy.

From an environmental perspective, we have no issues with the pine trees being removed, however we seek appropriate consideration/care for native wildlife that utilise this vegetation. Species observed using this vegetation for nesting, feeding or other shelter since early-2021 include:

**Common**

- Crimson Rosella
- Eastern Rosella
- Crested Pigeon
- Magpie
- Red Wattlebird

**Uncommon**

- Yellow-tailed Black Cockatoo
- Sulphur-crested Cockatoo
- Galah
- Corella

Thank you



**9 REPORTS**

<b>9.1</b>	<b>PLN/2023/155 - 2076 THREE CHAIN ROAD, LANCEFIELD</b>
<b>Application Details:</b>	<b>Use and Development of the Land for a Dwelling</b>
<b>Officer:</b>	<b>Awais Sadiq, Coordinator Statutory Planning</b>
<b>Council Plan relationship:</b>	<b>3. Improve the built environment</b>
<b>Attachments:</b>	<ol style="list-style-type: none"> <li><b>1. Statement of Planning Policy Assessment</b> <a href="#">↓</a></li> <li><b>2. Plans</b> <a href="#">↓</a></li> </ol>
Triggers for a planning permit	Farming Zone – Use and Development of the land for a Dwelling on a lot less than 40 hectares.
Zones and Overlays	Farming Zone (Schedule)
No. of objectors	No objections received
Trigger for report to the Committee	Councillor Call-in
Key Considerations	The impact of development on agricultural land and consideration of the need for a dwelling without an agricultural use.
Conclusion	Notice of Decision to Refuse to Grant a Permit
Date of receipt of application:	24 April 2023

**Summary**

The proposal is for the use and development of the land for a dwelling. The application did not provide a farm plan to demonstrate the need for a dwelling in association with an agricultural use.

The application was not advertised pursuant to Section 52 (1A) of the Planning and Environment Act 1987.

Key issues to be considered relate to the impact of the proposal on the agricultural land and the genuine need for a dwelling on the land given no agricultural use is proposed for the land.

The application has been assessed against the Macedon Ranges Planning Scheme and is considered not appropriate. It is recommended that a Notice of Decision to Refuse to Grant a Permit be issued.

**Recommendation**

**That the Committee issue a Notice of Decision to Refuse to Grant a Permit for Planning Permit Application PLN/2023/155 at 2076 Three Chain Road, Lancefield on the following grounds:**

- 1. The proposal does not provide adequate justification for a dwelling on the site for agricultural use.**



2. The proposal does not protect the agricultural land, contrary to Clause 02.03-4 (Natural Resource Management - Agriculture) of the Planning Policy Framework.
3. The proposal will not result in agricultural use, contrary to Rural Framework Plan at Clause 02.04.
4. The proposal will result in fragmentation of agricultural land and does not provide justification that the dwelling is required for agriculture, contrary to Clause 14.01 (Agriculture).
5. The proposal will result in a rural residential development which would impact current and future agricultural and economic activities, contrary to Clauses 16.01-3S (Rural Residential Development) and 16.01-3L (Rural Residential Development – Macedon Ranges).
6. The proposal will extend the fragmentation of existing farm land, removing land from agricultural use, adversely affecting adjoining and nearby land use, contrary to the purposes and decision guidelines of the Farming Zone
7. The proposal does not support and encourage agricultural land use, contrary to Clause 51.07 (Macedon Ranges Statement of Planning Policy).
8. The proposal does not constitute orderly planning of the area which contradicts the decision guidelines of Clause 65 of the Macedon Ranges Planning Scheme.

## Existing conditions and relevant history

### Subject land

The subject site is located approximately 1km to the north east of Lancefield. The site currently contains a building, a small cabin and agricultural sheds. The site is irregular having an area of approximately 9.421 hectares. The building which is proposed to be renovated for the purpose of the dwelling is rectangular in shape and currently not habitable. It has been renovated without obtaining necessary permits as it was in derelict state. Access to the site is via an existing crossover and driveway from Three Chain Road. The site has been largely cleared of vegetation.

### Surrounds

The site is bounded by Three Chain Road to the north-west, an unmade Government Road to the east, a small reserve in the ownership of DEECA to the north and a small lot in the same ownership as the subject site to the south. The surrounding area is primarily used for agriculture. Lot sizes are varied and generally range from 8h to approximately 60ha. A number of lots are vacant with few dwellings proximate to the site.

### Registered restrictive covenants and/or Section 173 Agreements affecting the site

A current copy of title has been provided with the application which shows no Covenants, Section 173 Agreements or restrictions have been registered on the title to this property.

### Previous planning permit history

A search of Council's records has found the following permit history:

Permit No.	Description
PLN/2012/60	Dwelling (Relocated House) – Lapsed
PLN/2015/183	Use and Development of the Land for a Dwelling – Refused

COC/2022/1	Certificate of Compliance to seek Existing Use Rights for a Dwelling on the Subject Land – Refused
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**Proposal**

The application is seeking approval for the use and development of the land for a dwelling. The proposed dwelling will have a setback of 40m from Three Chain Road and 130m from the southern boundary. The dwelling will have an area of 229.27m<sup>2</sup> comprising 4 bedrooms, ensuite, kitchen, living, bathroom and a laundry. A verandah will be wrapped along the front, north and south elevations. The dwelling will have a metal roof and weatherboard walls and will have access from Three Chain Road via existing driveway and crossover.

The application does not include a farm plan to demonstrate the need for a dwelling in association with an agricultural use.

**Relevant Macedon Ranges Planning Scheme controls**

Section 46AZK of the Planning and Environment Act 1987

Section 46AZK of the Planning and Environment Act 1987 and Clause 51.07 of the Macedon Ranges Planning Scheme require Council as a Responsible Public Entity to not act inconsistently with any provision of the Statement of Planning Policy (SOPP) in exercising decision making powers. Attachment 1 contains the officer assessment against the SOPP.

Planning Policy Framework

Clause no.	Clause name
02.01	Context
02.03	Vision
02.04	Strategic Directions
14.01	Agriculture
16.01	Residential Development

Zoning

Clause no.	Clause name
35.07	Farming Zone (Schedule)

Overlay

Clause no.	Clause name
Nil	

Particular provisions

Clause no.	Clause name
51.07	Macedon Ranges Statement of Planning Policy

General provisions

Clause no.	Clause name
65	Decision Guidelines



**Cultural Heritage Management Plan assessment**

	<b>Assessment criteria</b>	<b>Assessment response</b>
1	Is the subject property within an area of cultural heritage sensitivity as defined within the cultural heritage sensitivity mapping or as defined in Part 2 Division 3 or 4 of the <i>Aboriginal Heritage Regulations 2018</i> ?	Yes (Partially)
2	Does the application proposal include significant ground disturbance as defined in Part 1 Regulation 5 of <i>Aboriginal Heritage Regulations 2018</i> ?	N/A
3	Is the application proposal an exempt activity as defined in Part 2 Division 2 of <i>Aboriginal Heritage Regulations 2018</i> ?	N/A
4	Is the application proposal a high impact activity as defined in Part 2 Division 5 of <i>Aboriginal Heritage Regulations 2018</i> ?	N/A

Based on the above assessment, a cultural heritage management plan is not required in accordance with Part 2 Division 1 of *Aboriginal Heritage Regulations 2018*.

**The process to date**

Referral

<b>Authority (Section 55)</b>	<b>Response</b>
Nil	

<b>Authority (Section 52)</b>	<b>Response</b>
Nil	

Advertising

The application was not advertised pursuant to Section 52 (1A) of the Planning and Environment Act 1987.

**Officer assessment**

Site's Permit History

A planning permit was applied for in 2015 to extend the existing derelict building on the land for a dwelling. The planning permit was refused on the basis that the existing derelict building did not have existing use rights for a dwelling.

It was not considered that the applicant satisfactorily addressed Clause 63 in relation to existing use rights, therefore it was considered that an application should be made for the use of the land for a dwelling. The applicant chose to rely on the existing use right of the existing derelict structure however did not supply the information required to assess the appropriateness of the use and development of the land for a dwelling.

The dwelling structure was in a derelict state and was unable to be used for human habitation. The structure was not used as a dwelling for many years and the information

provided with the application failed to demonstrate that an existing use can be established (i.e. not occupied in the last 2 years). Information on Council's records system indicated that the building had not been occupied for 40 years from the previous owner of the site.

A notice of intention to enter the land was sent to the owners of the land on 20 August 2020 from Planning Compliance to inspect the building as the building was renovated without seeking necessary permits. A site inspection was carried out. A planning infringement notice was issued to the owners of the land for breaching the Macedon Ranges Planning in relation to the renovation and use of the land for a dwelling without obtaining a planning permit. In addition to the infringement notice, owners were directed to do the following in order to expiate the offence:

- The use of any building for human habitation on the property was required to cease immediately;
- All furniture, fixtures and fittings that may be used to facilitate the use of any building for human habitation are to be removed from the building;
- The inlet pipe to the onsite wastewater treatment system was required to be exposed, the pipe to be cut and sealed with glued on caps. This area was required to be left open for inspection by Council officers.

A site meeting was conducted on 30 September 2020 between the owners and the Council officers. It was advised to the owners to cease the use of the property as an unpermitted dwelling by Wednesday 14 October 2020. A Building Notice was issued to the owners on 26 October 2020 for buildings and works being carried out on the property without obtaining the required building permit. Council Health Department also raised concerns in relation to the wastewater system as it was installed without obtaining necessary permits. A further Building Order was sent to the owner on 19 November 2021.

The owners of the land applied for certificate of compliance to have existing use rights for a dwelling on the land in 2022. The certificate of compliance application was refused by the Council as the owners were unable to provide enough evidence to establish the existing use rights for a dwelling.

#### Planning Policy Framework

Planning Policies seek to support and enhance agricultural pursuits by ensuring future development, particularly residential development, does not result in the permanent removal of productive agricultural land or inhibit the continuation and development of existing agricultural uses. These objectives are reiterated in the purpose of the Farming Zone.

Planning Policy Framework (PPF) strongly discourages fragmentation and loss of productive agricultural land. The policies seek to protect Victoria's agricultural base as an important component of the State's economy. Throughout the PPF, preventing dispersed settlement in rural areas, limiting or reducing fragmentation of agricultural land, and discouraging incompatible land uses are the predominant themes in relation to agriculture.

Clause 02.03-4 (Natural Resource Management – Agriculture) has following relevant strategic directions for agriculture:

- *Protect agricultural land to support the continuation of agricultural activity.*
- *Support sustainable, productive agriculture within the Northern Catchments and Agricultural Landscapes areas identified on the Rural Framework Plan in Clause 02.04.*
- *Continue to use land within the Agricultural Landscapes area for grazing animal production and crop raising.*

Clause 14.01-1S, relating to the protection of agricultural land aims “to protect the state’s agricultural base by preserving productive farmland.” The clause states that in considering a proposal to develop agricultural land, the following factors must be considered:

- *Desirability and impacts of removing the land from primary production, given its agricultural productivity.*
- *Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.*
- *Compatibility between the proposed or likely development and the existing use of the surrounding land.*
- *Land capability.*

Clause 14.01-1L (Protection of agricultural land – Macedon Ranges) has following relevant strategies to the proposal:

- *Ensure use and development of agricultural land relates to the ongoing productive use of the land for agricultural purposes.*
- *Ensure development, including dwellings, relates to agricultural production and is consistent with the capability of the land.*
- *Discourage the fragmentation of agricultural land that would reduce farm sizes to a point where they are no longer productive.*
- *Ensure any use of the land for residential activity is secondary or ancillary to the primary agricultural use of the land.*
- *Locate dwellings or outbuildings on poorer quality land where it will not compromise efficient agricultural use of the land.*
- *Protect high quality and highly adaptable agricultural land for agricultural use by encouraging land use management that restores fragile soil.*

Collectively, these policies place great emphasis on the importance of protecting existing agricultural land from inappropriate development, which will permanently remove the land from agricultural use. The policy requires for such applications to demonstrate a clear nexus between development of farmland and ongoing productive use of agriculture, to protect against loss of agricultural land. It is also the intent of Planning Policy to encourage consolidation of existing rural settlements rather than facilitating dispersed and isolated development. The associated strategies are intended to protect land for agriculture and to ensure that housing development is limited to that which is required to improve agricultural production.

In *Morabito v Macedon Ranges SC* [2018] VCAT 1313, Tribunal Member Rundell discussed the importance of agricultural policies while considering the proposal for dwelling in Farming Zone:

*“The reasons behind the policies include not having agricultural land removed from production because it would be used as a dwelling. The policies also aim to prevent smaller agricultural lots being used as rural lifestyle lots because such use fragments, or prevents the consolidation of smaller lots into larger agricultural holdings that can be used as viable agricultural businesses. Ad hoc incremental development of small lots for dwellings can encourage land values to rise, thereby making consolidation of agricultural lots more difficult. Dwellings may also be incompatible with agricultural activities on adjoining and nearby land. At the core of the above strategies is the proposition that agricultural land (particularly land*

*with good quality soils) is a rare and valuable resource that needs to be preserved for agriculture in the long term.”*

Clause 16.01-3S aims *“to identify land suitable for rural residential development.”* The relevant strategies associated with this objective also aim to:

- *Manage development in rural areas to protect agriculture and avoid inappropriate rural residential development.*
- *Ensure planning for rural living avoids or significantly reduces adverse economic, social and environmental impacts by:*
  - *Maintaining the long-term sustainable use and management of existing natural resource attributes in activities including agricultural production, water, mineral and energy resources.*
  - *Discourage development of small lots in rural zones for residential use or other incompatible uses.*

Similarly Clause 16.01-3L (Rural residential development - Macedon Ranges) has following relevant strategy to the proposal:

- *Limit residential development of rural land that is not in a Rural Living Zone, unless related to the use of land for agriculture or other compatible economic development activities.*

The use of the subject site for a dwelling is not consistent with the planning policy in relation to rural and regional development, as it will permanently remove land from agriculture and creates an outcome where the potential for surrounding land for agriculture would become further limited.

This position is supported by Planning Policy put in place to guide where rural-residential type development should occur. Specifically this policy requires that *‘land not be zoned for rural living or rural residential development if it will encroach on high quality productive agricultural land.’*

No farm management plan has been submitted to justify the need for a dwelling on the site and this will be discussed in detail under the zone consideration. The dwelling does not relate to a genuine need to facilitate agriculture and operation of proposed agricultural use.

In this instance, the proposed dwelling cannot be considered as consistent with or supported by such policy in relation to rural and regional development, particularly where such development is explicitly discouraged. In addition, the application fails to sufficiently demonstrate the need for a dwelling as a secondary component to a productive agricultural use. Ultimately to approve a dwelling on the subject land will result in a permanent change to the land use. This land use change by creating an additional residential lot will limit the ability for agriculture to be facilitated in the context of the wider area and does not support the general principle to support the consolidation and enhancement of rural land.

Development of a dwelling on the lot could encourage development of other vacant allotments, thereby impeding the potential for both the subject allotment and adjoining allotments to be effectively farmed especially as the potential to consolidate allotments would be removed.

### Farming Zone

The purpose of the Farming Zone is to provide land for agriculture, retain productive agricultural land and to ensure non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.

The Farming Zone sets out the following relevant decision guidelines in relation to the proposal:

- *Whether the use or development will support and enhance agricultural production.*
- *Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.*
- *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.*
- *The capacity of the site to sustain the agricultural use.*
- *The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.*
- *Any integrated land management plan prepared for the site.*
- *Whether the dwelling will result in the loss or fragmentation of productive agricultural land.*
- *Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.*
- *Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.*
- *The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.*

In assessing this application, key consideration is the appropriateness of the dwelling use in the zone and the requirement of a farm management plan to support such proposals. No agricultural use has been proposed which clearly indicates that the use is more residential in nature. The site is located along a main road and it can be used for agriculture and there are options available for consolidation. The applicant has not provided any Farm Management Plan which is a requirement for any development application under the Farming Zone.

In *Plenty Investments Pty Ltd v Macedon Ranges SC* [2016] VCAT 864, Member Harty emphasised the importance of a farm management plan for applications in the farming zone by making following comments on an application where no farm plan was provided by commenting:

*“Under the FZ, the statewide standard minimum lot size of 40ha has been used primarily because it represents a size that is sufficiently versatile to be used for a variety of common agricultural pursuits and in a manner that does not degrade the condition of the land..., such proposals are accompanied by whole farm plans or land management plans that details the nature of how the land is to be farmed and managed.”*

Member Harty made further comments in relation to the requirement of farm management plan for such applications:

*“The other issue relates to the timing of producing a whole farm plan/land management plan. No such plan formed part of what was presented to me as information that would demonstrate the ongoing primary use of the land for productive sustainable agriculture as an outcome of the proposed subdivision. Both Mr Phillips and Mr Morris suggested and sought a requirement for such by way of permit conditions on any permit that might be granted. I note that Clause 21.07-1 includes requirements for applications relevant to a subdivision as proposed for the following:*

- *An application to use or develop land must be accompanied by the following information, as appropriate:*
- *A report that comprehensively justifies the proposed development is required for the continuation or enhancement of the agricultural use of the land. This justification must include how the land is to be used for sustainable, productive agriculture, including details of the proposed stock or crop, stocking rates, type and location of fencing, paddock rotations, pasture species, weed control and other management activities, as appropriate.*

*A 'whole farm plan'. This plan must demonstrate how the land is to support sustainable agriculture as the primary land use. The plan must include such initiatives as fencing that relates to land units, fencing of remnant vegetation, fencing of gullies and waterways, revegetation of hill tops, gullies and waterways, revegetation of areas prone to erosion and revegetation of areas prone to groundwater discharge, as appropriate.*

*The above application requirements were not provided. Given the above, I am unable to make considerations as to how well the proposed lots would result in sustainable or more efficient land management. I find this is a failure of the proposal and strikes as an element that indicates the proposal fails to satisfy the policy objective."*

Although the planning scheme has been updated and Clause 21.07-1 does not exist anymore in the scheme however the policy under Clause 21.07-1 has been translated to Clause 14.01 (Agriculture). Clause 14.01 and the farming zone decision guidelines still require the need of a farm management plan for such applications.

It is not considered that it has been demonstrated that the agricultural outcome would improve on the existing agricultural use and management of the land. The proposal will limit the ability for agriculture to be facilitated in the context of the wider area and does not support the general principle to support the consolidation and enhancement of agricultural land.

The proposal is inconsistent with the vision for the area and cannot demonstrate it will facilitate or enhance the ongoing primary use of the land for agriculture. As discussed above, there is no information accompanying the application to justify how the dwelling will result in:

- The continuation or enhancement of the agricultural use of the land;
- Better facilitation agricultural uses; or
- Protecting the future agricultural potential of the subject land and surrounding land.

It is considered that a dwelling on a rural parcel will contribute to a proliferation of dwellings within the area. An additional dwelling is also a sensitive use, which may adversely impact the operation of future farming activities within the area. The effect of the dwelling would be to de-couple this land from its agricultural value and hence the purposes of the zone.

Development of a dwelling on the lot could encourage development of other vacant allotments, thereby impeding the potential for both the subject allotment and adjoining allotments to be effectively farmed especially as the potential to consolidate allotments would be removed.

The proposal would serve to permanently remove land from agricultural use, limit the expansion and operation of adjoining and nearby agricultural uses and is not reasonably required to support and enhance agricultural production.

For the reasons discussed above, the proposal would incrementally further fragment the agricultural landscape character; lead to a concentration or proliferation of dwellings in the

area; impinge the opportunity to use this land for more productive, sustainable agriculture and eventually have an adverse impact on use of the land for agriculture.

Overall, it is not considered that the proposal satisfactorily meets the decision guidelines of the zone. The proposal has the potential to permanently remove land from agricultural production and is not considered to support and enhance the agricultural production which can be undertaken on the site.

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

**Conclusion**

The protection of farming zone land is of paramount importance to the policy contained within the planning scheme and to the local and wider community.

Whilst it can be argued that the structure is already on the land and the portion of the land occupied by the structure has already been taken the land away from agriculture, this should not be considered as a primal factor to approve a dwelling use on the land. The existing structure was used as a dwelling in the past however it has lost the existing use rights for the dwelling and any application for a use has to demonstrate compliance with the Macedon Ranges Planning Scheme.

It is considered that this application does not justify a need for a dwelling on this site and that the application should be refused.

Consistency of the proposal with the Statement of Planning Policy (SOPP):

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
1	To ensure the declared area's natural and cultural landscapes are conserved and enhanced.				N/A	
		Manage land use, development and infrastructure to ensure that significant landscapes, views and vantage points are conserved and enhanced.				
		Encourage retention of native vegetation and revegetation that contributes to significant landscapes, particularly on escarpments and ridgelines and along riparian areas.				
		Manage development around significant landscapes of visual, scientific or education value, including along ridgelines and at vantage points.				
		Manage development and infrastructure provision to ensure sequences of views from key road and rail corridors are maintained for current and future users.				
2	To ensure the significant biodiversity, ecological and environmental values of the declared area are conserved and enhanced				N/A	No native vegetation will be removed to facilitate the proposal.
		Conserve and enhance high-value native vegetation and biodiversity and their ecological integrity by undertaking responsible environmental management, planning, procedures and practices.				
		Utilise appropriate historical ecological knowledge and practices from Traditional custodians of the land in the management of biodiversity and ecological and environmental values.				
		Encourage ecological restoration works in areas of identified state, regional and locally significant biodiversity value				
		Establish and improve bio links to connect high-value ecological areas, including areas along waterways and areas within and between towns.				
		Minimise the effects of weeds and pest animals on biodiversity values by establishing and implementing best practice land management plans.				



Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
3.	To prioritise the conservation and use of the declared area's water catchments to ensure a sustainable local, regional and state water supply, and healthy environment.				N/A	The subject site is not located within Special Water Supply Catchment Area.
		Protect water quality and natural systems by discouraging development that contributes to the degradation of water quality and quantity.				
		Manage land use and development, including dams, in Declared Water Supply Catchments to retain and improve water quality and improve yield to support regional water needs and to increase system-wide capacity to Respond to demand.				
		Reinforce the role of waterways as biodiversity Linkages and as corridors for native plants and animals.				
		Ensure water supply and land use planning policies are integrated, to realise efficiencies in regional catchment management and best practice, water-sensitive urban design.				
		Address the expected impacts of climate change, including changes in the duration and frequency of rainfall events and changes in the intensity and frequency of bushfire events.				
		Review and improve regulation and monitoring of groundwater licences and surface water diversions.				
4.	To recognise, protect, conserve and enhance the declared area's Aboriginal cultural and spiritual heritage values and work in partnership with Traditional Owners in caring for Country.				N/A	The subject site is partially located within area of Aboriginal cultural sensitivity however a Cultural Heritage Management Plan is not required.
		With Traditional Owners, identify, protect, conserve and enhance sites, landscapes and views of Aboriginal cultural significance, consistent with the Aboriginal Heritage Act 2006 and Cultural Heritage Management Plans.				
		With Traditional Owners, acknowledge, protect, promote and interpret tangible and intangible				

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
		Aboriginal cultural values, heritage and knowledge when planning and managing land use and development, water and other environmental resources.				
5.	To recognise, conserve and enhance the declared area's significant post-contact cultural heritage values.					
		Conserve and enhance the character of state and/or nationally significant post-contact cultural heritage values (including aesthetic, historic, scientific, social and spiritual values) in the declared area's heritage places, precincts and landscapes, including sequences of views along main road and rail routes.				
		Acknowledge, promote and interpret significant post-contact cultural heritage values in the planning, design, development and management of land uses, including infrastructure.				
6.	To support and encourage agricultural land uses that strengthen the declared area's economy and contribute to the rural landscape.			X		The proposal does not meet this objective as a dwelling is proposed on an agricultural land. The proposal is not specifically aimed at enhancing the agricultural capacity of the land.  The proposal demonstrates no nexus between agricultural land use and the necessity of a dwelling as well as how a dwelling would be ancillary or secondary to agricultural pursuits.
		Encourage the use of rural-zoned land for agricultural purposes and encourage the use of high-quality soils for soil-based agriculture.		X		The proposal will not meet this strategy as the proposed use will be residential and will be unable to support agricultural use on site.  No farm management plan has been submitted to justify the dwelling.
		Encourage and support innovations in agricultural practices (such as sustainable farming, water reuse, technologies to enable farming to adapt and respond to emerging and niche markets).		X		No agricultural use has been proposed.

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
		Support agricultural practices that improve soil health and respond to and encourage adaptation to climate change.		X		
		Encourage measures to ensure agricultural practices protect and enhance soil quality, water quality, biodiversity and native plants and animals.		X		
		Manage the effects of rural land use and development on important environmental and cultural values.			N/A	
		Restrict the supply of rural-living-zoned land to conserve and protect agricultural practices.		X		The proposal will result in a permanent land use change on an agricultural land which is contrary to this strategy.
		Protect strategic extractive resource areas and existing quarry operations from encroachment from inappropriate development.			N/A	
		Proposals to establish an extractive industry must adhere to best practice measures to avoid and minimise impacts on significant environments and landscapes.			N/A	
7.	To provide for a diverse and sustainable visitor economy compatible with the natural and cultural values of the area.				N/A	
		Support and facilitate sustainable and responsible tourism and recreation-related land uses and developments (such as agritourism) in keeping with the declared area's significant landscapes, environmental and cultural values.				
		Facilitate tourism-related land use and development that encourages people to recognise and understand Aboriginal and post-contact cultural heritage.				
		Ensure the conservation and enhancement of Declared Water Supply Catchment Areas of regional or state significance in the planning of tourism and recreational land uses.				
		Protect the unique rural character of towns in the declared area.				
8.	To plan and manage growth of settlements in the declared area consistent with protection of the area's significant				N/A	The site is not located adjacent to any significant landscape and no vegetation will be removed.

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
	landscapes, protection of catchments, biodiversity, ecological and environmental values, and consistent with the unique character, role and function of each settlement.					
		Direct urban development to a hierarchy of settlements identified for growth, through clearly defining long-term settlement boundaries.				
		Direct rural residential development to rural-living-zoned land as provided for in the Macedon Ranges Council's rural living strategy. In the Rural Living Zone – Strategic Direction (2015).				
		Encourage infill development that respects the townships' character.				
		Limit the expansion of settlements in high risk locations, actively reducing the risks associated with natural hazards.				
		Encourage a range of housing types within settlement boundaries to support a diverse range of housing needs.				
		Encourage provision of an adequate supply of well-serviced employment land within settlement boundaries to support local and regional jobs and services.				
		Encourage the use of voluntary Cultural Heritage Management Plans.				
9.	To manage the provision of infrastructure consistent with protection of the area's significant landscapes and protection of environmental values to support the social and economic needs of communities and increase resilience to climate change effects.				N/A	
		Provide timely infrastructure and services to meet community needs in sequence with development.				
		Maintain and enhance transport connections that provide links between and within regional communities and to major cities.				

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
		Reduce use of fossil fuels and reduce greenhouse gas emissions by prioritising active transport and public transport modes.				
		Maintain view lines of state-significant landscape features from the main road and rail transport corridors.				
		Ensure the future operation and development of major transport linkages and rail corridors and upgrading and improved management of freight routes are considered when managing the growth of settlements.				
		Ensure equitable access to community infrastructure.				
		Encourage the use of active and public transport by planning infrastructure and facilities in accessible locations, and improve walking and cycling routes.				
10.	<b>Respond to the challenges and threats of climate change and natural hazards with careful planning and mitigation strategies.</b>		✓			
		Support community and government planning for disaster preparedness and climate resilience.			N/A	
		Manage bushfire risks while also retaining valued biodiversity and landscape character.	✓			The site is located within bushfire prone area however it can meet the bushfire measures in relation to access, water supply and BAL rating.
		Plan for more renewable energy generation and distribution.			N/A	
		Ensure proposals to establish renewable energy facilities adhere to best practice measures to avoid and minimise impacts on significant environments and landscapes.			N/A	
		Ensure planning for future use and development of land prone to flooding minimises the consequences of inundation.			N/A	

**Energy Rating**

4.9 stars

single-dwelling rating  
 multi-unit development (attach listing of ratings)  
 heating 24.1 MJ/m<sup>2</sup>  
 cooling 17.4 MJ/m<sup>2</sup>

Recessed downlights confirmation:  Rated with  Rated without

Assessor Name/Number: Brendan Mellington VIC.BDAV/10/0183  
 Assessor Signature: \_\_\_\_\_ Date: 27/7/15

**GLAZING**

See Energy rating report for additional information on glazing.

**WALLS TO BE REMOVED**

Prior to removing walls the builder shall verify that all walls which are load bearing shall have the roof and ceiling structure reorganised by relocating props etc and (or) installing strutting beams. Strutting beams and all other framing to be shall be sized as per AS.1684.

Windows -represents a window 1000H x 1500W 10 15

Windows - Double Glazing DG

**ARTIFICIAL LIGHTING**

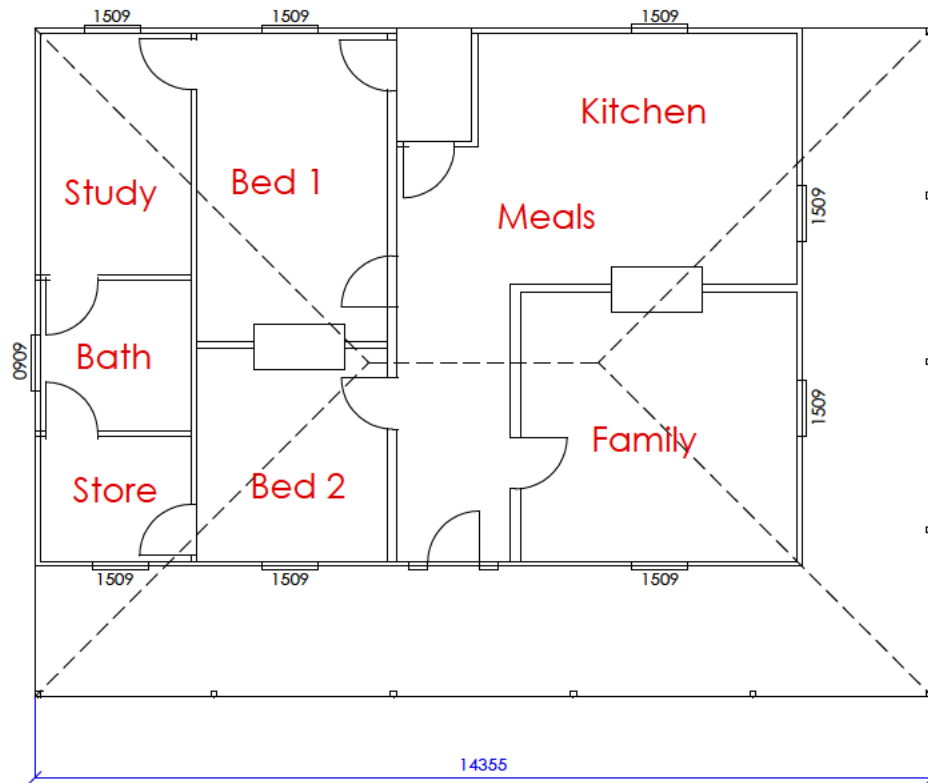
TO COMPLY WITH N.C.C. 2.12.5

WATT RATIO	AREA NAME	AREA	MAX. WATTS
HOUSE AREA 5W/m <sup>2</sup>	LIVING	170m <sup>2</sup>	850.00W
COVERED AREA 4W/m <sup>2</sup>	VER	69.27m <sup>2</sup>	277W
TOTAL		239.27m <sup>2</sup>	1127W

ANY EXTERNAL PERIMETER LIGHTING TO BE CONNECTED TO SENSORS

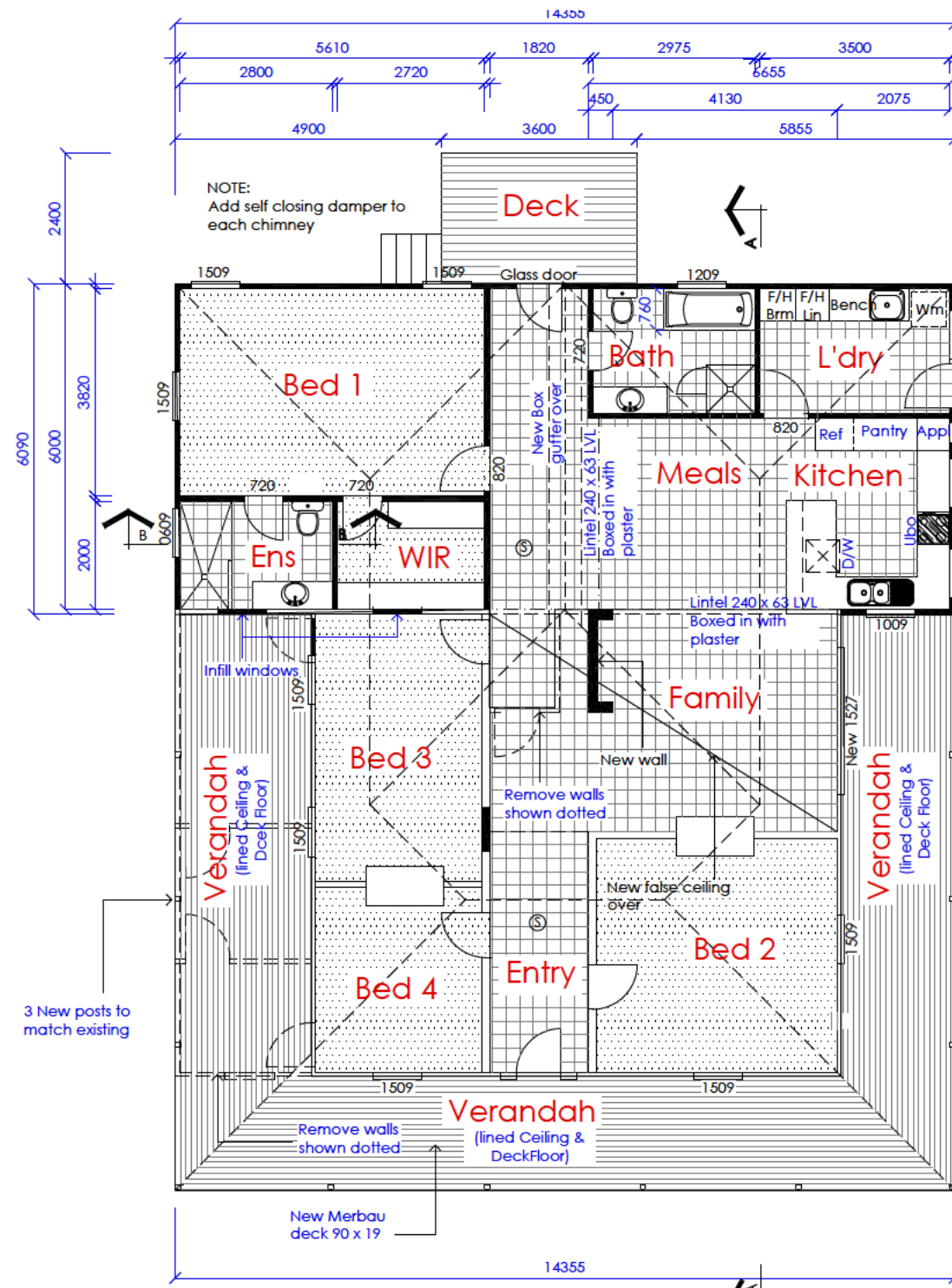
**NOTES**

- Floor Tiles
- Carpet
- Decking (External)
- Existing Walls to remain
- Existing Walls to be removed
- New walls (Stud)
- New internal walls (Stud) with R2.5 wall insulation



**Existing Floor Plan**

Existing Living - 103m<sup>2</sup> or 11.15sq's  
 Existing Verandah Area - 47.9m<sup>2</sup> or 5.15 Sq's  
**PROPOSED TOTAL LIVING AREA - 150.9m<sup>2</sup> or 16.24sq's**



**Proposed Floor Plan**

Existing Living - 81.7m<sup>2</sup> or 8.8 Sq  
 Extension Area - 88.5m<sup>2</sup> or 9.52 Sq's  
 Verandah - 69.27m<sup>2</sup> or 7.45 sqs  
**PROPOSED TOTAL LIVING AREA - EX VER - 170.2m<sup>2</sup> or 18.32sq's**

Version 1 - 17/7/2015  
 Drawing Status

**For Construction**

**GENERAL**  
 All dimensions site and soil condition to be verified on site by builder prior to ordering or placing any materials. All work shall conform to the National Construction Code of Australia.  
 Do Not scale drawings  
 This drawing is Copyright  
**WALL THICKNESS**  
 All Stud walls - 90mm (unless otherwise stated)  
**WEATHER STRIPS**  
 Weather strip to all external hinged doors  
**DOORS**  
 Doors shall be 820 x 2040 unless noted otherwise Bathroom En Suite and Toilets shall have 720 x 2040 doors

CLIENT  
 KILMORE INTERNATIONAL SCHOOL

PROJECT  
 EXTENSION TO HOME  
 2076 THREE CHAIN ROAD  
 LANCEFIELD VIC

DATE  
 JULY 2015

DRAWN  
 B.MACTIER

DESIGN  
 CLIENT

CHECKED  
 B.MACTIER

SCALE  
 1:100 @A3 SHEET

REGISTRATION NUMBER  
 VIC DP-AD1412  
 QLD RES. DESIGN  
 1023404  
 1023407 (Supervisor)  
 CC4216F

TAS.  
 CC4216F

DRAWING TITLE  
 FLOOR PLANS  
 SHEET NUMBER  
 A1 of 7  
 JOB NUMBER  
 15 239



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Plans



**Front Elevation**

**Rear Elevation**

**Side Elevation**

**Side Elevation**

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DRAWING TITLE  
ELEVATIONS

SHEET A2 of 7

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**Elevations**

Builder to install 90Ø UPVC Downpipes .

The person responsible for installing the tank system shall extend the stormwater system to the tanks via 90 dia PVC pipes. Install an overflow system to ensure water will not pond near tanks or buildings.

Due to the size of the block exceeding 4047m<sup>2</sup> (0.4047ha) it is therefore exempt from complying with rescode regulation.

Septic tank located & installed in accordance with relevant authorities to council approval

Stormwater to be discharged clear of building via 90mm UPVC pipe at 1:100 fall. Use 90 x 90 PVC downpipes. Discharge into new water tank.

**NOTE:**  
Builder to implement measures to minimise mud, crushed rock or other debris being carried onto public roads from site.

**Section A - A**  
1:100

**Site Plan**  
1:2000

DATE: 17/7/2015  
Drawing Status: For Construction

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CUBIT: KILMORE INTERNATIONAL SCHOOL

PROJECT: EXTENSION TO HOME 2076 THREE CHAIN ROAD LANCEFIELD VIC

DATE: JULY 2015

DRAWN: B.MACTIER

DESIGN: CLIENT

CHECKED: B.MACTIER

SCALE: AS NOTED @A3 SHEET

REGISTRATION NUMBER: VIC DP-AD1412  
QLD RES. DESIGN: 1023404  
TAS: 1023407 (Supervisor) CC4216F

DRAWING TITLE: SITE PLAN

SHEET: A3 of 6

JOB NUMBER: 15 239

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**Site Plan**

**Energy Rating**

single-dwelling rating 4.9 stars

multi-unit development (attach listing of ratings)

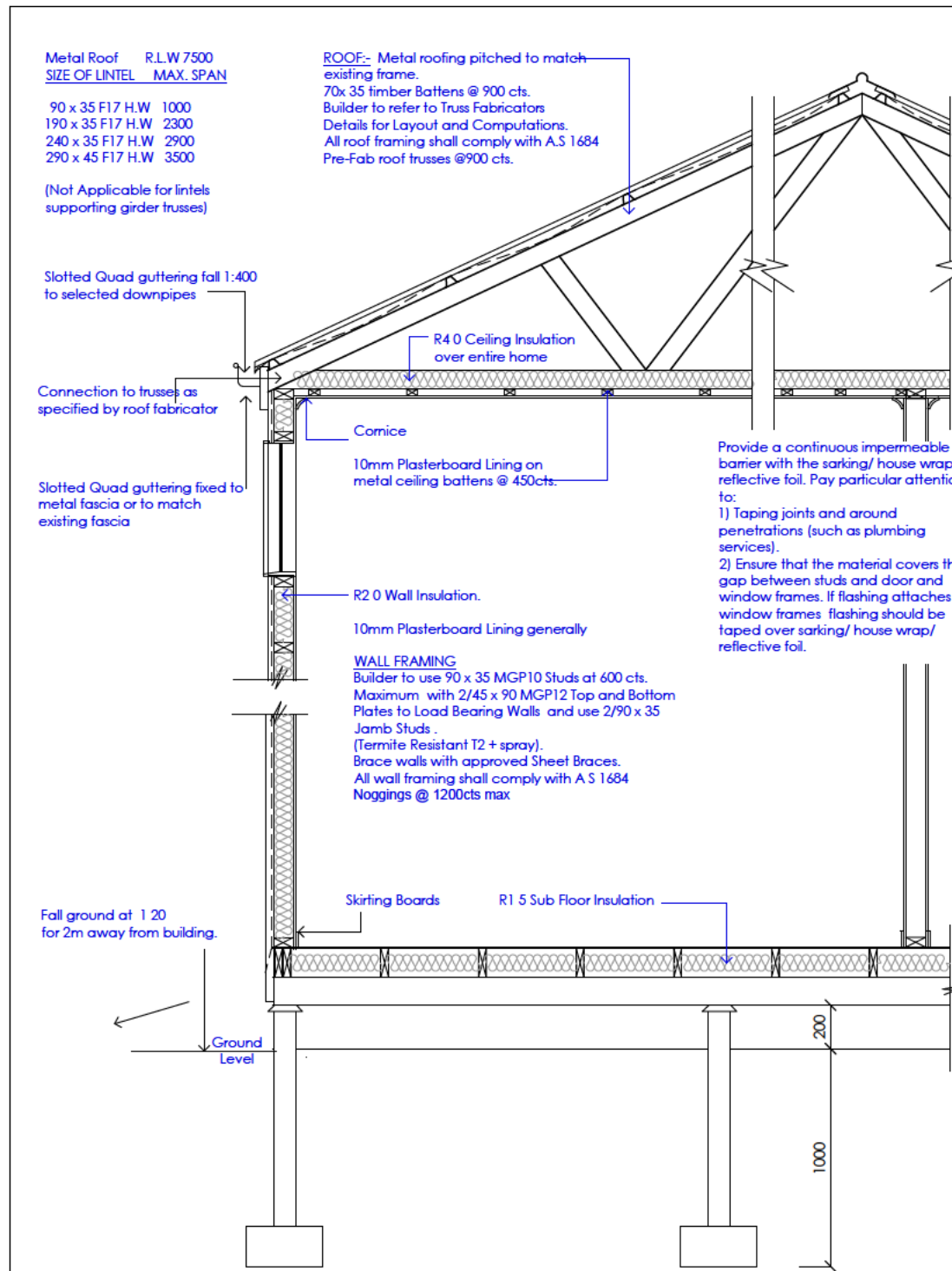
heating 241 MJ/m<sup>2</sup>

cooling 17.4 MJ/m<sup>2</sup>

Recessed downlights confirmation  Rated with  Rated without

Assessor Name/Number: Brendan Mallington VIC:BDAY10/0183

Assessor Signature \_\_\_\_\_ Date: 27/7/15



# Section B-B

## BUILDERS NOTES

**STANDARDS**  
 The Builder shall ensure the building complies with the following Regulations and Standards  
 Building Code of Australia  
 AS 1582 Roofing AS3660 Termite Code  
 AS1288 Glazing Code AS 3000 Electrical  
 AS 2870 Slabs and Footings AS 1684 Timber Framing  
 AS 3500 PlumbingCode AS 3740 Waterproofing Code  
 and all other standards nominated in the NCC

**FLOOR TILING**  
 Minor movement shall inevitably occur in most floors. In order to minimise any damage to floor tiles as a result of floor cracking/movement a flexible adhesive shall be used.

**GLAZING -Bathrooms and En-Suites**  
 All windows within 2000mm of the floor shall have Safety glazing as per AS1288.

## OWNERS NOTES

Owners should maintain their buildings in accordance with the CSIROs Home Owners Maintenance manual.

Clay soils will swell and shrink with variations in moisture content. This movement may cause damage to the building. In order to minimise the damage we recommend the following precautions be taken -

- 1) Provide adequate site drainage to ensure water will not pond against or near the building.
- 2) Grade the site within 2m of the building away from the building to ensure that no water ponds near the building.
- 3) Maintain sewage and stormwater systems to ensure no leakages occur. If they occur repair them promptly.

**Energy Rating**

4.9 stars

Single dwelling rating

Multi unit development (attach listing of ratings)

heating 24.1 MJ/m<sup>2</sup>

cooling 17.4 MJ/m<sup>2</sup>

Reassessed down grade confirmation  Rated with  Rated without

Assessor Name/Number: Brenden Mollington VIC-BD4671010163

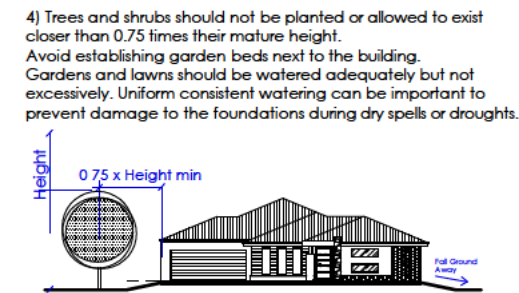
Assessor Signature: \_\_\_\_\_ Date: 27/7/15

**DOORS**  
 Doors shall be 820 x 2040 unless noted otherwise.  
 Bathroom Ensuites & Toilets shall have 720 x 2040 doors.  
 Toilet cubicle doors shall be fitted with removable hinges.  
 CS denotes a cavity sliding door.

**SMOKE DETECTORS**  
 Smoke detectors are denoted (S) on the plan.  
 These shall be installed as per AS 3788.

**DRAINS**  
 Piping trenches running parallel with the Building should be located at an offset from the footing equal to the depth.

**ASBESTOS**  
 If any possible Asbestos materials are found they should be checked and tested. If confirmed they must be removed by a licensed contractor in accordance with Worksafe guidelines.



Version 1 - 17/7/2015  
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**For Construction**

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PROJECT  
 EXTENSION TO HOME  
 2017 THREE CHAIN ROAD  
 LANCEFIELD VIC

DATE  
 JULY 2015

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DESIGN  
 CLIENT

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 B.MACTIER

SCALE  
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REGISTRATION NUMBERS  
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 QLD RES. DESIGN  
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DRAWING TITLE  
 SITE PLAN

SHEET A4 of 7

JOB NUMBER  
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**Section**

**SOIL CLASIFICATION**

This footing system has been designed for a H1 Classification. The builder shall obtain a test to confirm this classification. Should the soil test reveal any different to the above the builder shall not use the design shown.

Founding depths of footings shall be as per the soil test.

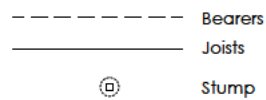
**NOTE:**

Stump plan suggested layout. Typical timber flooring system. Builder may use approved equivalent steel flooring system, e.g. duragal floor systems to manufactures & clients approval

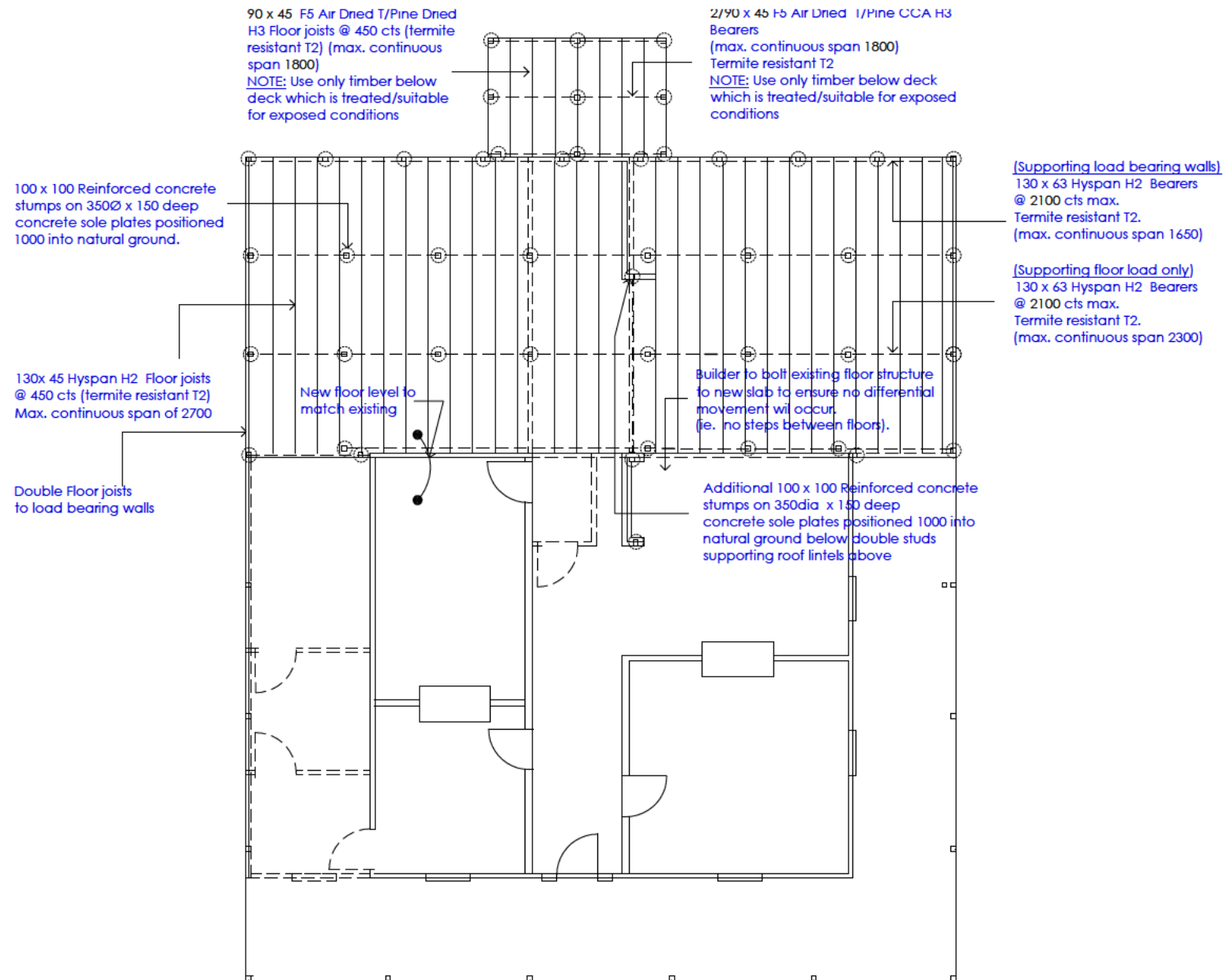
All floor levels to be determined by builder prior to construction. changes to footing layout are to comply with AS 1684 & AS 2870

Builder to verify a class H1 soil classification by obtaining a soil test performed by an engineer. Engineer to ensure footing design for class of soil. Should any evidence of fill be found during excavation contact Bruce Mactier Building Designers

Builder to construct new floor to match existing direction of bearers. builder to confirm direction of bearers prior to construction



Existing Timber Floor



**Footing Plan**

**Energy Rating**

4.9 stars

single-dwelling rating  heating 241 MJ/m<sup>2</sup> cooling 17.4 MJ/m<sup>2</sup>

multi-unit development (attach listing of ratings)  based on specific to average across the development

Recessed downlights confirmation:  Rated with  Rated without

Assessor Name/Number: Brendan Mallington VIC/BDAV/100163  
Assessor Signature: \_\_\_\_\_ Date: 27/7/15

Version 1 - 17/7/2015  
Drawing Status

For Construction

CLIENT: KILMORE INTERNATIONAL SCHOO

PROJECT: EXTENSION TO HOME  
2076 THREE CHAIN ROAD  
LANCERFIELD VIC

DATE: JULY 2015

DRAWN: B.MACTIER

DESIGN: CLIENT

CHECKED: B.MACTIER

SCALE: 1:100 @A3 SHEET

REGISTRATION NUMBERS  
VIC DP-AD1412  
QLD RES. DESIGN 1023404  
TAS. 1023407 (Supervisor) CC4216F

DRAWING TITLE: FOOTING PLAN

SHEET A5 of 7

JOB NUMBER: 15 239

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Footing



**CONCRETE** - All concrete shall be a min. grade of 25 MPa as per AS 3600 Concrete Structures and AS 2870 Residential Slabs and Footings.

**REINFORCEMENT** - Reinforcing bars shall comply with AS 1302 Reinforcing Bars for Concrete. All mesh shall comply with AS 1304 Fabric for Concrete.

**BAR CHAIRS** - for slab mesh supply and install plastic bar chairs at 1200 cts each way

**COVER FOR REINFORCING** - Slabs 25 from top. Strip footings 50 mm from the top and bottom. Pad Footings 65mm from top and bottom.

**LAPS** - All mesh shall be lapped a min of 225. All strip footing mesh shall be lapped 500 mm. Strip footing mesh shall be lapped at corners a min. of the full width of the intersecting footing. Lap main bars 500 mm min

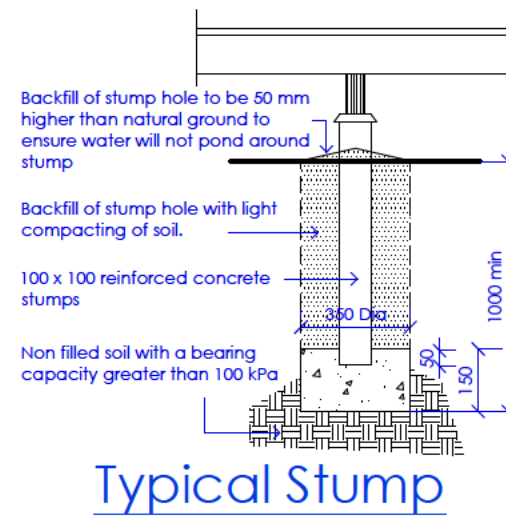
**FOUNDING DEPTH** - All footings to be founded in 100KPa bearing capacity non-filled virgin soil. If small (<300mm) amounts of fill are found during excavation the builder shall increase the depth of the footing so that it extends 200 mm into the non-filled soil. Large amounts of fill shall be reported to the Designer for further consideration.

**SERVICE TRENCHES** - All drainage pipe trenches etc shall be located at an offset from the building line equal to their depth plus 200 mm

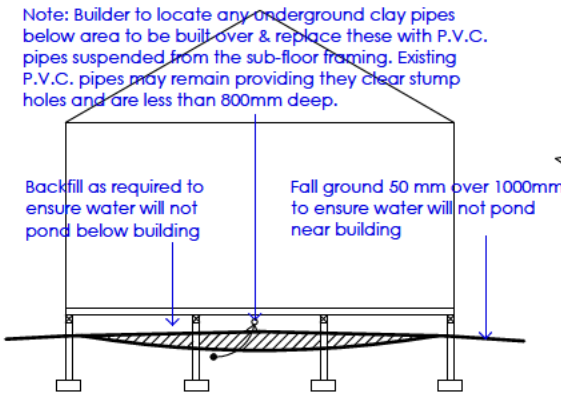
**DEEP SEWER MAINS ETC** - If a sewer main/pipe trench is found to be adjacent to the footing the builder shall report the matter to the Designer for further consideration.

**VIBRATION** All concrete to be mechanically vibrated during pour.

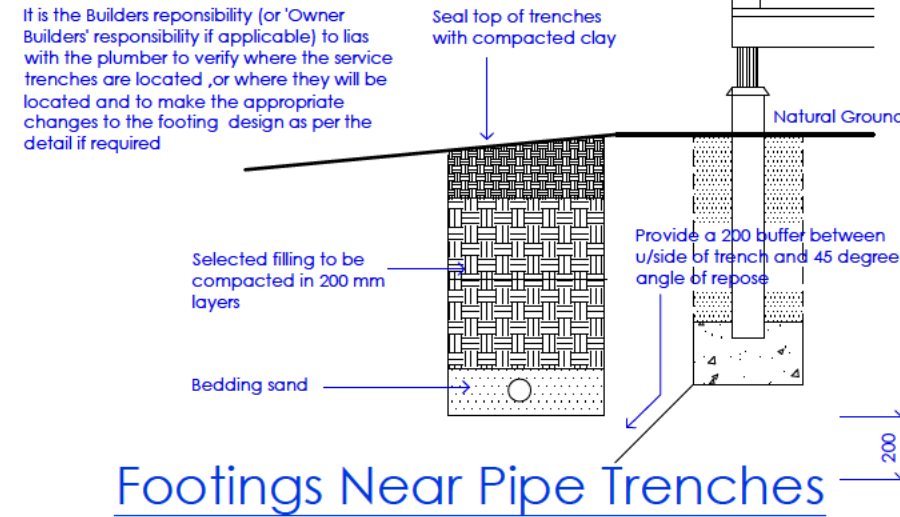
**CONCRETE SLUMP** Max slump to be 100 mm +/- 10mm



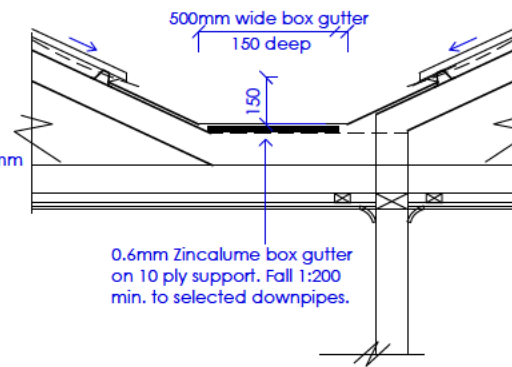
Typical Stump



U/Floor Drainage Detail



Footings Near Pipe Trenches



Box Gutter Detail

SCALE 1: 20

Version 1 - 17/7/2015  
Drawing Status

For Construction

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PROJECT  
EXTENSION TO HOME  
2076 THREE CHAIN ROAD  
LANCERFIELD VIC

DATE  
JULY 2015

DRAWN  
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DESIGN  
CLIENT

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B.MACTIER

SCALE  
1:100 @A3 SHEET

REGISTRATION NUMBERS  
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QLD RES. DESIGN  
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1023407 (Supervisor)  
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TAS.

DRAWING TITLE  
DETAILS

SHEET A6 of 7

JOB NUMBER  
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Foot . Details



N- E Quadrant



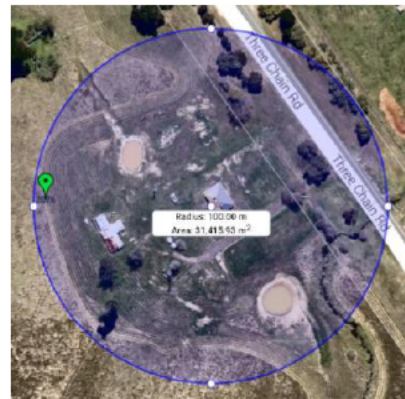
N- W Quadrant



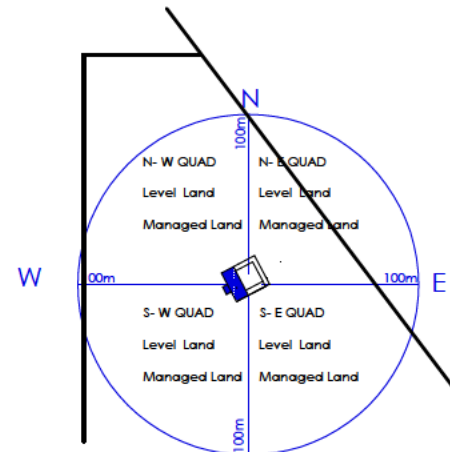
S- E Quadrant



S - W Quadrant



Aerial Photo



**BUSHFIRE ATTACK LEVEL ASSESSMENT**  
 Fire Danger Index -100  
 Vegetation Type - Managed Land  
 Vegetation Distance - 0 m  
 Upslope/Downslope - Level  
 Angle of Slope in Degrees - 0°

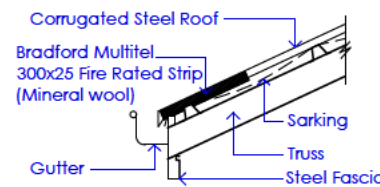
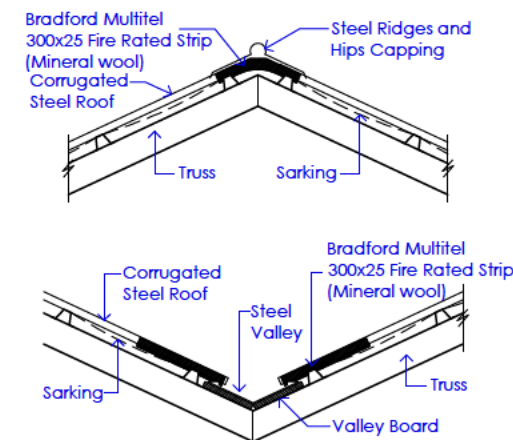
We have reviewed the area within the 100m radius area and believe that - as it is well maintained at present and considering its current use - we believe the entire area will be well maintained in the future - we have regarded it as 'Maintained'

The owner shall be responsible for maintaining any area of which they own within this 100m radius free of leaves, fire fuel and ensure the grass is no longer than 100mm within the designated area

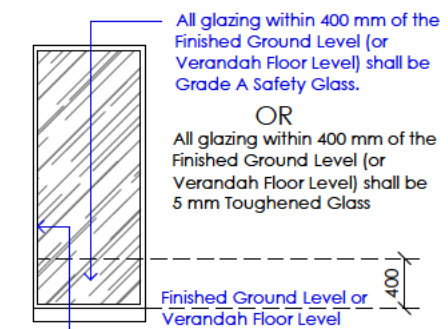
All land beyond 100 meters from house is not relevant to BAL assessment

BAL Level 12.5

BAL COMPLIANCE REPORT - BAL 12.5					
REGULATION	REQUIREMENT	RESPONSE	REGULATION	REQUIREMENT	RESPONSE
Reg 5.2 Sub Floor Supports	N/A	Complies	Reg 5.4.4 Verandah, carport & covering roofs	If part of main roof, to be the same as main roof, if separated from main roof, to be non-combustible.	Complies
Reg 5.3 Floors	N/A	Complies	Reg 5.4.5 Roof penetrations	Roof penetrations to be sealed with a non-combustible material to prevent gaps greater than 3mm.	Complies
Reg 5.4 External Walls Non-combustible	Brick or Bushfire resisting wallboards & 4mm Cement Sheet	Complies	Reg 5.4.6 Eaves kinks, fascias & gables	Gable ends to comply as per external wall, eaves penetrations to be sealed with a non-combustible material to prevent gaps greater than 3mm.	Complies
Reg 5.4.2 Joints	Gaps no greater than 3mm	Complies	Reg 5.4.7 Outlets & downpipes	No requirements except for box gutters which are to be non-combustible & flashed off the junction with the roof.	Complies
Reg 5.4.3 Vents & Weepholes	100% Weepholes sweep hole guards with metal mesh fire insert	N/A	Reg 5.7 Verandahs, decks, steps, ramps, & landings	The materials used to enclose a subfloor space within 400mm from the ground are to comply as per external walls. There are no requirements for enclosed subfloor materials.	Complies
Reg 5.5 External Windows & Doors			Reg 5.7.3.3 Decking, stair treads, ramps, & landings	Decking, stair treads, ramps, & landings with 400mm of a glassed unit shall be non-combustible or a bushfire-resisting timber.	Complies
Reg 5.5.1 A Window & Door Screens	Metal mesh with metal frames. All operable windows to be screened.	Complies	Reg 5.8 Water & Gas supply pipes	Above ground, exposed water & gas supply pipes shall be metal.	Complies
Reg 5.5.2 Windows	Bushfire resisting timber frames. Grade A safety glass	Complies			
Reg 5.5.3 Side hung external doors	Bushfire resisting timber & weather strip to base of door.	Complies			
Reg 5.5.4 Sliding glass doors	Metal framed with grade A safety glass	N/A			
Reg 5.5.5a Garage doors	Metal w/ thin 400mm of natural ground level	N/A			
Reg 5.5.5b Panel IT doors	To be fitted with draught seals or guide tracks with max. gaps of 3mm.	N/A			
Reg 5.5.5c Roller doors	To have guide tracks with a maximum gap of 3mm & fitted with a nylon brush that is in contact with the door.	N/A			
Reg 5.6 Roofs	To be non-combustible.	Complies			
Reg 5.6.2 Tiled roofs	To be fully sarked.	N/A			
Reg 5.6.3 Sheet roofs	To be sealed off fascia, via keys, hips & ridge with mineral wool.	Complies			



Bradford Multitel 300x25 Fire Rated Strip (Mineral wool)



All windows to have aluminium frames with metal fly screens

Glazing

**Bushfire Assessment 12.5 Construction Details**

See Compliance Report Also

Version 1 - 17/7/2015  
Drawing Status

For Construction

CLIENT  
KILMORE INTERNATIONAL SCHOO

PROJECT  
EXTENSION TO HOME  
2076 THREE CHAIN ROAD  
LANCERFIELD VIC

DATE  
JULY 2015

DRAWN  
B.MACTIER

DESIGN  
CLIENT

CHECKED  
B.MACTIER

SCALE  
N/A

REGISTRATION NUMBERS  
VIC DP-AD1412  
QLD RES. DESIGN  
1023404  
1023407 (Supervisor)  
CC4216F

TAS.

DRAWING TITLE  
BUSHFIRE ATTACK LEVEL REPORT

SHEET A7 of 7

JOB NUMBER  
15 239

Bruce Mactier & Associates P/L trading as



**BRUCE MACTIER**  
BUILDING DESIGNERS

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100c Wyndham Street  
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BAL



<b>9.2</b>	<b>PLN/2022/454 - 56 HOWEY STREET GISBORNE VIC 3437</b>
<b>Application Details:</b>	<b>Development of the Land for Six (6) Dwellings</b>
<b>Officer:</b>	<b>Nicole Wadden, Senior Statutory Planning Officer</b>
<b>Council Plan relationship:</b>	<b>3. Improve the built environment</b>
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. <b>Conditions</b> <a href="#">↓</a></li> <li>2. <b>Assessment of Statement of Planning Policy</b> <a href="#">↓</a></li> <li>3. <b>Development Plans</b> <a href="#">↓</a></li> <li>4. <b>Landscape Plan</b> <a href="#">↓</a></li> </ol>
Triggers for a planning permit	General Residential Zone (Schedule 1) – Construct two or more dwellings on a lot Design and development Overlay (Schedule 17) - Construct a building or construct or carry out works
Zones and Overlays	General Residential Zone (Schedule 1) Design and Development Overlay (Schedule 17) Development Contribution Plan Overlay (Schedule 2)
No. of objectors	16
Trigger for report to the Committee	Councillor Call-in
Key Considerations	Neighbourhood character; impact of infill development; potential amenity impact to adjoining properties due to two-storey form; and objector concerns.
Conclusion	Notice of Decision to Grant a Permit subject to conditions
Date of receipt of application:	3 November 2022

**Summary**

The application seeks approval for the development of the subject site for six dwellings.

Key issues to be considered relate to the suitability of the site for increased density and infill development, and the design and layout of the proposed dwellings to demonstrate that amenity impacts on adjoining dwellings have been appropriately managed.

The application has been assessed against the relevant provisions of the Macedon Ranges Planning Scheme and is found to be consistent with the objectives and provisions of the Planning Scheme.

**Recommendation**

**That a Notice of Decision to Grant a Permit be issued for the development of six (6) dwellings at CA 9 Section 12 Township of Gisborne Parish of Gisborne, 56 Howey Street, Gisborne subject to the conditions outlined in Attachment 1.**

## Existing conditions and relevant history

### Subject land

The subject land is located in the township of Gisborne, north east of the intersection of Howey Street and Goode Street, within an established residential area. The land is rectangular, with dimensions roughly in the realm of 40m x 50m and is approximately 2023m<sup>2</sup> in size. The site is currently developed with a single-storey dwelling and an associated outbuilding and includes a crossover located in the south western portion of the lot. Vegetation is present on the site.

### Surrounds

The immediate surrounding area is characterised by detached single dwellings and unit style developments in addition to land a little further to the east of the site zoned for Public Use and Public Conservation and Resource. Surrounding lots are generally ranging from approximately 315m<sup>2</sup> to over 4 hectares.

Dwelling designs include both single and double storey with both contemporary and classic styles evident in the immediate surrounding area. Dwelling setbacks to Goode Street range from 3.5m to over 10m and around 8m to 9m in Howey Street. Moderate plantings are evident within the front setbacks of most dwellings along both Howey and Goode Street with some larger canopy trees scatters through front and rear gardens of surrounding lots and within the street scape.

### Registered restrictive covenants and/or Section 173 Agreements affecting the site

There are no registered restrictive covenants or Section 173 Agreements affecting the site.

### Previous planning permit history

The subject site does not have any relevant Planning Permit history.

## Proposal

The proposal is for the development of six (6) dwellings. The dwellings are arranged in 2 rows (north-south) with a common access proposed in the middle that is accessible via Goode Street. The northern three units will all be accessed by the common driveway while the south eastern two dwellings will be accessed via single crossovers that front to Howey Street. The dwellings will feature either three (3) or four (4) bedrooms with each dwelling designed generally to present with an open plan layout, with a bedroom at the ground floor level and additional bedroom/s at the upper floor. Each dwelling will have an attached double car garage.

The proposed front setback will be a minimum of 4m to Howey Street and 6m to Goode Street (not including verandas). The side and rear setbacks range from 0m to over 4m. The proposed total site coverage (proportion of a site covered by buildings) will be 43.7%. The proposed building materials will comprise Colorbond roof in 'Surfmist', grey rendered surfaces, in addition to Weathertex Cladding (vertical panels). Substantial landscape planting is also proposed within the front and rear setbacks of the dwellings and within the road reserve.

## Relevant Macedon Ranges Planning Scheme controls

### Section 46AZK of the Planning and Environment Act 1987

Section 46AZK of the Planning and Environment Act 1987 and Clause 51.07 of the Macedon Ranges Planning Scheme require Council as a Responsible Public Entity to not act inconsistently with any provision of the Statement of Planning Policy (SOPP) in exercising decision making powers. Attachment 2 contains the officer assessment against the SOPP.

Planning Policy Framework

<b>Clause no.</b>	<b>Clause name</b>
2.03-1	Settlement
2.03-2	Environmental and Landscape Values
2.03-5	Built Environment and Heritage
2.03-6	Housing
2.04	Strategic Framework Plan
11.01-1S	Settlement
11.01-1L	Settlement – Gisborne
11.03-3S	Peri-Urban Areas
12.05-2L	Landscapes – Macedon Ranges
15.01-1S	Urban Design
15.01-1L	Urban Design – Macedon Ranges
15.01-2S	Building Design
15.01-5S	Neighbourhood Character
15.01-5L	Neighbourhood Character – Macedon Ranges Townships (Gisborne)
16.01-1S	Housing Supply
16.01-1L	Housing Supply – Macedon Ranges
16.01-2S	Housing Affordability
16.01-2L	Housing Affordability – Macedon Ranges
19.03-1S	Development and Infrastructure Contributions Plans
19.03-3S	Integrated Water Management

Zoning

<b>Clause no.</b>	<b>Clause name</b>
32.08	General Residential Zone – Schedule 1

Overlay

<b>Clause no.</b>	<b>Clause name</b>
43.02	Design and Development Overlay – Schedule 17
45.06	Development Contributions Plan Overlay – Schedule 2

Particular provisions

<b>Clause no.</b>	<b>Clause name</b>
51.07	Macedon Ranges Statement of Planning Policy
52.06	Car Parking
53.18	Stormwater Management in Urban Development
55	Two or More Dwellings on a Lot

General provisions

Clause no.	Clause name
65.01	Approval of an Application or Plan

**Cultural Heritage Management Plan assessment**

	Assessment criteria	Assessment response
1	Is the subject property within an area of cultural heritage sensitivity as defined within the cultural heritage sensitivity mapping or as defined in Part 2 Division 3 or 4 of the <i>Aboriginal Heritage Regulations 2018</i> ?	The subject property is not within an area of identified cultural heritage sensitivity.
2	Does the application proposal include significant ground disturbance as defined in Part 1 Regulation 5 of <i>Aboriginal Heritage Regulations 2018</i> ?	N/A
3	Is the application proposal an exempt activity as defined in Part 2 Division 2 of <i>Aboriginal Heritage Regulations 2018</i> ?	N/A
4	Is the application proposal a high impact activity as defined in Part 2 Division 5 of <i>Aboriginal Heritage Regulations 2018</i> ?	N/A

Based on the above assessment, a cultural heritage management plan is not required in accordance with Part 2 Division 1 of *Aboriginal Heritage Regulations 2018*.

**The process to date**

Referral

Authority (Section 55)	Response
Nil	
Authority (Section 52)	Response
Greater Western Water	No objection subject to conditions.
Melbourne Water	No response, considered no objection.
MRSC Open Space	No objection subject to conditions.
MRSC Engineering	No objection, subject to conditions Following comments provided: <ul style="list-style-type: none"> <li>• No permanent structures are allowed in the easement (garage of D4 currently in easement).</li> <li>• Conditions are to include stormwater strategy and construction of footpath along property frontage to connect with existing footpaths.</li> <li>• Clearance between two crossings is required to be 11 metres.</li> </ul>
MRSC Environment	No objection, subject to conditions.
MRSC Heritage Advisor	No objection.

### Advertising

The application was advertised by displaying a sign on site and by letter as registered post to surrounding land owners and occupiers. A total of sixteen (16) submissions/ objections were received to this application. Following is the summary of objections:

- Goode Street is unfit to cope with additional traffic.
- Poor road construction surrounding the site.
- Plans show 1 car garages which are insufficient for the size of proposed dwellings.
- Poor pedestrian access to the area due to lack of footpaths.
- Significant trees have been removed from the site.
- Overdevelopment of site.
- Double storey design is out of character with the area.
- Design will degrade the heritage lots in the area.
- No provision for visitor parking has been included.
- Need for the developer to make a contribution to footpath construction.
- Need to include indigenous planning within the landscape plan.
- Need for the developer to restrict cats within the development.
- Privacy impacts.
- Noise impacts during construction stage.
- Advertising has not been undertaken to all residents in the area.
- Need for an extended advertising period.
- Design provides for no separation of dwellings.

### **Officer Assessment**

The Municipal Planning Strategy sets out the overarching strategic directions for the Macedon Ranges Shire. Those of particular relevance are summarised below.

Clause 2.03-1 – Settlement establishes a hierarchy of settlements to appropriately direct and accommodate growth in the Shire. Gisborne is identified as a regional centre and the largest settlement in the Shire (along with Kyneton). It is specifically sought to focus growth in the regional centres with the existing town centre boundaries.

The relevant strategic directions for Gisborne (and New Gisborne) are to:

- *Manage urban growth and development in a co-ordinated and environmentally sustainable manner that respects the established semi-rural village character, natural setting, topography and view lines of the area.*
- *Ensure development occurs in a sequential manner allowing for the efficient and timely provision of social and physical infrastructure, and integration with existing development.*

Clause 2.03-2 – Significant Environments and Landscapes identifies that the landscape character of the Shire is also defined by heritage gardens and treed avenues within townships and seeks to protect these components of the landscape.

Clause 2.03-5 - Built Environment and Heritage seeks *'to protect and enhance the distinctive character and form of the Shire's towns'*. It is recognised that there is a need to provide greater housing diversity and choice close to town services is recognised, however multi-dwelling development should not be achieved at the expense of streetscape character of residential areas.

Clause 2.03-6 – Housing encourages the provision of diverse and affordable housing in settlements that have capacity for growth such as Gisborne. Housing is to accommodate all age groups, household types, income levels, lifestyles and preference. It is highlighted that careful management is needed to ensure development aligns with preferred character objectives for the particular area.

Clauses 11.01-1S – Settlement, 11.02-1S – Supply of Urban Land seek to facilitate sustainable development patterns that take full advantage of existing settlement patterns. The following objectives are relevant to this consideration:

- *Support sustainable development of the regional centres of Ararat, Bacchus Marsh, Bairnsdale, Benalla, Castlemaine, Colac, Echuca, **Gisborne**, Hamilton, Kyneton, Leongatha, Maryborough, Portland, Sale, Swan Hill, Warragul/Drouin and Wonthaggi.*
- *Limit urban sprawl and direct growth into existing settlements.*
- *Promote and capitalise on opportunities for urban renewal and infill redevelopment.*
- *Ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.*
- *Planning for urban growth should consider:*
  - *Opportunities for the consolidation, redevelopment and intensification of existing urban areas.*
  - *Neighbourhood character and landscape considerations*

The local context is provided at Clause 11.01-1L – Settlement – Gisborne. This policy seeks to maintain Gisborne as a distinctive semi-rural settlement and contain urban development within the defined township boundary as per the Gisborne/New Gisborne Framework Plan. The Gisborne/New Gisborne Framework Plan locates the site within the township boundary and in an area where medium density housing is specifically encouraged.

Clause 11.03-3S – Peri-Urban Areas and 11.03-3L – Peri Urban Area – Gisborne (New Gisborne) seeks to manage *"growth in peri-urban areas to protect and enhance their identified valued attributes"*. Gisborne is identified as an established settlement that has potential for growth, and growth is to be accommodated in designated areas to avoid settlement sprawl. Any development within Gisborne is directed to *"respect the existing townships' semi-rural character, heritage streetscapes, topography, view lines to the Macedon Ranges and significant natural environmental assets"*

Clause 12.05-2L – Landscapes – Macedon Ranges seeks to *"preserve significant exotic and native vegetation as a fundamental component of the shire's character and landscape."*

Clause 15.01-1S – Urban Design broadly emphasises the importance of creating quality environments that contribute positively to the local urban character and sense of place, and reflect the particular characteristics, aspirations and cultural identity of the community. Clause 15.01-1L – Urban Design – Macedon Ranges more specifically seeks to:



- *Ensure that development in townships respond to key features of existing streetscapes including building materials, colours, height, setbacks, bulk, articulation, significant vegetation, site coverage and density.*
- *Design development to provide for passive surveillance of public spaces.*
- *Retain mature vegetation and incorporate landscaping that integrates with the landscape character of the area and increases tree canopy coverage across townships.*
- *Encourage the use of landscaping in development including native vegetation.*

Design strategies are also conveyed at Clause 15.01-2S – Building Design as follows:

- *Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.*
- *Improve the energy performance of buildings through siting and design measures.*
- *Encourage water efficiency and the use of rainwater, stormwater and recycled water.*
- *Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.*
- *Ensure development considers and responds to transport movement networks and provides safe access and egress for pedestrians, cyclists and vehicles.*
- *Encourage development to retain existing vegetation.*

Clause 15.01-5S - Neighbourhood Character seeks “to recognise and protect cultural identity, neighbourhood character and sense of place.” This policy seeks to provide a good quality urban environment and encourages adherence to good urban design principles in designing new development. Neighbourhood character policy specific to Gisborne at Clause 15.05-1L seeks to:

- *To maintain and improve key urban and landscape elements, and heritage assets that contribute to the established semi-rural township and village character of Gisborne and New Gisborne.*
- *Ensure that development responds to key features of existing streetscapes including building materials, colours, height, setbacks, bulk, articulation, significant vegetation, site coverage and density, particularly within established township areas and areas of landscape sensitivity.*
- *Ensure urban development is of a low profile and compatible with the landscape qualities of the area.*

Clause 16.01-1S – Housing Supply promotes a housing market that meets community needs. Clause 16.01-1L – Housing Supply Gisborne provides the local context and directs planning to:

- *Encourage, in appropriate locations, medium density housing within 400 metres walking distance of the Gisborne town centre as designated on Gisborne/New Gisborne Framework Plan.*
- *Support medium density development where slope and access to services are favourable and development design is compatible with established landscape and township character, and places of heritage significance.*

The objective of Clause 16.01-2S – Housing Affordability is to locate new housing in designated locations that offer good access to jobs, services and transport and provide a range of housing types that meet the diverse and changing needs of the community.

The objective of Clause 19.03-1S – Development and Infrastructure Plans is “*to facilitate the timely provision of planned infrastructure to communities through the preparation and implementation of development contributions plans and infrastructure contributions plans.*” This is more definitively captured under the DCPO that applies to the site responded to below.

Clause 19.03-3S – Integrated Water Management seeks “*to sustainably manage water supply and demand, water resources, wastewater, drainage and stormwater through an integrated water management approach.*”

The broader strategic policies are principally supportive of a multi-unit development at this site. The subject site is located approximately 500 metres south-west of the commercial centre of Gisborne and within the township boundary. The site has excellent access to all services including shopping facilities, education and community facilities, public transport and public open space, which are all within walking distance, as well as close road connections to the Calder Freeway.

The development of six (6) dwellings is aligned with the projected growth of the township as per the policies related to settlement, and will increase housing stock and enhance the range of housing options within the township boundary meeting the various housing objectives. This is a well-established residential area that is specifically identified as being suitable for medium density housing in the Gisborne Structure Plan, and the delivery of 6 dwellings offers positive sustainable outcomes by consolidating housing near existing services and infrastructure.

Notably, there are relatively few areas in the Macedon Ranges Shire attributed with such clear policy support for medium density development, and where the physical characteristics of the site and surrounds present few impediments (i.e. heritage, slope, significant trees etc.). It is also one of the larger remnant lots in the area and its corner location further lends support to a medium density proposal. Many nearby allotments now support medium density housing development of a comparable scale to the proposal, including numerous two storey buildings, and the proposal is consistent with this emerging built form character.

Overall, the proposal offers an opportunity to capitalise on a suitable, inner residential site and reduce outward expansion, and development pressure on more remote areas where services are not as readily available and where built form impacts to rural character are likely to be more pronounced.

Notwithstanding, strategic policy also directs that the design of any medium density proposal must respond appropriately to the neighbourhood and site context, and protect the Gisborne townships’ semi-rural character. These considerations are more specifically captured under

the DDO requirements and addressed below. However, in summary, the proposal offers a fully detached layout with setbacks that can accommodate landscaping; clearly recessed and well-spaced upper levels; sympathetic roof form and materials; and largely concealed vehicle storage facilities.

The proposal seeks to remove seven (7) trees on the site. The trees are not protected through any overlay and as the site is under 4,000m<sup>2</sup> tree removal is not subject to assessment against Clause 52.17 Native Vegetation.

Street trees in Howey Street will be maintained and protected, and three (3) new street trees are proposed in Goode Street. A detailed Landscape Plan has been submitted demonstrating a total of 21 new canopy trees throughout the site which presents a positive outcome in terms landscape character.

Overall, the proposed increase to housing density within close proximity to the town centre on land specifically designated for medium density housing, and in an area comprising similar development, presents an acceptable strategic planning outcome and meets sustainable development principles.

**Clause 32.08: General Residential Zone – Schedule 1**

In addition to implementing the Municipal Planning Strategy and the Planning Policy Framework, the purpose of the zone is to encourage housing diversity and housing growth in appropriate locations and encourage development that respects neighbourhood character. A permit is required to construct two or more dwellings on a lot.

Pursuant to Clause 32.08-6, an application to construct two or more dwellings on a lot must meet the requirements of Clause 55. A full assessment against the provisions of Clause 55 is provided in Attachment A. This assessment found that the proposal achieves a high level compliance with all standards and objectives. There are various other mandatory requirements, compliance with which is demonstrated in the table below:

<b>Maximum building height</b>	Permitted: 11.0 metres and 3 storeys maximum above natural ground level  Proposed: 8.09 metres	<b>Complies</b>
<b>Garden Area</b>	Required: 35%  Proposed: 40.8%, 737.7 m <sup>2</sup>	<b>Complies</b>

The provision of additional housing will assist to meet housing growth and diversity objectives in response to the changing demographics of the local population. To this end, the inclusion of all living facilities at ground level together with a bedroom and bathroom provides a flexible design response where each dwelling is capable of accommodating those with limited mobility.

Neighbourhood character is responded to in detail in relation to the DDO objectives below.

**Clause 43.02: Design and Development Overlay- Schedule 17 (Gisborne Town Centre Residential Area)**

The DDO17 relates specifically to the Gisborne Town Centre Residential Area and provides a suite of specific design and built form guidelines to assist in achieving a certain design outcome for this area. Schedule 17 contains the following design objectives (as relevant to the proposal):

- *To implement design and development controls for the land in accordance with the Gisborne / New Gisborne Outline Development Plan, Revised Final Report, September 2009.*
- *To protect and enhance the established semi-rural and village character of the residential area surrounding the Gisborne town centre.*
- *To ensure that new development has proper regard for established streetscape and development patterns in terms of building design, height, form, scale, siting and fencing styles.*
- *To provide for a diversity of housing types, including catering for the needs of elderly persons and sole person households, within proximity of town services and public transport.*
- *To ensure existing significant vegetation is protected and to encourage the provision of a high quality landscaped setting for all new developments.*
- *To encourage innovative, high quality architecture and urban design that incorporates environmental sustainable development principles.*
- *To ensure new development respects it's natural and built environment and does not dominate the landscape.*

Section 2 of the Schedule contains specific design requirements for building and works (Section 2) and a response to these requirements is provided below.

#### Building and Works

**Proposed built form must demonstrate its compatibility with the surrounding residential and semi-rural character and scale with the use of appropriate building materials, colours, height, detailing and setbacks.**

To this end, the proposal incorporates the following features:

- Side and rear setbacks that comfortably meet Standard B17 (ResCode) requirements;
- No walls on boundaries except for a relatively short on-boundary wall associated with the garage of Dwelling 4;
- A detached ground level footprint throughout;
- Generous separation between all upper levels (minimum 4 metres) and comparatively small, upper floor footprint that sit within their associated ground floor footprint;
- A maximum building height (8.09 metres) well below the maximum permissible height in the GRZ1 (11 metres).
- Areas of secluded and private open space that significantly exceed the minimum requirements of Standard B22 (ResCode) as follows:
  - 42m<sup>2</sup> – 75.6m<sup>2</sup> SPOS (25m<sup>2</sup> required)
  - 80.7m<sup>2</sup> – 216.8m<sup>2</sup> POS (40m<sup>2</sup> required);

The two storey scale of the dwellings reflects the emerging pattern of development in the area and the spacing provided between the dwellings, particularly at the first floor, enables views between buildings and retention of a sense of openness to both Howey and Goode Streets.

Whilst the layout follows a typical linear alignment with 2 rows of 3 dwellings, each dwelling has a slightly different layout and formation having regard to the dwelling size and width, roof profile including location of gable components, and front entry / verandah detailing.

The proposed architecture adopts a traditional style with fairly steep, part hip / part gable roof profiles and a mix of materials including rendered hebel cladding for the base and Weathertex, weathergroove cladding at the first floor in grey and light colour tones. Colourbond in colour 'Surfmist' is proposed at roof level. Elevations are articulated through the stepped wall alignments and recessed first floor components, with the use of stucco board providing an additional, traditional, point of interest at both roof level and the front entry in some cases. The front porches and wide verandahs are reminiscent of historical dwellings, albeit both adjacent streets are now fairly varied in terms of dwelling age and design. Notwithstanding, these components assist to maintain a semi-rural setting.

**Maintaining or creating breaks in built form must be provided to create the appearance of openness and protect significant view lines.**

The dwelling layout will be entirely detached with a minimum separation distance of 1 metre between all individual ground floor footplates. The development will be setback a minimum of 4 metres to Howey Street and 6 metres to Goode Street, and generally 3.9 metres from the east side boundary (except for the garage associated with Dwelling 4) and 2.598 metres – 5.69 metres from the north boundary (except for the master suite of Dwelling 3).

Upper levels are setback at least 4.5 metres from Howey Street and over 6.5 metres from Goode Street with a minimum distance of 4 metres between the upper levels of each dwelling, but generally over 6 metres with a much greater separation between Dwellings 1 and 6 fronting Goode Street by virtue of the central shared vehicle access. Upper levels are limited to 2 bedrooms, bathroom and small sitting area, or 3 bedrooms and bathroom, and do not exceed 67.9m<sup>2</sup>. They all equate to less than 75% of their associated ground floors and generally sit above and within their associated ground level footplates with limited intrusion over lower level garages. Whilst the proposal is double storey in entirety, the upper floors are suitably modest and well-spaced to maintain the appearance of openness which is further assisted through the use of softer, timber cladding materials in light colour tones at the first floor.

**Variations in housing style and typology and avoidance of repeating facades, colours and materials must be demonstrated.**

Whilst the style, materials and colours will be similar throughout, the proposal incorporates reasonable diversity in terms of housing typology, layout and general appearance. Internally, the proposal incorporates a mix of 3 and 4 bedroom dwellings all with slightly different layouts, and some with a second living space at the first floor. The dwellings vary in terms of their width i.e. Dwelling 4 is much narrower than Dwelling 5 as they present to Howey Street and has a separate garage as opposed to the Dwelling 5 which is incorporated under the lower level roof form. At roof level each dwelling incorporates a different hip and gable profile with varied placement of the stucco board, and the width and roof form of the front porches / verandahs also varies between all dwellings, as does the fenestration detailing.

To this end, the proposal is considered to reflect a reasonable balance between creating a cohesive built form whilst avoiding bland and repetitious facades.

**Garages must not be the dominant front façade element of the dwelling and/or the streetscape.**

The double garages associated with Dwellings 4 and 5 will present to Howey Street. The garages are placed on the outer sides of the dwellings and not side-by-side and are accessed via two, separate, single vehicle crossings spaced over 15 metres apart. All other

garages are concealed behind their respective dwelling and accessed via a single crossing and central, shared driveway off Goode Street.

The subject site has a boundary length of 50.29 metres and effectively presents as a double site to Howey Street. The provision of two, well-spaced, single vehicle crossings along this frontage is considered acceptable, and the associated driveways and garages are not expected to dominate the site.

**Double storey dwellings must ensure that the upper level area (including balconies) does not exceed 80 percent of the ground floor area (excluding verandahs and balconies) and is stepped back.**

All upper floor footplates measure well below 80% of the ground floor area (excluding verandahs and balconies) as follows:

Dwelling 1:	70.0%	Dwelling 2:	61.9%	Dwelling 3:	70.55%
Dwelling 4:	73.7%	Dwelling 5:	70.1%	Dwelling 6:	74.7%

It is highlighted that the above calculations also exclude the garages.

All upper levels sit well within the ground floor areas and no two-storey sheer walls are proposed, except for a relatively short section of wall on the west side of Dwelling 3 which is internal to the site and would not be perceptible from either street. All upper level walls also incorporate a stepped alignment (with the exception of a couple of the internal walls) providing further articulation at this level.

**Dwellings must be designed to maximise private open space.**

Dwellings are provided with areas of secluded and private open space that exceed the minimum requirements of Standard B28 – Private Open Space (25m<sup>2</sup> SPOS and 40m<sup>2</sup> POS) as follows:

Dwelling Number	SPOS	Total POS
1	75.6m <sup>2</sup>	160.7m <sup>2</sup>
2	73.3m <sup>2</sup>	80.7m <sup>2</sup>
3	76.4m <sup>2</sup>	95.2m <sup>2</sup>
4	70.4m <sup>2</sup>	153.2m <sup>2</sup>
5	42.0m <sup>2</sup>	98.9m <sup>2</sup>
6	67.1m <sup>2</sup>	216.8m <sup>2</sup>

The areas of SPOS have a minimum dimension of 3.7 metres (Dwelling 3) however most exceed 5 metres which is well above the minimum ResCode requirement of 3 metres.

The proposal offers generous open space areas for a medium density typology that can comfortably support recreational activity, landscaping and utility provision.

**Landscaping and plant selection must protect existing vegetation where possible and integrate with the existing landscape character of the area.**

There is no vegetation on the site worthy of retention within the design as evidenced by the submitted arborist assessment. A tree legally removed in the last 12 months is also shown on the plans and considered as part of the proposed replacement/new landscaping proposal.

The landscape proposal offers 7 large canopy trees; 6 medium canopy trees and 8 small canopy trees throughout the site (21 in total) with at least one canopy tree in the SPOS of each dwelling. The trees are complemented by understory shrubs, grasses and groundcovers giving a depth to the planting palette. Vegetation is also proposed along both sides of the shared driveway off Goode Street softening the central hard surface area.



In addition to the site planting, the landscape proposal also offers 3 new street trees (Pin Oaks) within Goode Street. The existing street trees within Howey Street will be retained and protected, noting that adequate clearance is provided to vehicle crossings and the development itself such that these trees will remain viable subject to implementation of the usual tree protection measures.

The species choice is predominantly natives with a few exotic trees (Crepe Myrtle) which is considered suitable to the area.

Overall, the proposal presents a fairly substantial landscape offering, particularly when combined with the new street trees that will complement the landscape character of the area.

**Front setback areas must be of an adequate size and shape to provide for adequate planting, where appropriate. Solid front fencing / screening must be avoided.**

The proposed front setback of 4.0m from Howey Street meets the requirement of ResCode (there is no building on the abutting allotment facing the front street and the street is not in a Transport Zone 2 therefore 4 metres is prescribed minimum). The front wall will align with the side wall of 60 Prince Street to the east and the side wall of 60 Howey Street on the opposite corner and is reasonably consistent with the placement of buildings on the north side of Howey Street. The wide road reserve which supports canopy trees and the proposed medium trees in the front setback will soften the visual impact of the built form.

Along Goode Street, Dwellings 1 and 6 will be setback a minimum of 6 metres which exceeds the ResCode requirement of 3 metres. The setback is comparable to dwellings on the opposite side of Goode Street and whilst significantly forward of the new dwelling at 55 Goode Street immediately north, the positioning of this neighbouring dwelling is an exception to the general streetscape pattern when considering the front setbacks of dwellings further north. The proposed setback from Goode Street is considered acceptable in this context.

Low (1.2 metre) picket fencing is proposed along both street boundaries offering views to front yards and the dwellings behind.

Clause 45.06: Development Contribution Plan – Schedule 2

The subject site is covered by Development Contribution Overlay Schedule 2 (DCPO2) Gisborne and New Gisborne. The DCPO2 divides the area into 15 catchments, with an associated contribution fee schedule. The subject site is located in the Area 7 catchment. The Schedule references contribution based on ‘residential lot’. Given the application is for development only and does not create any additional allotments, it is considered appropriate to defer the contribution requirement and apply it through the subdivision approval process. There has been no indication the dwellings will not be subdivided into six (6) lots post development (which may otherwise require an alternative means to secure the contribution i.e. s.173 Agreement) and it is considered appropriate to set aside the contribution requirement until this time.

Clause 52.06 - Car Parking Requirement

The proposal provides car parking as set out in the table below:

	Requires	Provides
4 x 3 bedroom dwellings	8	8
2 X 4 bedroom dwelling	4	4
Visitor car space	1	1
Total	13	13

MRSC Engineering has reviewed the parking provision and access arrangement and advised that it is satisfactory. It is derived from this advice that the design of car spaces and accessways complies with the requirements of Clause 52.06-9 of Macedon Ranges Planning Scheme. Recommended permit conditions regarding the vehicle crossing and vehicle access as per the referral advice are to be included on any permit issued.

Clause 53.18: Stormwater Management in Urban Design

This clause applies to an application under a provision of a zone to subdivide land, construct a building or carry out works except in certain circumstances. The construction of 2 or more dwellings in the GRZ does not meet the list of exemptions.

The stormwater management objectives for buildings and works include the following:

- *To encourage stormwater management that maximises the retention and reuse of stormwater.*
- *To encourage development that reduces the impact of stormwater on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.*
- *To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.*

Council’s Engineering advice indicates the development will increase the impervious areas on the site and requires a drainage system to the satisfaction of the Responsible Authority. This will be managed by condition. Each dwelling is provided with a 3000L rainwater tank.

Clause 55 – Two or more Dwellings on a Lot

The proposal achieves a high level of compliance with the provision of Clause 55 as set out in the assessment table in below. There are no areas of non-compliance that require further discussion, noting that a permit condition would satisfactorily address potential overlooking issues associated with 4 windows pursuant to Standard B22 – Overlooking.

The purpose of the provisions of Clause 55 of the Macedon Ranges Planning Scheme is “to achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character” and “to encourage residential development that provides reasonable standards of amenity for existing and new residents”.

A response to the standards of Clause 55 is provided as a table below. Clause 55 objectives that warrant additional discussion are reviewed in more detail below the assessment table.

<b>Clause 55.02 (Neighbourhood Character and Infrastructure)</b>	
<p><b>Neighbourhood Character objectives Standard B1</b></p> <ul style="list-style-type: none"> <li>• To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.</li> <li>• To ensure that development responds to the features of the site and the surrounding area</li> </ul>	<p><b>Complies</b></p> <p>The proposal constitutes an acceptable response with regard to neighbourhood character. The development has a detached footprint throughout and a two storey form with clearly recessed upper levels. Architecturally, the proposal adopts a moderate conservative style with a part hip, part gable roof profile and extended eaves at both levels; varied materials including render, weathertex and Colorbond all in a neutral colour palette; and simple, posted verandahs and front porches /verandahs. The proposed architectural features reflect some of the key characteristics of existing dwelling stock in the area.</p>

	<p>Garages will be concealed behind the front building line and setbacks are capable of supporting a variety of canopy trees and landscaping.</p>
<p><b>Standard B2 Residential policy objectives</b></p> <ul style="list-style-type: none"> <li>• To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and Planning Policy Framework.</li> <li>• To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.</li> </ul>	<p><b>Complies</b></p> <p>The proposal is accompanied by an acceptable written statement and design response. The proposal generally complies with the PPF as detailed in the body of the report.</p> <p>The subject site is considered appropriate for infill residential development given its very close proximity to the commercial centre of Gisborne (less than 500 metres to the north-east of the site) and associated services and public transport and community infrastructure.</p>
<p><b>Standard B3 Dwelling diversity objective</b></p> <ul style="list-style-type: none"> <li>• To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</li> </ul>	<p><b>N/A</b></p> <p>The proposal involves the construction of less than 10 dwellings.</p>
<p><b>Standard B4 Infrastructure objectives</b></p> <ul style="list-style-type: none"> <li>• To ensure development is provided with appropriate utility services and infrastructure.</li> <li>• To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</li> </ul>	<p><b>Complies</b></p> <p>The development is located in an established area serviced by all the necessary infrastructure. The proposal will not exceed the capacity of local infrastructure.</p>
<p><b>Standard B5 Integration with the street objective</b></p> <ul style="list-style-type: none"> <li>• To integrate the layout of development with the street.</li> </ul>	<p><b>Complies</b></p> <p>Dwellings 4 and 5 are orientated to Howey Street and both have clearly visible points of entry and direct pedestrian and vehicle links. Dwellings 1 and 6 face Goode Street and are similarly provided with front entries defined by a porch or verandah directly accessible via a pedestrian path. Low, picket fencing (1.2 metre in height) along both street boundaries further assists to integrate the dwellings with the streets and enable views of landscaping in the front yards.</p>

<b>Clause 55.03 (Site Layout and Building Massing)</b>	
<p><b>Standard B6 Street setback objective</b></p> <ul style="list-style-type: none"> <li>To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</li> </ul>	<p><b>Complies</b></p> <p>See detailed discussion below regarding compliance with Standard B6.</p>
<p><b>Standard B7 Building height objective</b></p> <ul style="list-style-type: none"> <li>To ensure that the height of buildings respects the existing or preferred neighbourhood character.</li> </ul>	<p><b>Complies</b></p> <p>Standard B7 defers to the maximum height specified in the relevant zone. The GRZ specifies a mandatory maximum height of 11 metres (which is not varied in Schedule 1). The proposal has a maximum height 8.093 metres which is well under the specified maximum.</p>
<p><b>Standard B8 Site coverage objective</b></p> <ul style="list-style-type: none"> <li>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</li> </ul>	<p><b>Complies</b></p> <p>The proposed site coverage is 43.7% which is below the maximum permissible of 60%.</p>
<p><b>Standard B9 Permeability and stormwater management objectives</b></p> <ul style="list-style-type: none"> <li>To reduce the impact of increased stormwater run-off on the drainage system.</li> <li>To facilitate on-site stormwater infiltration.</li> <li>To encourage stormwater management that maximises the retention and reuse of water.</li> </ul>	<p><b>Complies</b></p> <p>The proposed site permeability is 41.7% which is well above the minimum requirement of 20%.</p>
<p><b>Standard B10 Energy efficiency objectives</b></p> <ul style="list-style-type: none"> <li>To achieve and protect energy efficient dwellings and residential buildings.</li> <li>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</li> </ul>	<p><b>Complies</b></p> <p>The dwelling layout has been arranged to make best use of solar access. Dwellings 1, 2 and 6 have north facing living areas opening onto north facing SPOS and Dwellings 3, 4 and 5 have living areas primarily facing east or west with secondary windows in their northern walls.</p> <p>Cross ventilation is available in the design.</p> <p>The development does not unreasonably affect the solar access and energy efficiency of neighbouring dwellings, noting that no solar facilities are located in close proximity the site.</p>
	<b>N/A</b>



<p><b>Standard B11 Open space objective</b></p> <ul style="list-style-type: none"> <li>To integrate the layout of development with any public and communal open space provided in or adjacent to the development.</li> </ul>	<p>The proposal does not encompass any communal open space, and the site not adjacent to any existing public open space.</p>
<p><b>Standard B12 Safety objective</b></p> <ul style="list-style-type: none"> <li>To ensure the layout of development provides for the safety and security of residents and property.</li> </ul>	<p><b>Complies</b></p> <p>The site entrances to the dwellings are clearly visible from the street or shared vehicle access.</p> <p>The development incorporates bollard lighting along the shared driveway and at entrances providing good visibility of vehicle access, parking facilities and front entries of Dwellings 2 and 3 along the common driveway.</p> <p>Fencing around private open spaces will ensure they are protected from inappropriate use as a public thoroughfare.</p> <p>Dwellings 1, 4, 5 and 6 have ground and first floor windows orientated to Howey or Goode Streets and all dwellings have some habitable windows with a view the shared vehicle access, offering good passive surveillance of public and common areas.</p>
<p><b>Standard B13 Landscaping objectives</b></p> <ul style="list-style-type: none"> <li>To encourage development that respects the landscape character of the neighbourhood.</li> <li>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</li> <li>To provide appropriate landscaping.</li> <li>To encourage the retention of mature vegetation on the site.</li> </ul>	<p><b>Complies</b></p> <p>The existing site vegetation is not protected in the planning scheme and is not of a calibre that would warrant its retention within the design as evidenced by the arborist assessment submitted with the proposal.</p> <p>The application material includes a detailed landscape plan prepared by Andrew Ferris Landscape Design. The plan demonstrates a total of 13 new medium-large canopy trees (Snow Gum and Willow Myrtle) and 8 new small-medium trees (Crepe Myrtle) across the site together with shrubs, grasses and groundcovers. The trees are provided in both the Howey and Goode Street setbacks and within the SPOS of each dwelling. Vegetation of varying height is also provided along the common vehicle access.</p> <p>The proposal further offers 3 new Pin Oaks within the Goode Street road reserve. It is considered that the landscape outcome is appropriate for the site and of a depth and height that will suitably soften the built form and maintain the treed character of the area.</p>

<p><b>Standard B14 Access objectives</b></p> <ul style="list-style-type: none"> <li>To ensure the number and design of vehicle crossovers respects the neighbourhood character.</li> </ul>	<p><b>Complies</b></p> <p>It is proposed to construct two single crossings along the Howey Street frontage and one double crossing located centrally along the Goode Street boundary. In both cases, the crossings will occupy less than 33% of the relevant street frontage.</p> <p>No more than one crossing is provided for each dwelling, noting that the use of the single, shared crossing off Goode Street reduces the presence of vehicle crossings along this frontage.</p> <p>The two crossings on Howey Street are around 15 metres apart thus maintaining the pattern and spacing of crossings along street, and appropriately placing them to avoid the street trees in the road reserve.</p>
<p><b>Standard B15 Parking location objectives</b></p> <ul style="list-style-type: none"> <li>To provide convenient parking for resident and visitor vehicles.</li> <li>To protect residents from vehicular noise within developments.</li> </ul>	<p><b>Complies</b></p> <p>Parking facilities will be attached to the dwelling they serve with internal access between the garage and dwelling, and therefore conveniently located.</p> <p>Habitable windows facing onto the common vehicle access are setback 1.5 metres, or where closer to the access (i.e. kitchen/meals window of Dwelling 5) face a 1.8m fence.</p> <p>All resident parking is within a garage providing a secure form of parking. The access is observable.</p>
<p><b>Clause 55.04 (Amenity Impacts)</b></p>	
<p><b>Standard B17 Side and rear setbacks objective</b></p> <ul style="list-style-type: none"> <li>To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</li> </ul>	<p><b>Complies</b></p> <p>All side and rear setbacks comfortably comply with the requirements of the Standard as demonstrated by the outline diagram on the elevation plans.</p>
<p><b>Standard B18 Walls on boundaries objective</b></p> <ul style="list-style-type: none"> <li>To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</li> </ul>	<p><b>Complies</b></p> <p>The development is generally inset at least 3 metres from the site boundaries except for the ground level, north wall of Dwelling 3 and the east wall of the garage servicing Dwelling 4 which will abut the east boundary. The on-boundary wall will measure 6.6 metres in length with a wall height that does not exceed 3 metres, and</p>



	<p>is therefore within the allowances of the Standard. It will also be constructed alongside an existing garage wall within the neighbouring property and is therefore negligible in terms of amenity impact to this property.</p>
<p><b>Standard B19 Daylight to existing windows objective</b></p> <ul style="list-style-type: none"> <li>To allow adequate daylight into existing habitable room windows.</li> </ul>	<p><b>Complies</b></p> <p>Neighbouring dwellings to the east (58 and 60 Prince Street) are situated over 20 metres from the common boundary and will not experience any daylight loss as a result of the proposal.</p> <p>The recently constructed dwelling at 55 Goode Street is setback 2 metres from the common boundary and has a number of habitable windows facing the site. These windows will retain the requisite lightcourt of 3m<sup>2</sup> and at least 1 metre clear to the sky. The height of the two storey wall opposite these windows is 5.6 metres (north wall Dwelling 3) and the separation distance between the neighbouring habitable windows and the two storey wall is at least 7.4 metres. The proposal therefore meets the setback requirement for walls exceeding 3 metres in height opposite a neighbouring habitable window (setback at least 50% of the height of the wall).</p>
<p><b>Standard B20 North-facing windows objective</b></p> <ul style="list-style-type: none"> <li>To allow adequate solar access to existing north-facing habitable room windows.</li> </ul>	<p><b>N/A</b></p> <p>There are no existing north facing habitable room windows within 3 metres of a common boundary.</p>
<p><b>Standard B21 Overshadowing open space objective</b></p> <ul style="list-style-type: none"> <li>To ensure buildings do not significantly overshadow existing secluded private open space.</li> </ul>	<p><b>Complies</b></p> <p>The Shadow Diagrams indicate there will be a small increase in shade to the SPOS of 58 Prince Street at 3pm. There will also be some shade to 60 Prince Street at this time, however it will fall across the existing garage. Both properties retain large areas of unshaded SPOS throughout the day, well above the minimum requirement of the Standard (40m<sup>2</sup>) and the Standard is comfortably met.</p>
<p><b>Standard B22 Overlooking objective</b></p> <ul style="list-style-type: none"> <li>To limit views into existing secluded private open space and habitable room windows.</li> </ul>	<p><b>Conditions Required</b></p> <p>The upper level habitable window on the north elevation of Dwelling 1 facing 55 Goode Street has been treated in</p>

	<p>accordance with the Standard. However, the following upper level, north facing windows require treatment:</p> <ul style="list-style-type: none"> <li>• Dwelling 2: sitting room window and bedroom 2 window.</li> <li>• Dwelling 3: bedroom 2 window.</li> </ul> <p>The plans indicate the Dwelling 2 windows do not require screening as they exceed a setback of 6 metres and views would be intercepted by the lower level roof and boundary fence, referencing an overlooking diagram.</p> <p>The Dwelling 3 window is not screened on the grounds that there is no existing dwelling on the neighbouring lot.</p> <p>In both instances, the arguments are not accepted. The overlooking diagram on Sheet 3 does not appear entirely accurate in terms of the boundary fence treatment (2 metre capped palings) and there would be clear views to a person standing in the neighbouring space. Further, the neighbouring dwelling has now been completed and the changed circumstances require consideration in this assessment.</p> <p>Whilst it is noted that the Dwelling 2 windows have a view to what is technically the frontage of the dwelling at 55 Goode Street, this area appears to be the primary open space of the new dwelling due to its very rear position on the site.</p> <p>The following upper level, east facing window also requires treatment:</p> <ul style="list-style-type: none"> <li>• Dwelling 4: bedroom 2</li> </ul> <p>This window is within 9 metres of the SPOS associated with 60 Prince Street. Again, there does not appear to be any extenuating circumstances that would justify relaxation of the usual Standard requirement, noting that no overlooking diagram was presented for this particular interface.</p> <p>It is considered that the above issues are able to be dealt with by way of permit condition, ensuring compliance with the standard.</p>
<p><b>Standard B23 Internal views objective</b></p> <ul style="list-style-type: none"> <li>• To limit views into the secluded private open space and habitable room windows</li> </ul>	<p><b>Complies</b></p> <p>Where upper level windows within the development are within a 9 metre line of</p>

<p>of dwellings and residential buildings within a development.</p>	<p>sight of another internal window or SPOS, they either have sill heights or obscure glazing to a height of 1.7 metres and the Standard is met.</p>
<p><b>Standard B24 Noise impacts objectives</b></p> <ul style="list-style-type: none"> <li>To contain noise sources in developments that may affect existing dwellings.</li> <li>To protect residents from external noise.</li> </ul>	<p><b>Complies</b></p> <p>There are no noted noise sources to or from the development that are not usual to a residential area.</p>
<p><b>Clause 55.05 (On-site Amenity and Facilities)</b></p>	
<p><b>Standard B25 Accessibility objective</b></p> <ul style="list-style-type: none"> <li>To encourage the consideration of the needs of people with limited mobility in the design of developments.</li> </ul>	<p><b>Complies</b></p> <p>All dwellings have living facilities and a bedroom at ground level and either no / minimal steps for entry.</p>
<p><b>Standard B26 Dwelling entry objective</b></p> <ul style="list-style-type: none"> <li>To provide each dwelling or residential building with its own sense of identity.</li> </ul>	<p><b>Complies</b></p> <p>All dwelling entries are visible and easily identifiable from Howey or Goode Street, or the shared vehicle access.</p> <p>A sense of address and sheltered entry is also provided to each dwelling.</p>
<p><b>Standard B27 Daylight to new windows objective</b></p> <ul style="list-style-type: none"> <li>To allow adequate daylight into new habitable room windows.</li> </ul>	<p><b>Complies</b></p> <p>All habitable room windows are located on an external wall and enable adequate daylight to all habitable rooms.</p>
<p><b>Standard B28 Private open space objective</b></p> <ul style="list-style-type: none"> <li>To provide adequate private open space for the reasonable recreation and service needs of residents.</li> </ul>	<p><b>Complies</b></p> <p>Areas of SPOS are located at ground level and measure between 42m<sup>2</sup> – 75.6m<sup>2</sup>. The SPOS areas have minimum dimensions of 3.8 metres but mostly exceed 5 metres, and all are directly accessible from a living area. Total POS measures between 80.7m<sup>2</sup> - 216.8m<sup>2</sup>.</p> <p>The requirements of the Standard (25m<sup>2</sup> SPOS and 40m<sup>2</sup> POS) are clearly exceeded and all areas will suitably provide for the reasonable recreational needs of future residents. They are also capable of supporting landscaping.</p>
<p><b>Standard B29 Solar access to open space objective</b></p> <ul style="list-style-type: none"> <li>To allow solar access into the secluded private open space of new dwellings and residential buildings.</li> </ul>	<p><b>Complies</b></p> <p>All areas of Secluded Private Open Space (SPOS) have access to northern light and will receive good solar access.</p>

	The development does not comprise any south facing SPOS.
<p><b>Standard B30 Storage objective</b></p> <ul style="list-style-type: none"> <li>To provide adequate storage facilities for each dwelling.</li> </ul>	<p><b>Complies</b></p> <p>Storage areas are provided in the garages, noting that the garages have been lengthened to 6.6 metres to accommodate them.</p>
<b>Clause 55.06 (Detailed Design)</b>	
<p><b>Standard B31 Design detail objective</b></p> <ul style="list-style-type: none"> <li>To encourage design detail that respects the existing or preferred neighbourhood character.</li> </ul>	<p><b>Complies</b></p> <p>The design detail reflects many of the key characteristics of the existing built form having regard to the part hip / part gable roof profile; weatherboard look materials; porch and verandah features; and fenestration.</p>
<p><b>Standard B32 Front fences objective</b></p> <ul style="list-style-type: none"> <li>To encourage front fence design that respects the existing or preferred neighbourhood character.</li> </ul>	<p><b>Complies</b></p> <p>Low, picket fences are proposed along the street boundaries which will tie in with the proposed architecture and enable views to the front gardens of the dwellings.</p>
<p><b>Standard B33 Common property objectives</b></p> <ul style="list-style-type: none"> <li>To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.</li> <li>To avoid future management difficulties in areas of common ownership.</li> </ul>	<p><b>Complies</b></p> <p>The vehicle access will be within common property. This is unlikely to present any issues in terms of future management and is typical of this form of development.</p>
<p><b>Standard B34 Site services objectives</b></p> <ul style="list-style-type: none"> <li>To ensure that site services can be installed and easily maintained.</li> <li>To ensure that site facilities are accessible, adequate and attractive.</li> </ul>	<p><b>Complies</b></p> <p>All services are generally located appropriately where they are readily accessible and concealed from the public realm.</p>

**Standard B6 – Street Setback**

The site is a corner property which has specific street setback requirements.

Standard B6 stipulates the following minimum setback requirements from the front street (bold highlight identifies relevant section):

- If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.
- If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.**

Standard B6 stipulates the following minimum setback requirements from the side street (bold highlight identifies relevant section):

- **Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.**
- Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.

Planning Practice Note 27: Understanding the Residential Development Standards (ResCode) provides further guidance when interpreting the Standard. It states that:

- Either street frontage may be selected as the front setback on a corner lot.
- Where there is a proposal to develop two or more dwellings on a lot, there is only one front street setback for the purposes of this standard.
- Once the front setback has been chosen, the other street frontage is treated as a side setback and the new dwelling is able to be setback 2 metres for one dwelling on a lot **and 3 metres for two or more dwellings on a lot from that boundary.**

In relation to this proposal, the chosen front street is Howey Street. Dwellings 4 and 5 will have a minimum front setback of 4 metres from Howey Street. As the dwelling on the abutting allotment faces Prince Street (60 Prince) there is no building on the abutting allotment facing the front street for the purposes of this assessment. As Howey Street is not in a Transport Zone 2, the minimum front setback requirement is 4 metres. The proposed front setback of 4 metres therefore complies with the requirements of the Standard (noting that porches / verandahs are permitted to encroach into this setback).

The side street therefore becomes Goode Street. There are no side wall interfaces to Goode Street given the placement and orientation of Dwelling 6. Dwellings 1 and 6 face the side street and are therefore required to be setback the same distance of any existing building on the abutting allotment facing the side or 3 metres, whichever is the lesser. The dwelling at 53 Goode Street immediately north of the site has recently been completed and exhibits a front setback of around 30 metres. The lesser amount is therefore 3 metres. Both Dwellings 1 and 6 incorporate minimum setbacks of 6 metres from Goode Street thereby exceeding the Standard requirement.

Notably, whilst the neighbouring dwelling at 53 Goode Street exhibits a much greater front setback, this is not reflective of the street setback pattern (and was likely driven by the retention of trees in the frontage of 53 Goode Street) where dwellings typically exhibit front setbacks of 6 metres – 14 metres as demonstrated on the Site Analysis Plan.

The proposed street setbacks comply with the Standard and objective and are considered appropriate for a corner site in an area where medium density housing is encouraged.

### **Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

### **Conclusion**

The proposal achieves a good balance between increasing housing provision and diversity close to the Gisborne Township whilst maintaining a sense of the preferred semi-rural character. As demonstrated by this report, the proposal exhibits a high level of consistency

with the relevant policy and planning controls, including Clause 55 (ResCode) of the Macedon Ranges Planning Scheme and should therefore be supported, subject to conditions.





## Attachment 1 - Conditions

Planning Delegated Committee Meeting – 11 October 2023  
APPLICATION FOR PLANNING PERMIT PLN/2022/454 -  
DEVELOPMENT OF THE LAND FOR SIX (6) DWELLINGS – 56  
HOWEY STREET, GISBORNE

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1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended plans must be drawn to scale with dimensions and an electronic copy must be provided. The amended plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:
  - a) Screening to the following windows in accordance with Standard B22 – Overlooking of Clause 55 of the Macedon Ranges Planning Scheme:
    - Dwelling 2: sitting room window and bedroom 2 window;
    - Dwelling 3: bedroom 2 window;
    - Dwelling 4: bedroom 2 window;
  - b) Provision for four (4) bins to each dwelling.
  - c) Plans in accordance with Condition 7;
  - d) Tree protection plan in accordance with condition 17; and
  - e) Streetscape Plan in accordance with condition 23.

When approved, these plans will be endorsed and will form part of this permit.

2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. All pipes, fixtures, fittings, ducts and vents servicing any building on the land, other than storm water down pipes and gutters above the ground floor of the building, must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
4. The development must be provided with external lighting capable of illuminating access to garage and rear areas for each dwelling. Lighting must be located, directed and shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within or beyond the land.
5. Unless with the prior written consent of the Responsible Authority, before the occupation of the development, the landscaping works including any fencing as shown on the endorsed plans must be carried out, completed and thereafter maintained to the satisfaction of the Responsible Authority.





6. The amenity of the locality must not be adversely affected by the activity on the site, the appearance of any buildings, works or materials, emissions from the premises or in any other way, to the satisfaction of the Responsible Authority.

#### **MRSC Engineering Conditions**

7. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended plans must be drawn to scale with dimensions and an electronic copy must be provided. The amended plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:
  - a) Crossovers to Howey Street in accordance with per SD004 (accepted criteria) as per council standard drawings.
  - b) Stormwater Management Plan with Detail Music or Storm Calculation as per Melbourne Water Guidelines.
  - c) Footpath along the frontage of the property on Goode Street and Howey Street.
  - d) Acceptance letter from the Catchment Authority consenting to the development of the permanent structure over the easement.
  - e) Kerb and Channel along the frontage of Howey Street.
8. Prior to the commencement of works, an "Asset Protection Permit" must be obtained from Council for any of the following circumstances:
  - a) Entering a building site by means of a motor vehicle having a gross weight exceeding two tonnes.
  - b) Occupying a road for works.
  - c) Connecting any Council land to a stormwater drain.
  - d) Opening, altering or repairing a Council road.
  - e) Opening, altering or repairing a Council drain.
  - f) Accessing a building site from a point other than a crossover.
  - g) Construct/repair/widen/remove any crossover.
9. No polluted and/or sediment-laden run-off is to be discharged directly or indirectly into drains or watercourses. Soil erosion control measures must be employed throughout the works to the satisfaction of the Responsible Authority.
10. Prior to the occupation of the development, the development is to be provided with a drainage system to a design approved by the Responsible Authority and such that:
  - a) The development as a whole is provided with legal point/s of discharge approved by the Responsible Authority and any other statutory authority from which approval must be received for the discharge of drainage.
  - b) Stormwater runoff from all buildings, tanks and paved areas must be drained to a legal point of discharge.





- c) All stormwater drains required to the legal point of discharge and which pass through lands other than those within the boundaries of the development are constructed at no cost to the Responsible Authority.
  - d) Details of stormwater detention system to ensure 10% AEP post-development flows are restricted to pre-development level 20% AEP.
  - e) Objectives of the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999) are satisfied. Alternatively, payment of the stormwater quality offset contribution to the Responsible Authority.
11. Prior to the occupation of the development, the proposed crossovers within Howey Street and Goode Street must be constructed to a sealed surface to the satisfaction of the Responsible Authority.
12. Prior to the occupation of the development, the driveway to the dwellings must be constructed to meet the following requirements to the satisfaction of the Responsible Authority:
- a) The driveway, including any waterway crossing, must be constructed to a standard so that it is accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.
  - b) The driveway must have a minimum trafficable width of 3.5m, be clear of encroachments 4 metres vertically, and have no obstructions within 0.5m on either side of the formed width of the driveway.
  - c) Curves must have a minimum inner radius of 10 metres.
  - d) The average grade must be no more than 1 in 7 with a maximum of no more than 1 in 5 for no more than 50 metres.
  - e) Dips must have no more than a 1 in 8 entry and exit angle.
13. Prior to the commencement of works, a Construction Management Plan must be submitted to and approved by the Responsible Authority. The management plan must show:
- a) Measures to control erosion and sediment and sediment laden water runoff including the design details of structures;
  - b) Dust control;
  - c) Where any construction wastes, equipment, machinery, and/or earth is to be stored/stockpiled during construction;
  - d) Where access to the site for construction vehicle traffic will occur;
  - e) The location and details of a sign to be erected at the entrance(s) of the site advising contractors that they are entering a 'sensitive site' with prescribed tree protection zones and fences.
  - f) The location of any temporary buildings or yards.

Development works on the land must be undertaken in accordance with the endorsed Construction Management Plan to the satisfaction of the Responsible Authority.





14. Before the occupation of the development, the area(s) set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be constructed to the satisfaction of the Responsible Authority as follows:
- a) Constructed;
  - b) Properly formed to such levels that they can be used in accordance with the plans;
  - c) Surfaced with an all-weather sealcoat or treated to the satisfaction of the Responsible Authority to prevent dust and gravel being emitted from the site;
  - d) Drained and maintained;
  - e) Line marked to indicate each car space and all access lanes;
  - f) Clearly marked to show the direction of traffic along access lanes and driveways;
  - g) Car spaces, access lanes and driveways must be kept available for these purposes at all times, to the satisfaction of the Responsible Authority.
15. At least 14 days prior to the commencement of works, a Site Management Plan must be submitted to and approved by the Responsible Authority. The Site Management Plan must contain the following:
- a) Name and contact details of appointed Civil Contractor and Superintendent.
  - b) Existing condition survey of all existing assets including private properties
  - c) Construction Management Plan
  - d) Traffic Management Plan
  - e) Occupational Health & Safety and Job Safety Analysis Plans
  - f) Council-issued Asset Protection Permit
  - g) Council-approved Engineering Plans

All works must be carried out generally in accordance with measures set out in the above documents approved by the Responsible Authority.

16. Prior to the occupation of the development, all redundant crossovers must be removed to the satisfaction of the Responsible Authority.

#### MRSC Environment Conditions

17. Before the development commences, a Tree Protection Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Tree Protection Management Plan must be drawn to scale and an electronic copy must be provided. The Tree Protection Management Plan must be generally in accordance with the plans submitted and assessed with the application but modified to show:
- a) Tree protection zones of all trees within proximity to the proposed works





- area including third party trees and abutting road reserves.
- b) Numbering of all trees in accordance with the Impact Assessment prepared by Grant Harris dated 20 January 2023.
18. No disturbance is to occur to tree root systems including third parties trees during the construction of the development.
19. The existing ground level within the proposed SPOS of Dwelling 1 must be retained to avoid severance of tree roots systems, to the satisfaction of the Responsible Authority.
20. The proposed freestanding screen must be installed using a post-rail design, with the post holes placed to avoid woody roots and the lowest rail above natural ground level, to the satisfaction of the Responsible Authority.
21. Unless with the prior written consent of the Responsible Authority, the following actions must not be undertaken in any Tree Protection Zone as identified on the endorsed Tree Protection Plan, to the satisfaction of the Responsible Authority:
- a) Vehicular or pedestrian access;
  - f) Materials or equipment storage;
  - g) Attachment of any materials to trees (including temporary service wires, nails, screws or any other fixing device);
  - h) Open cut trenching or excavation works (whether or not for laying of services);
  - i) Changes to the soil grade level;
  - j) Construction of entry and exit pits for underground services; or
  - k) Any other actions or activities that may result in adverse impacts to retained native vegetation

#### Tree Protection Fencing

22. Prior to development commencing (including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings), a native vegetation protection fence must be erected around all native vegetation to be retained within 15 metres of the works area. The temporary vegetation fencing must be erected to the satisfaction of the Responsible Authority. This fence must be erected at:
- a) A radius of 12 times the diameter of the tree trunk at a height of 1.4 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree; and
  - b) The tree protective fencing must be constructed of start pickets and paraweb or similar, to the satisfaction of the responsible authority. The protection fence must remain in place until all works are completed and must be erected around areas to be retained to protect surrounding vegetation. The tree protection fencing must form a visual and physical barrier and include signage clearly marked "Vegetation Protection Zone – No Entry" on all sides. Any trees, vegetation or waterways near the development site and/or construction areas must be included in the tree protection zone.





#### MRSC Open Space Unit Conditions

23. Before the development commences, a Streetscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Streetscape Plan must be drawn to scale with dimensions and an electronic copy must be provided. The Streetscape Plan must be generally in accordance with the plans submitted and assessed with the application but modified to show:
- a) The locations of all proposed street tree planting within the Goode Street and Howey Street nature strip.
    - i. Trees are to be spaced at a minimum of twelve (12) metres or infill between existing trees evenly, whichever is the lesser;
    - ii. Street trees species selection is to tie in with the existing surrounding character, be of a size suitably for nature strip widths at maturity, and climatically suited to the Macedon Ranges to the approval of the Responsible Authority; and
    - iii. All tree plantings must be offsets from infrastructure as per Council's *Tree Management Policy, 2022*;
  - b) A Plant Schedule for proposed street tree species showing minimum supply size of 45L/1.6mH;
  - c) An advanced Tree Planting Detail with a minimum 26L Greenwell water saver and three (3) hardwood stakes OR Tree Coach® system;
  - d) The following notations:
    - i. *Street tree planting is to occur between April & September to maximise establishment and survival;*
    - ii. *Street tree locations shown on this plan are a guide only and may require adjustment to coordinate with final service locations, Powercor requirements, and 'as constructed' infrastructure;*
    - iii. *Street tree locations are to be set-out and approved on site by the Council Landscape Officer prior to installation; and*
    - iv. *It is the responsibility of the contractor to confirm the location of all underground services prior to commencement of any excavation.*
  - e) The location of all existing street trees adjacent to the site; and
  - f) Details of tree protection fencing.
24. Prior to the occupation of the development, the tree planting and nature strip grass rectification works shown on the endorsed Streetscape plan must be completed. Once completed, the works must be approved by an Open Space Officer. If the Responsible Authority agrees to defer the completion of streetscape works prior to the occupation of the development, the outstanding streetscape works must be bonded to the satisfaction of the Responsible Authority.
25. Disturbed nature strips are required to be reinstatement to the satisfaction of the Responsible Authority.

Greater Western Water







26. The owner of the land must enter into an agreement with Greater Western Water for the provision of water supply and sewerage prior to occupation of the development.

**Permit Expiry**

27. This permit will expire if one of the following circumstances applies:

- a) The development is not commenced within two years of the date of this permit.
- b) The development is not completed within four years of the date of this permit.

In accordance with Section 69 of the Planning and Environment Act 1987 an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

**Permit Notes:**

- This is not a building permit under the Building Act. A separate building permit is required to be obtained for any demolition or building works.
- Future owners of the land must be made aware of the existence of this permit.
- The applicant should be made aware that a Non-works Development Application is required to be lodged with Greater Western Water in order to obtain our servicing requirements. The online application is accessible via our website <https://propertyplus.gww.com.au/pplus/guest>

Information regarding Council's Tree Management Policy and Plan, preferred street trees, and typical tree planting detail are available on Council's website or alternatively can be confirmed with the Open Space Landscape Officer on M 0439 503 558.



Consistency of the proposal with the Statement of Planning Policy (SOPP):

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
1	To ensure the declared area's natural and cultural landscapes are conserved and enhanced.		✓			
		Manage land use, development and infrastructure to ensure that significant landscapes, views and vantage points are conserved and enhanced.	✓			The proposal is located in an area that does not have any direct relationship with significant views or vantage points.
		Encourage retention of native vegetation and revegetation that contributes to significant landscapes, particularly on escarpments and ridgelines and along riparian areas.			N/A	No native vegetation is proposed to be removed as part of the application.
		Manage development around significant landscapes of visual, scientific or education value, including along ridgelines and at vantage points.	✓			
		Manage development and infrastructure provision to ensure sequences of views from key road and rail corridors are maintained for current and future users.	✓			
2	To ensure the significant biodiversity, ecological and environmental values of the declared area are conserved and enhanced				N/A	The site is not located in an area with identified environmental values.
		Conserve and enhance high-value native vegetation and biodiversity and their ecological integrity by undertaking responsible environmental management, planning, procedures and practices.			N/A	
		Utilise appropriate historical ecological knowledge and practices from Traditional custodians of the land in the management of biodiversity and ecological and environmental values.			N/A	
		Encourage ecological restoration works in areas of identified state, regional and locally significant biodiversity value			N/A	
		Establish and improve bio links to connect high-value ecological areas, including areas along waterways and areas within and between towns.			N/A	
		Minimise the effects of weeds and pest animals on biodiversity values by establishing and implementing best practice land management plans.			N/A	

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
3.	To prioritise the conservation and use of the declared area's water catchments to ensure a sustainable local, regional and state water supply, and healthy environment.				N/A	The site is not located within any special water supply catchment area.
		Protect water quality and natural systems by discouraging development that contributes to the degradation of water quality and quantity.			N/A	
		Manage land use and development, including dams, in Declared Water Supply Catchments to retain and improve water quality and improve yield to support regional water needs and to increase system-wide capacity to Respond to demand.			N/A	
		Reinforce the role of waterways as biodiversity Linkages and as corridors for native plants and animals.			N/A	
		Ensure water supply and land use planning policies are integrated, to realise efficiencies in regional catchment management and best practice, water-sensitive urban design.			N/A	
		Address the expected impacts of climate change, including changes in the duration and frequency of rainfall events and changes in the intensity and frequency of bushfire events.			N/A	
		Review and improve regulation and monitoring of groundwater licences and surface water diversions.			N/A	
4.	To recognise, protect, conserve and enhance the declared area's Aboriginal cultural and spiritual heritage values and work in partnership with Traditional Owners in caring for Country.				N/A	The site is not located within Cultural Heritage Sensitivity area.
		With Traditional Owners, identify, protect, conserve and enhance sites, landscapes and views of Aboriginal cultural significance, consistent with the Aboriginal Heritage Act 2006 and Cultural Heritage Management Plans.			N/A	
		With Traditional Owners, acknowledge, protect, promote and interpret tangible and intangible Aboriginal cultural values, heritage and knowledge			N/A	

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
		when planning and managing land use and development, water and other environmental resources.				
5.	To recognise, conserve and enhance the declared area's significant post-contact cultural heritage values.				N/A	The proposed development does not have any interaction with areas of identified post-contact heritage significance.
		Conserve and enhance the character of state and/or nationally significant post-contact cultural heritage values (including aesthetic, historic, scientific, social and spiritual values) in the declared area's heritage places, precincts and landscapes, including sequences of views along main road and rail routes.			N/A	
		Acknowledge, promote and interpret significant post-contact cultural heritage values in the planning, design, development and management of land uses, including infrastructure.			N/A	
6.	To support and encourage agricultural land uses that strengthen the declared area's economy and contribute to the rural landscape.					The proposal does not contain any agricultural components.
		Encourage the use of rural-zoned land for agricultural purposes and encourage the use of high-quality soils for soil-based agriculture.			N/A	
		Encourage and support innovations in agricultural practices (such as sustainable farming, water reuse, technologies to enable farming to adapt and respond to emerging and niche markets).			N/A	
		Support agricultural practices that improve soil health and respond to and encourage adaptation to climate change.			N/A	
		Encourage measures to ensure agricultural practices protect and enhance soil quality, water quality, biodiversity and native plants and animals.			N/A	
		Manage the effects of rural land use and development on important environmental and cultural values.			N/A	
		Restrict the supply of rural-living-zoned land to conserve and protect agricultural practices.			N/A	

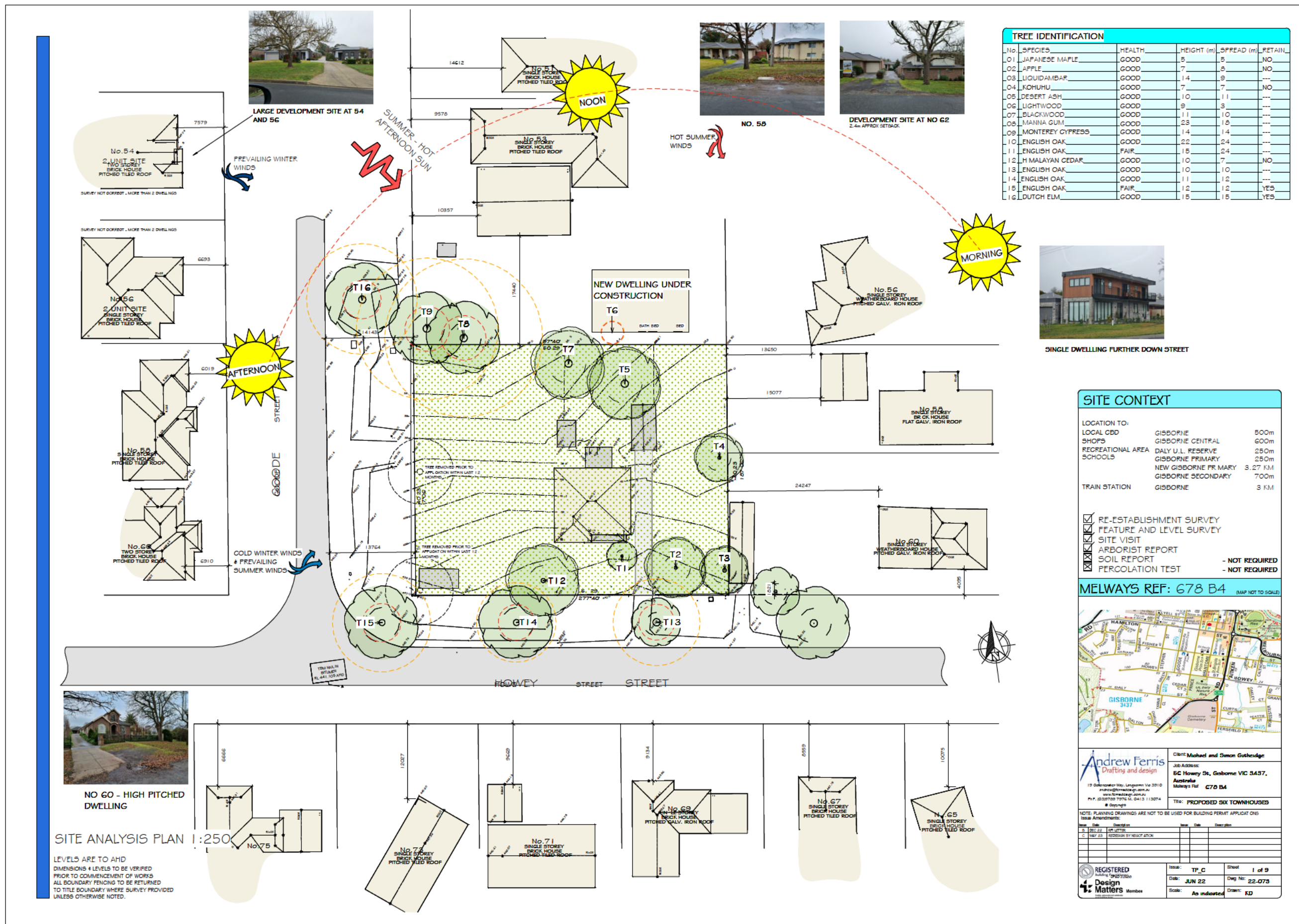
Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
		Protect strategic extractive resource areas and existing quarry operations from encroachment from inappropriate development.			N/A	
		Proposals to establish an extractive industry must adhere to best practice measures to avoid and minimise impacts on significant environments and landscapes.			N/A	
7.	To provide for a diverse and sustainable visitor economy compatible with the natural and cultural values of the area.		✓			The proposal does not have any linkages to the tourism industry of the Macedon Ranges Shire. The proposal is respectful of the existing neighbourhood character.
		Support and facilitate sustainable and responsible tourism and recreation-related land uses and developments (such as agritourism) in keeping with the declared area's significant landscapes, environmental and cultural values.			N/A	
		Facilitate tourism-related land use and development that encourages people to recognise and understand Aboriginal and post-contact cultural heritage.			N/A	
		Ensure the conservation and enhancement of Declared Water Supply Catchment Areas of regional or state significance in the planning of tourism and recreational land uses.			N/A	
		Protect the unique rural character of towns in the declared area.	✓			The proposed development is responsive to the existing character, noting that many nearby allotments now support medium density housing development of a comparable scale to the proposal, including numerous two storey buildings. The design of the development includes separation of all dwellings, recessive upper floors and materials that are reflective of other developments in the surrounding area to ensure the character of the area is maintained.
8.	To plan and manage growth of settlements in the declared area consistent with protection of the area's significant landscapes, protection of catchments, biodiversity, ecological and environmental		✓			The proposal achieves a balance between facilitating additional needed housing stock and a considered response to the existing streetscape character of the area.

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
	values, and consistent with the unique character, role and function of each settlement.					
		Direct urban development to a hierarchy of settlements identified for growth, through clearly defining long-term settlement boundaries.	✓			The subject site is well located with respect to community services and infrastructure. Gisborne is identified as a Regional Centre in the Macedon Ranges and is expected to accommodate additional population growth. Development within the township boundaries is preferable to increased development pressure in areas of environmental and agricultural significance.
		Direct rural residential development to rural-living-zoned land as provided for in the Macedon Ranges Council's rural living strategy, In the Rural Living Zone – Strategic Direction (2015).			N/A	
		Encourage infill development that respects the townships' character.	✓			The proposal is responsive to existing character, notably through setbacks and comprehensive landscaping, and should be supported.
		Limit the expansion of settlements in high risk locations, actively reducing the risks associated with natural hazards.			N/A	
		Encourage a range of housing types within settlement boundaries to support a diverse range of housing needs.	✓			Increased residential development in township areas is considered to contribute to a diverse housing stock available within the Gisborne Township.
		Encourage provision of an adequate supply of well-serviced employment land within settlement boundaries to support local and regional jobs and services.			N/A	
		Encourage the use of voluntary Cultural Heritage Management Plans.			N/A	
9.	To manage the provision of infrastructure consistent with protection of the area's significant landscapes and protection of environmental values to support the social and economic needs of communities and increase		✓			



Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
	resilience to climate change effects.					
		Provide timely infrastructure and services to meet community needs in sequence with development.	✓			The site is connected to mains infrastructure. A development contribution will be required as part of any future subdivision application.
		Maintain and enhance transport connections that provide links between and within regional communities and to major cities.	✓			The site has adequate transport connections, being equidistant to the Calder Freeway and Bendigo Railway Line.
		Reduce use of fossil fuels and reduce greenhouse gas emissions by prioritising active transport and public transport modes.	✓			Access to the Bendigo V-Line service provides access to public transport for future residents.
		Maintain view lines of state-significant landscape features from the main road and rail transport corridors.			N/A	
		Ensure the future operation and development of major transport linkages and rail corridors and upgrading and improved management of freight routes are considered when managing the growth of settlements.	✓			The proposal is not considered to alter the expected demand placed upon existing infrastructure.
		Ensure equitable access to community infrastructure.	✓			The site is centrally located and future residents will have convenient access to community services.
		Encourage the use of active and public transport by planning infrastructure and facilities in accessible locations, and improve walking and cycling routes.	✓			The proposal is not of a scale that warrants the construction of additional community infrastructure.
10.	Respond to the challenges and threats of climate change and natural hazards with careful planning and mitigation strategies.				N/A	
		Support community and government planning for disaster preparedness and climate resilience.			N/A	
		Manage bushfire risks while also retaining valued biodiversity and landscape character.			N/A	
		Plan for more renewable energy generation and distribution.			N/A	
		Ensure proposals to establish renewable energy facilities adhere to best practice measures to avoid and minimise impacts on significant environments and landscapes.			N/A	

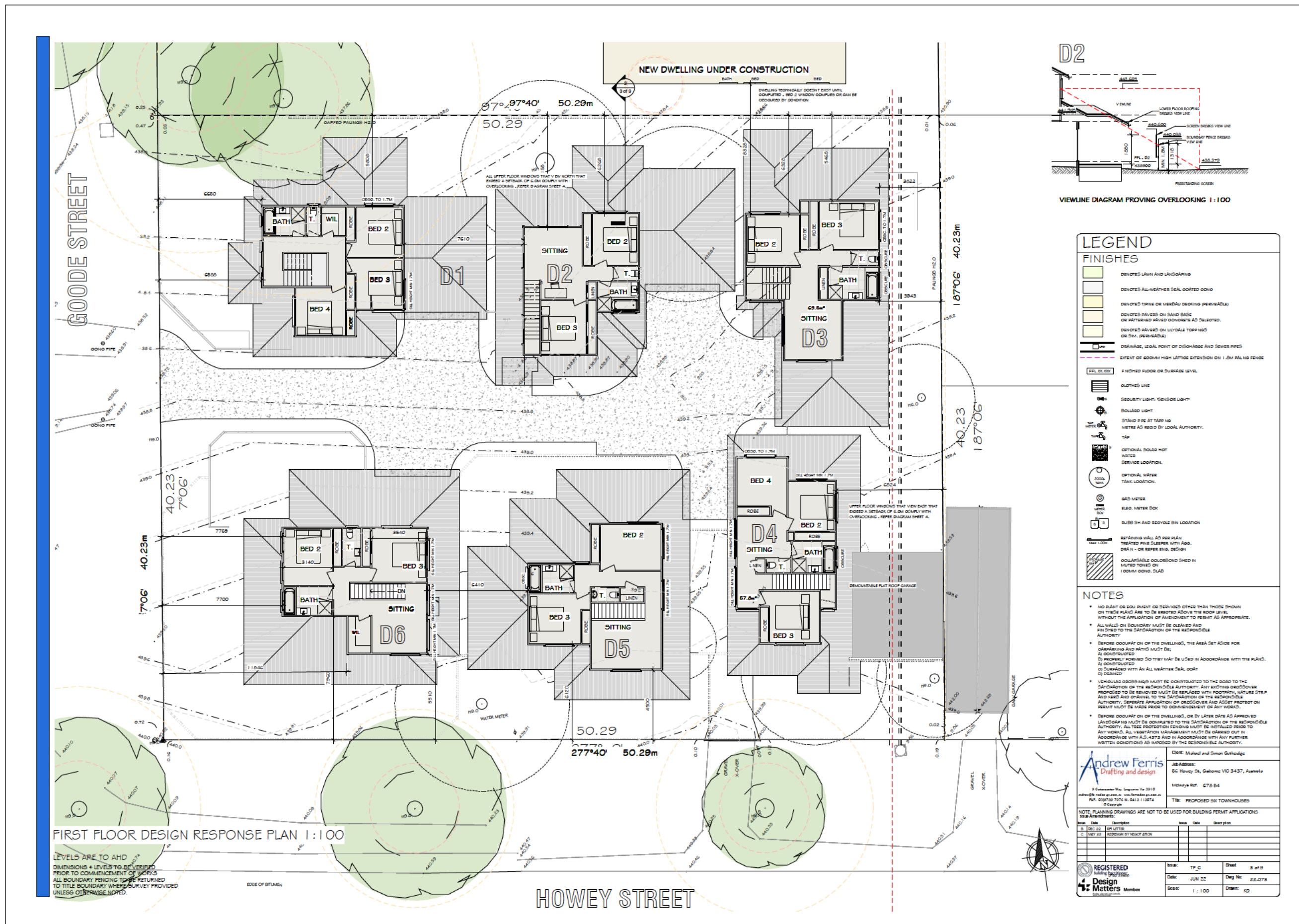
Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
		Ensure planning for future use and development of land prone to flooding minimises the consequences of inundation.			N/A	













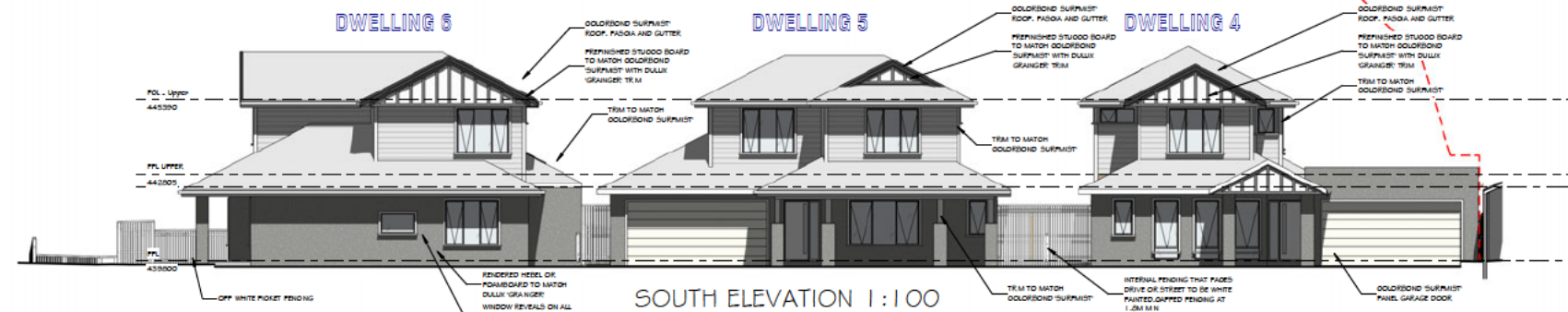
HOWEY STREETSCAPE 1:200

ROADSIDE VEGETATION BLOCKS STREET VIEW

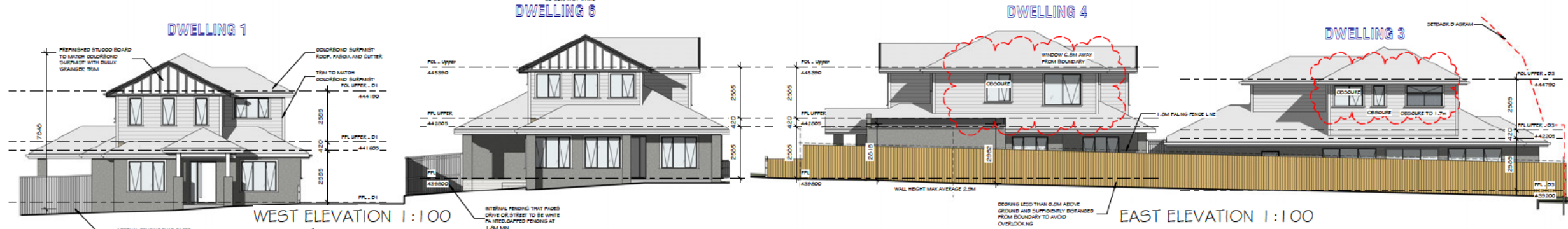


GOODE STREETSCAPE 1:200

- ROOF, F&G**  
COLOURED SURFMT CORR ROOFING, FASCIA AND GUTTER
- UPPER WALL CLADDING**  
HALF STRENGTH DULUX PARTIAL WEATHEREX, WEATHERPROOVE 180 NATURAL WITH WHITE TRIM
- LOWER WALL CLADDING**  
OFF WHITE RENDERED HERE TO MATCH SURFMT
- GARAGE DOOR**  
SURFMT PANEL GARAGE DOOR
- WINDOWS**  
SURFMT ALLUM ANILING
- DR VEWAY**  
CHARCOAL COLOURED AND SEALED

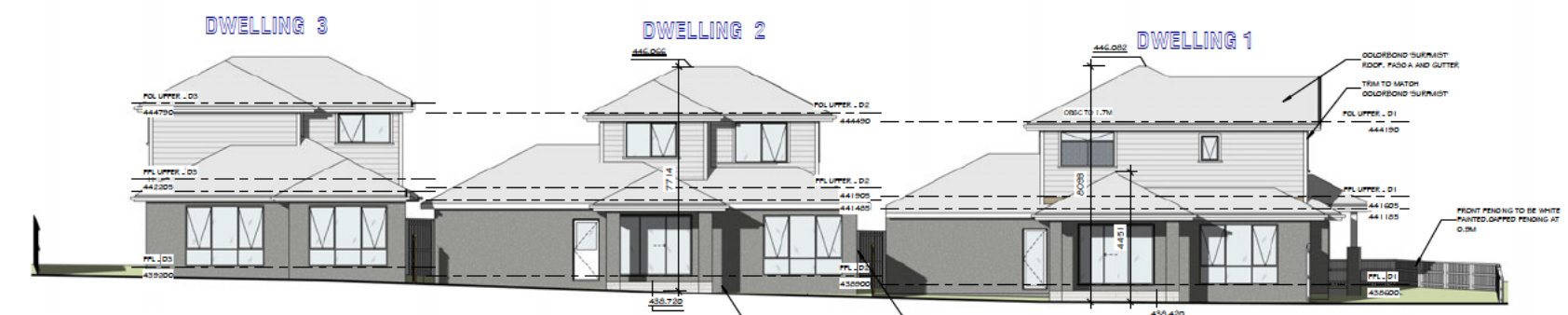


SOUTH ELEVATION 1:100



WEST ELEVATION 1:100

EAST ELEVATION 1:100



NORTH ELEVATION 1:100

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Drafting and design

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NOTE: PLANNING DRAWINGS ARE NOT TO BE USED FOR BUILDING APPLICATIONS  
 Issue Amendments:

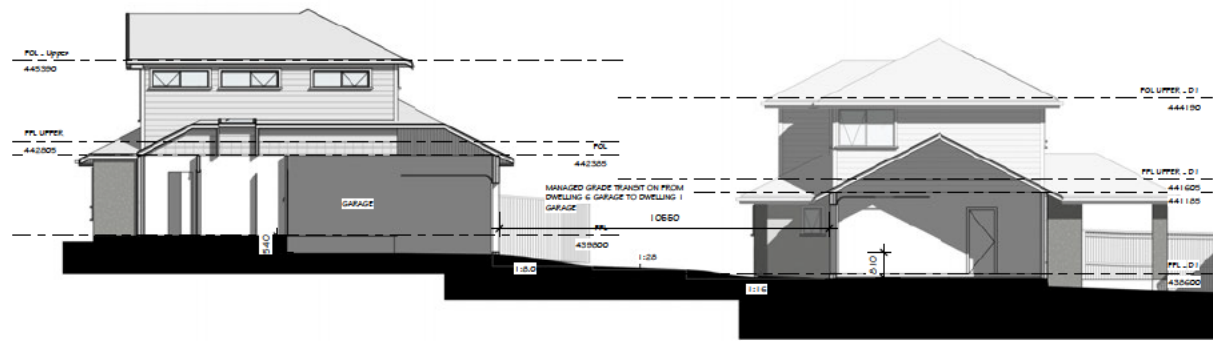
Issue	Date	Description	Issue	Date	Description
A	22/06/23	DR PLAN			
B	22/06/23	DR PLAN			
C	22/06/23	REVISION BY RESUBMITION			

REGISTERED  
 Building Practitioner  
**Design Matters**  
 Member

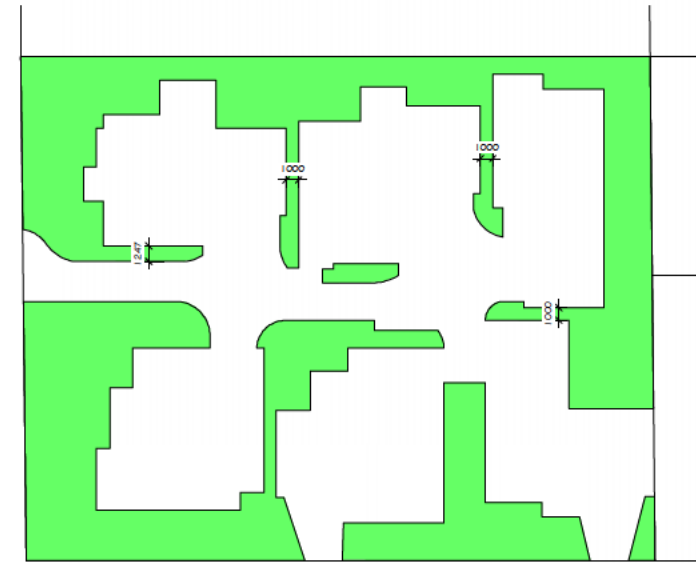
Issue: TP\_C Sheet: 4 of 9  
 Date: JUN 22 Draw No: 22-073  
 Scale: As indicated Drawn: KD



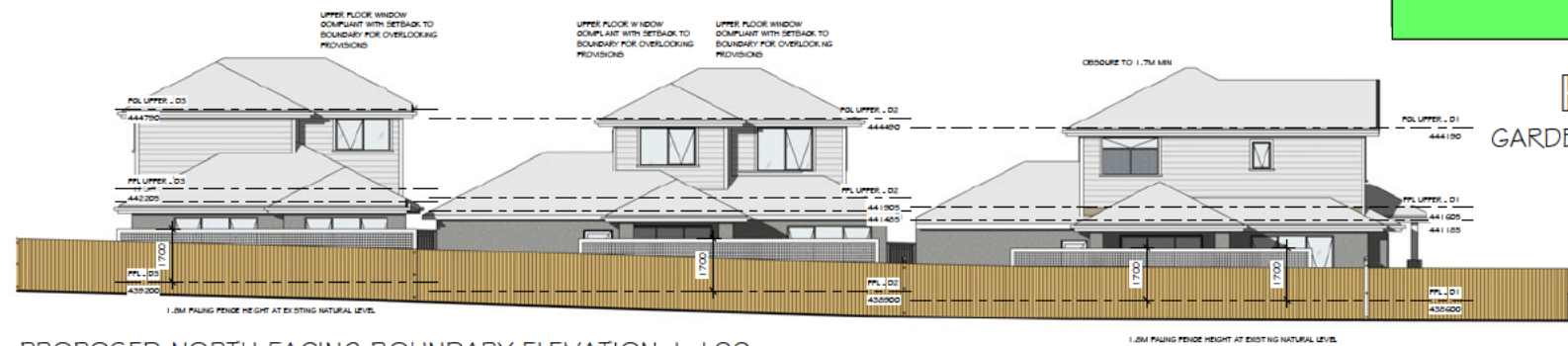




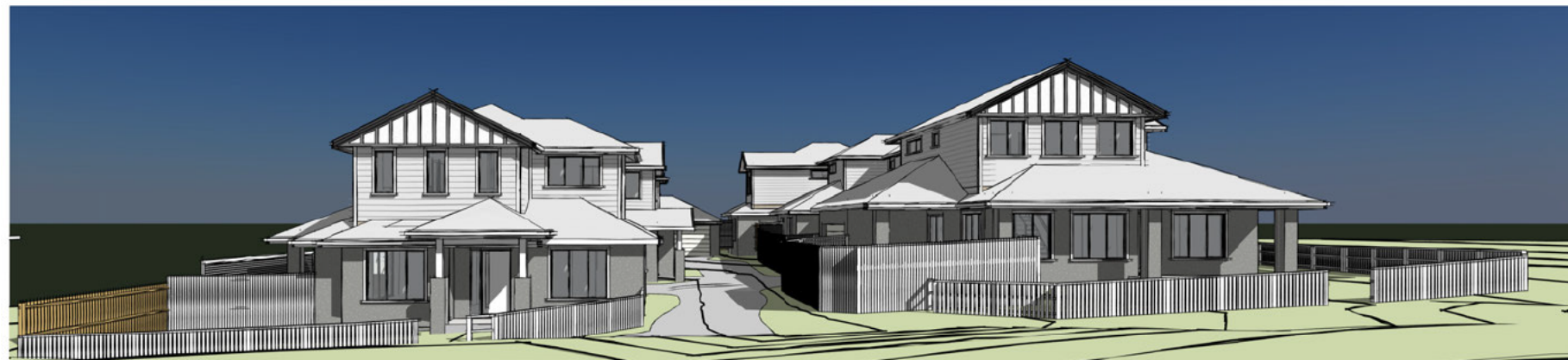
GOODE STREET



STATISTICS	
SITE AREA	2023.0m <sup>2</sup>
RESIDENCE D1	GROUND FLOOR 94.1m <sup>2</sup> SECOND FLOOR 65.9m <sup>2</sup>
GARAGE	37.9m <sup>2</sup>
PORCH / DECK	4.2m <sup>2</sup>
ALFRESCO	12.1m <sup>2</sup>
RESIDENCE D2	GROUND FLOOR 94.0m <sup>2</sup> SECOND FLOOR 58.2m <sup>2</sup>
GARAGE	40.1m <sup>2</sup>
PORCH / DECK	3.0m <sup>2</sup>
ALFRESCO	9.9m <sup>2</sup>
RESIDENCE D3	GROUND FLOOR 96.1m <sup>2</sup> SECOND FLOOR 67.8m <sup>2</sup>
GARAGE	39.7m <sup>2</sup>
PORCH / DECK	2.9m <sup>2</sup>
ALFRESCO	NA
RESIDENCE D4	GROUND FLOOR 92.1m <sup>2</sup> SECOND FLOOR 67.9m <sup>2</sup>
GARAGE	40.8m <sup>2</sup>
PORCH / DECK	5.5m <sup>2</sup>
ALFRESCO	13.0m <sup>2</sup>
RESIDENCE D5	GROUND FLOOR 93.1m <sup>2</sup> SECOND FLOOR 68.3m <sup>2</sup>
GARAGE	40.8m <sup>2</sup>
PORCH / DECK	4.3m <sup>2</sup>
ALFRESCO	9.3m <sup>2</sup>
RESIDENCE D6	GROUND FLOOR 89.2m <sup>2</sup> SECOND FLOOR 66.6m <sup>2</sup>
GARAGE	39.9m <sup>2</sup>
VERANDAH	8.8m <sup>2</sup>
ALFRESCO	14.3m <sup>2</sup>
SITE COVER	888.0m <sup>2</sup>
SITE COVER RATIO	43.7%
DR VEWAYS	284.5m <sup>2</sup>
DRAINED PAVED AREAS	NIL
HARD COVER AREA:	1179.5m <sup>2</sup>
HARD COVER RATIO:	58.3%
GARDEN AREA REQUIREMENT:	35%
GARDEN AREA RATIO:	40.8%
FRONTAGE:	90.52m
DENSITY ACHIEVED:	1:337
CAR/PARKING SPACES REQUIRED	13
SPACES PROVIDED	16
STREET CAR SPACES	6



PROPOSED NORTH FACING BOUNDARY ELEVATION 1:100



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 376 B4

Title: PROPOSED SIX TOWNHOUSES

Issue Amendments:

Issue	Date	Description
A	22/06/23	PRELIMINARY
C	18/07/23	REVISION BY RESUBMISSION

REGISTERED  
 Building Practitioner  
 Design Matters  
 Member

Issue: TP\_C Sheet: C of 9

Date: JUN 22 Draw No: 22-073

Scale: As indicated Drawn: KD

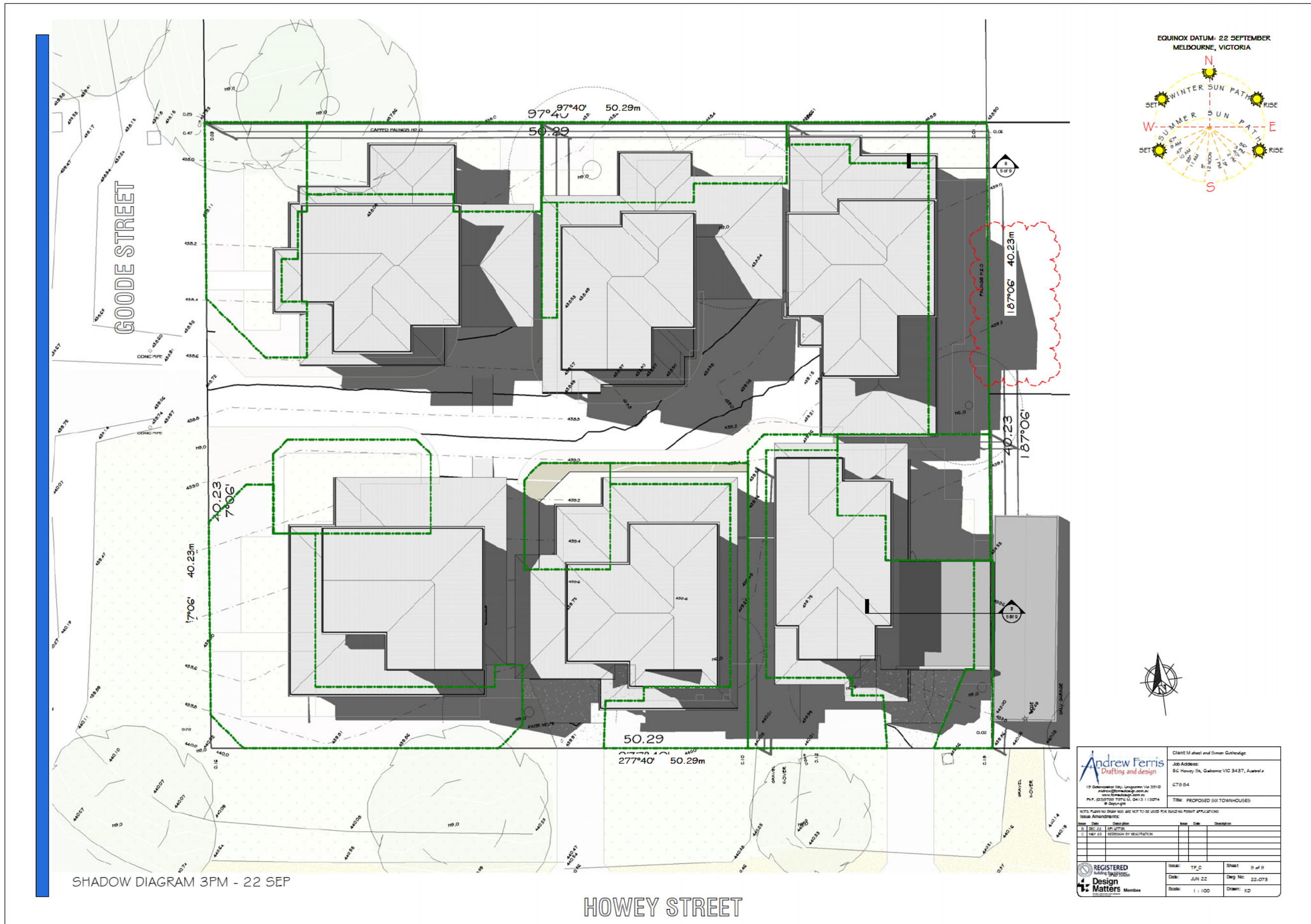
















HOWEY STREET *Landscape plan 1:100*

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Client: 11 street and 5 road Gdnhc Age

Job Address: 56 Howey St, Geelong VIC 3247, Australia

Title: LANDSCAPE PLAN

Issue Amendments:

Issue	Date	Drawn by
A	5/2023	Tim Sheehan
B	8/2023	NOTES REVIEWED

Scale: As Shown Sheet: 1 of 2  
Date: MAY 2023 Drawn: T EENEY



QTY	TAG	Species	Common Name	H X W (m)	Pot
TREES					
6	Af	Agonis flexuosa	Willow Myrtle	10 X 5	30 cm
7	Ep	Eucalyptus pauciflora	Snow Gum	12 x 6	30 cm
8	Li	Lagerstroemia indica x fauriei 'Tuscarora (Hot Pink)'	Crepe Myrtle	8 X 4	30 cm
3	Qp	Quercus palustris	Pin Oak	15 X 8	30 cm
SHRUBS					
20	Bn	Blechnum nudum	Fishbone Water Fern	1 x 1	15 cm
59	Ca	Correa alba	Correa	1.5 X 1.5	15 cm
34	Ei	Epacris impressa	Common Heath	1.5 x 1.5	15 cm
24	Lc	Leptospermum continentale	Prickly Tea Tree	3 x 1.5	15 cm
GRASSES					
98	Dr	Dianella revoluta	Black-anther Flax-ly	0.7 X 0.7	15 cm
137	Pl	Poa labillardierei	tussock grass	1.2 x 0.6	15 cm
GROUND COVERS					
29	Lp	Limonium perezii	Sea Lavender	0.35 X 0.5	15 cm
65	Eg	Viola hederacea	Native Violet	0.1 x spreading	tube

NOTES

TREE PROTECTION

TREE PROTECTION MUST BE CARRIED OUT IN ACCORDANCE WITH THE AUSTRALIAN STANDARD AS 4970-2009 PROTECTION OF TREES ON DEVELOPMENT SITES TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.

PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT (INCLUDING VEGETATION REMOVAL), A TREE PROTECTION FENCE DEFINED BY A 1.8 METRE HIGH (MINIMUM) TEMPORARY FENCE CONSTRUCTED USING STEEL OR TIMBER POSTS FIXED IN THE GROUND OR TO A CONCRETE PAD, WITH THE FENCE'S PANELS TO BE CONSTRUCTED OF CYCLONE MESH WIRE OR SIMILAR STRONG METAL MESH OR NETTING WITH A HIGH VISIBILITY PLASTIC HAZARD TAPE, MUST BE INSTALLED AT THE TREE PROTECTION ZONES TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY. A FIXED SIGN IS TO BE PROVIDED ON ALL VISIBLE SIDES OF THE TREE PRESERVATION FENCING, STATING "TREE PRESERVATION ZONE - NO ENTRY WITHOUT PERMISSION FROM THE RESPONSIBLE AUTHORITY".

- TREE PROTECTION MUST BE CARRIED OUT IN ACCORDANCE WITH THE AUSTRALIAN STANDARD AS 4970-2009 PROTECTION OF TREES ON DEVELOPMENT SITES TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.
- PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT (INCLUDING DEMOLITION AND ANY INITIAL SITE PREPARATIONS) TREE PROTECTION FENCING (TPF) MUST THEN BE ERRECTED AT THE APPLICABLE RADIAL TYPES. THE TPF MUST COMPRISE TEMPORARY FENCING PANELS (MIN. 1.8M HEIGHT) AND HELD IN PLACE WITH CONCRETE FEET. A FIXED SIGN STATING THE TREE PROTECTION ZONE IS TO BE PROVIDED ON ALL VISIBLE SIDES OF THE TPF. ALL TREE PROTECTION ZONES, FENCING, AND SIGNAGE MUST BE TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.
  - THE REQUIREMENTS BELOW MUST BE OBSERVED WITHIN THIS AREA -
  - COARSE MULCH LAID TO A DEPTH OF 75 MM (EXCLUDING ROAD RESERVE OF STREET TREES).
  - NO VEHICULAR OR PEDESTRIAN ACCESS.
  - THE EXISTING SOIL LEVEL MUST NOT BE ALTERED EITHER BY FILL OR EXCAVATION.
  - THE SOIL MUST NOT BE COMPACTED OR THE SOIL'S DRAINAGE CHANGED.
  - NO FUELS, OILS, CHEMICALS, POISONS, RUBBISH OR OTHER MATERIALS HARMFUL TO TREES ARE TO BE DISPOSED OF OR STORED.
  - NO STORAGE OF EQUIPMENT, MACHINERY OR MATERIAL IS TO OCCUR.
  - NO OPEN TRENCHING TO LAY UNDERGROUND SERVICES.
  - NOTHING WHATSOEVER IS TO BE ATTACHED TO ANY TREE.
  - TREE ROOTS MUST NOT BE SEVERED OR INJURED.
  - ALL TREE PRUNING (INCLUDING TO ROOTS) IS TO BE CARRIED OUT BY A PROFESSIONAL ARBORIST AND IN ACCORDANCE WITH AUSTRALIAN STANDARD AS4373-2007 PRUNING OF AMENITY TREES.

GROUND PROTECTION

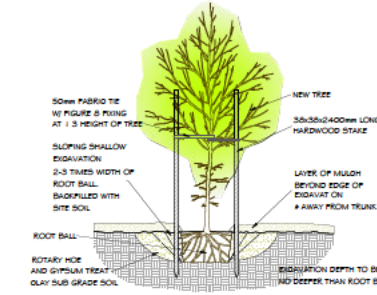
THE FOLLOWING TREE PROTECTION CONDITIONS APPLY WITHIN THE IDENTIFIED TREE PROTECTION ZONES AS NOMINATED ON THE DEVELOPMENT PLANS. ALL TREE PROTECTION CONDITIONS MUST BE UNDERTAKEN TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY.

- NO EXCAVATION WORKS ARE PERMITTED FOR THE CONSTRUCTION OF THE DRIVEWAY.
- TO AVOID COMPACTION AND DAMAGE TO THE TREE TREES A LAYER OF ORGANIC MULCH 200 MM THICK MUST BE LAID WITH RUMBLE PLANKS/ CROSSING PLANKS LAID ABOVE THE MULCH IMMEDIATELY AFTER THE EXISTING DRIVEWAY IS REMOVED. THIS GROUND PROTECTION IS TO BE MAINTAINED UNTIL THE CONSTRUCTION OF THE NEW DRIVEWAY IS COMPLETED.
- NO FUELS, OILS, CHEMICALS, POISONS, RUBBISH, OR OTHER MATERIALS HARMFUL TO TREES ARE TO BE DISPOSED OF OR STORED.
- NO STORAGE OF EQUIPMENT, MACHINERY, OR MATERIAL IS TO OCCUR.
- OPEN TRENCHING TO LAY UNDERGROUND SERVICES E.G. DRAINAGE, WATER, GAS, ETC. MUST NOT BE USED UNLESS APPROVED BY THE RESPONSIBLE AUTHORITY TO TUNNEL BENEATH.
- IF MACHINERY IS USED TO REMOVE EXISTING STRUCTURES, CONCRETE, BRICKS OR OTHER MATERIALS IT MUST BE LOCATED OUTSIDE OF THE DEFINED TREE PROTECTION ZONES WITH ONLY THE MAIN ARM OF THE MACHINE REACHING INTO THIS ZONE.

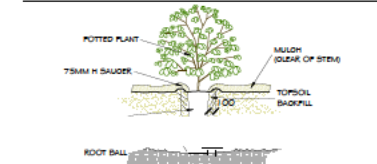
GENERAL NOTES

- ALL TREE PRUNING IS TO BE CARRIED OUT BY A QUALIFIED AND EXPERIENCED ARBORIST WHO HAS A THOROUGH KNOWLEDGE OF TREE PHYSIOLOGY AND PRUNING METHODS. PRUNING MUST BE CARRIED OUT IN ACCORDANCE WITH AUSTRALIAN STANDARD AS4373-2007 PRUNING OF AMENITY TREES.
- IF PRUNING WORKS ARE TO BE UNDERTAKEN THEN THESE WORKS SHOULD BE CARRIED OUT PRIOR TO ANY CONSTRUCTION WORKS BEGINNING ON SITE. ANY PRUNING OF TREES LOCATED ON A NEIGHBOURING PROPERTY SHOULD BE UNDERTAKEN IN CONSULTATION WITH THE PROPERTY OWNER.
- PRUNE PLANTS TO CONTROL THEIR SIZE, GIVE THEM AN APPROPRIATE FORM AND MAINTAIN THEIR VIGOR. TREES SHOULD BE PRUNED TO MAINTAIN STRONG BRANCH FRAMEWORKS AND SHRUBS TO OBTAIN THEIR DESIRED DENSITY AND HEIGHT.
- USE EUCAMULCH TO PREPARE GARDEN BEDS AT A MIN 75MM DEPTH
- ALL GARDEN BEDS TO BE FORMED WITH TIMBER EDGING
- HIGH QUALITY STOCK TO BE SELECTED WITH STRAIGHT TRUNK AND SINGLE LEADER
- ALL TREE STOCK USED MUST BE IN ACCORDANCE WITH AS2303-2015 TREE STOCK FOR LANDSCAPE USE
- WATERING OF TREES SHALL BE COMPLETED THE SAME DAY AS PLANTING, SUFFICIENTLY TO CONSOLIDATE THE BACKFILL AROUND THE ROOTS.
- EXCAVATE PLANTING HOLE 400MM GREATER THAN ROOT BALL DIAMETER. PLANT TREE AT GROUND LEVEL WITH ROOT BALL RESTING ON THE BASE OF HOLE. THE ROOT BALL IS TO BE TEASED OUT AND PRUNED PRIOR TO PLANTING, ENSURING NO ROOTS ARE PROTRUDING ABOVE THE FINISHED SURFACE.
- CONTRACTOR TO SUPPLY AND INSTALL ALL TREES
- FERTILIZE LAWNS TO MAINTAIN VIGOR. MORE REGULARLY TO PROVIDE A USABLE AND NEAT SURFACE.
- CULTIVATE ALL GARDEN BED AREAS TO A DEPTH OF 200MM WHERE SAFE TO DO SO (IE AWAY FROM PIPES AND TREE PROTECTION ZONES) AND ADD GYPSUM AT AN APPLICATION RATE OF 1KG / SQ METER DURING THE CULTIVATION PROCEDURE.
- APPROVED TOPSOIL SHALL BE FREE FROM CLODS, STONES, AND OTHER EXTRANEOUS MATERIALS GREATER THAN 20MMØ. LANDSCAPE CONTRACTOR TO SUPPLY AND SPREAD APPROVED TOPSOIL TO GARDEN BEDS AREAS. IMPORTED TOPSOIL, IF REQUIRED, SHALL BE A SANDY LOAM TEXTURE WITH A PH OF 6-7 AND BE FREE FROM RUBBLE STONE AND EXTRANEOUS MATERIAL.
- GARDEN BEDS SHALL HAVE A DEPTH OF 150MM TOPSOIL AND GRASSED AREAS A DEPTH OF 75MM
- ALL EXISTING ENVIRONMENTAL WEED SPECIES ARE TO BE REMOVED FROM THE SITE.

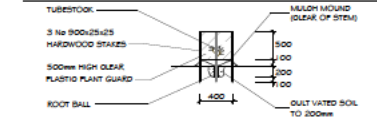
Tree planting detail



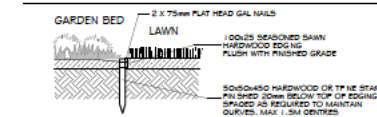
Shrub planting detail



Tubestock planting detail

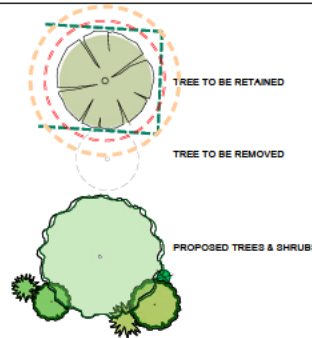


Timber edge detail

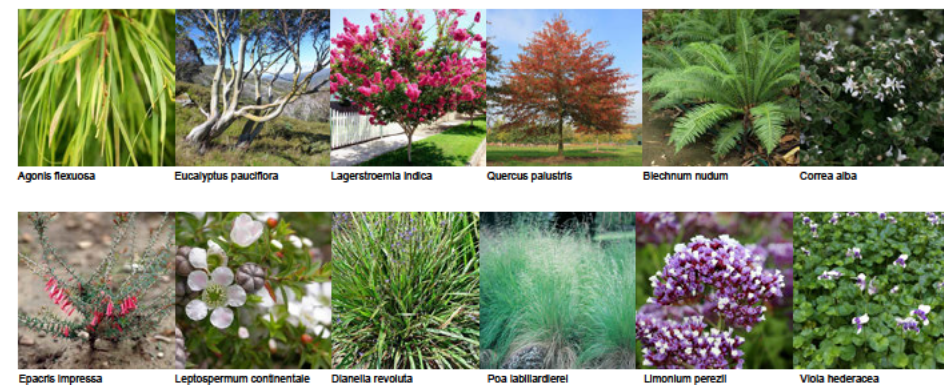


Schedule of finishes

- LAWN (SEEDED)
- ALL-WEATHER SEAL COATED CONC
- CONCRETE PAVERS 600 x 600
- GRANATIC SAND OR SIM.
- PERMEABLE SURFACE
- EUCY MULCH/LAWN GARDEN BED
- TYPINE OR MERBAU DECKING
- DECORATIVE PEA GRAVEL OR SIMILAR



Plants



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Title: LANDSCAPE PLAN

Issue Amendments:

Date	Drawn by
A 5 2023	Pre-Planting
B 8 2023	NOTES REVIEWED

Issue: B Sheet: 2 of 2

Date: MAY 2023 Drawn: T EDNEY

Scale: As Shown

Landscape Notes