

Agenda

**Planning Delegated Committee Meeting
Wednesday 12 July 2023 at 7pm
Held online and livestreamed at mrsc.vic.gov.au**

Order of business

1	Acknowledgement of Country	3
2	Recording and livestreaming of this Committee Meeting	3
3	Present	3
4	Apologies	3
5	Conflicts of interest	3
6	Purpose of Planning Delegated Committee	3
7	Adoption of minutes	3
8	Hearing of submitters	4
8.1	Hearing of submitters in relation to DP/2022/3 - 88A and 90 Wedge Street Kyneton Development Plan.....	4
8.2	Hearing of submitters in respect of application for a planning permit PLN/2022/353 - use and development of the land for a second dwelling for lot 1 on PS837821Q, 90 Weatherly Road, Bolinda.....	6
8.3	Hearing of Submitters in respect of Amendment C153MACR and PLN/2022/359 - Willowbank Road Local Activity Centre	12
9	Reports	39
9.1	PLN/2022/384 - 3 Somerville Lane, Riddells Creek.....	39
9.2	PLN/2013/144/A - 26 Marshall Avenue, Macedon	129
9.3	PLN/2022/388 - Mount Macedon War Memorial Cross Reserve, 409 Cameron Drive, Mount Macedon 3441	174

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 14 June 2023, as circulated.

8 HEARING OF SUBMITTERS

8.1	HEARING OF SUBMITTERS IN RELATION TO DP/2022/3 - 88A AND 90 WEDGE STREET KYNETON DEVELOPMENT PLAN
Officer:	Dale Rogers, Strategic Planner
Attachments:	Submissions (under separate cover)

Summary

To hear from submitters in relation to Development Plan Application DP/2022/3.

Recommendation**That the Committee:**

- 1. Notes the submissions received in relation to DP/2022/3; 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 August 2023.**

Background

Application DP/2022/3 seeks the approval of a Development Plan for the Wedge & Ebdon Streets, Kyneton - Former Industrial Zone Area, Development Plan Overlay Schedule 17 (DPO17) for the land at 83 Powlett Street, and 88A and 90 Wedge Street, Kyneton.

There is no requirement for DPO17 to be publically advertised but for consistency the application was advertised on the 2 June 2023. Adjoining and surrounding landholders and occupiers were informed of the application. Thirty (30) submissions have been received.

Summary of proposal

A Development Plan (DP) application was received on 18 July 2022 for the land known as 88A-90 Wedge Street, Kyneton.

The Development Plan Overlay Schedule 17 (DPO17) - Wedge & Ebdon Streets, Kyneton - Former Industrial Zone Area contains this site and 88 Wedge Street, Kyneton. The DPO17 allows for one or two development plans to be submitted.

The site contains five parcels totalling approximately 1.97ha. The development plan proposes 18 lots and a reserve adjacent to Post Office Creek.

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 submissions

Thirty (30) submissions were received including one submission of support. These are summarised below.

- The impact of increased traffic, specifically relating to Post Office Bridge and pedestrians.
- The size of the lots being under 1000m².
- Neighbourhood character concerns.
- The potential impact on Post Office Creek.
- The noise impact from the industrial land.
- Dust during the construction phase.
- The heritage of the adjoining police paddock.
- Support for housing diversity.

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.

8.2	HEARING OF SUBMITTERS IN RESPECT OF APPLICATION FOR A PLANNING PERMIT PLN/2022/353 - USE AND DEVELOPMENT OF THE LAND FOR A SECOND DWELLING FOR LOT 1 ON PS837821Q, 90 WEATHERLY ROAD, BOLINDA
Officer:	Robert Wallis, Senior Statutory Planning Officer
Attachments:	Submissions ↓

Summary

To hear from submitters in relation to Planning Application PLN/2022/353 regarding the proposed Use and Development of the land for a Second Dwelling for Lot 1 on PS837821Q, 90 Weatherly Road, Bolinda.

Recommendation

That the Committee:

- 1. Notes the submissions received in relation to PLN/2022/353 - Use and Development of the land for a Second Dwelling; 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 August 2023.**

Background

The subject site comprises the land commonly known as 90 Weatherly Road Bolinda, and is located on the eastern side of Bolinda Road. The land is approximately 3.2 hectares in size and is currently populated with an existing dwelling in the north-eastern corner of the site. Vehicle access to the existing dwelling is provided by an existing driveway on the abutting parcel of land to the north, which is understood to exist in conjunction with the existing dwelling on the subject site as part of a larger agricultural operation. With the exception of the existing dwelling the remainder of the site is largely retained as pasture areas and is used to house horses. There are four separate areas where animals are kept, with low-scale fencing provided between each section. The subject site is bordered on all sides by established exotic vegetation, some of which is located in the road reserve and on abutting lots of land.

The surrounding area is an established productive agricultural area, with land varying in lot sizes – all lots of land are large in size and are used for productive agricultural purposes with the exception of a dwelling excision which is located to the immediate south of the subject site. The street is well vegetated with exotic plantings which provide effective screening from the street. The subject site is located approximately 9km to the north-east of the Riddells Creek Township, and 8.2km to the south-east of the Romsey Township. The subject site is also approximately 18km from the Wallan Township to the east, in the Mitchell Shire Local Government Area.

Summary of proposal

The proposal seeks approval for the construction of a second dwelling, to be constructed centrally within the existing lot. The proposed dwelling will be serviced by a new driveway

and crossover, a new shed and an effluent disposal field to be located to the south of the proposed dwelling.

The proposed dwelling is setback 16.97m from the eastern boundary, 73.76m from the southern boundary and 105.82m from the western boundary. The proposed shed is located forward of the proposed dwelling and is shown to have dimensions of 8.87m x 24.18m, with six (6) roller doors installed on the southern elevation. The proposed dwelling, outbuilding, driveway area and effluent field are all shown to be constructed entirely within one of the existing paddocks.

Planning permit trigger/s

- Clause 35.07-1 – Use of the Land for Second Dwelling (Section 2 Use)
- Clause 35.07-4 – Buildings and works associated with Section 2 Use

Summary of submissions

A total of four letters of support were received to this application. They are summarised as follows:

Key element of support for proposal:
• Enhancement of the existing equine business
• No impact on the existing or future farming potential of the site
• No amenity impacts on the surrounding area
• Not contrary to the rural character of the area
• No impact on vegetation or waterways

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.

Mr Rob Wallis
Senior Statutory Planner
Macedon Ranges Shire Council
mrsc@mrsc.vic.gov.au

**Submission: Notice of an Application for a Planning Permit
PLN/2022/353 – 90 Weatherly Road, Bolinda**

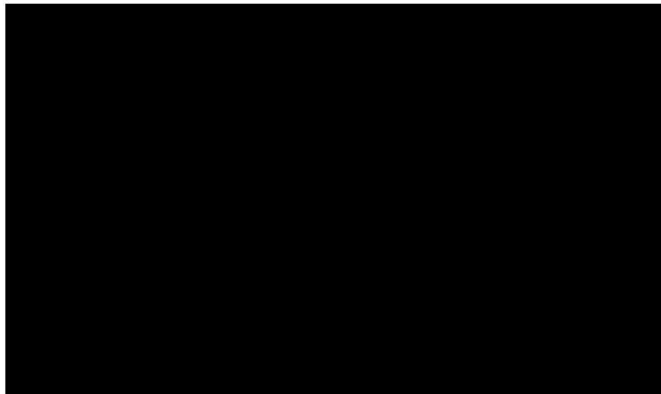
I take the opportunity to make a submission, as per the circulated Notice of an Application for a Planning Permit.

I support the proposed second dwelling which will assist the existing business operations on the site.

The proposed dwelling:

- Supports and enhances the existing equine business undertaken on the land
- Will not detrimentally impact the existing or future farming potential of the site
- Will not impact on the ability to farm or cause any amenity concern to my land, and is compatible with the surrounding area
- Does not disrupt the rural character of the area
- Is located in an appropriate location on the site
- Will not impact on vegetation or waterways

It is important that Council support and understand issues equine and farming businesses face.



Submission 2

U23-00330

Mr Rob Wallis
Senior Statutory Planner
Macedon Ranges Shire Council
mrsc@mrsc.vic.gov.au

**Submission: Notice of an Application for a Planning Permit
PLN/2022/353 – 90 Weatherly Road, Bolinda**

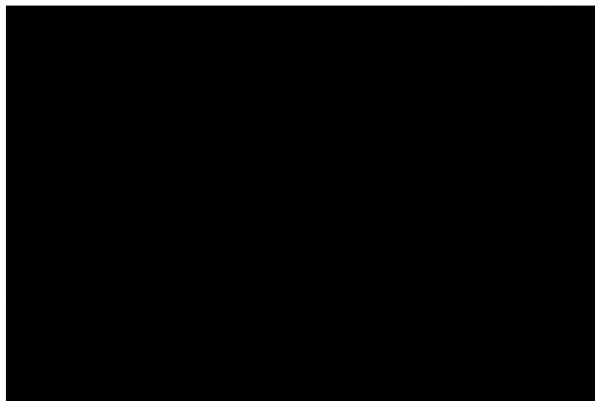
I take the opportunity to make a submission, as per the circulated Notice of an Application for a Planning Permit.

I support the proposed second dwelling which will assist the existing business operations on the site.

The proposed dwelling:

- Supports and enhances the existing equine business undertaken on the land
- Will not detrimentally impact the existing or future farming potential of the site
- Will not impact on the ability to farm or cause any amenity concern to my land, and is compatible with the surrounding area
- Does not disrupt the rural character of the area
- Is located in an appropriate location on the site
- Will not impact on vegetation or waterways

It is important that Council support and understand issues equine and farming businesses face.



D23-00339

Mr Rob Wallis
Senior Statutory Planner
Macedon Ranges Shire Council
mrsc@mrsc.vic.gov.au

**Submission: Notice of an Application for a Planning Permit
PLN/2022/353 – 90 Weatherly Road, Bolinda**

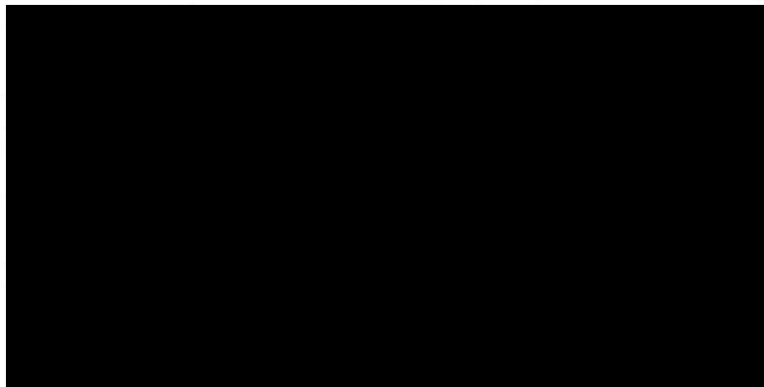
I take the opportunity to make a submission, as per the circulated Notice of an Application for a Planning Permit.

I support the proposed second dwelling which will assist the existing business operations on the site.

The proposed dwelling:

- Supports and enhances the existing equine business undertaken on the land
- Will not detrimentally impact the existing or future farming potential of the site
- Will not impact on the ability to farm or cause any amenity concern to my land, and is compatible with the surrounding area
- Does not disrupt the rural character of the area
- Is located in an appropriate location on the site
- Will not impact on vegetation or waterways

It is important that Council support and understand issues equine and farming businesses face.



D23-88343

Mr Rob Wallis
Senior Statutory Planner
Macedon Ranges Shire Council
mrsc@mrsc.vic.gov.au

**Submission: Notice of an Application for a Planning Permit
PLN/2022/353 – 90 Weatherly Road, Bolinda**

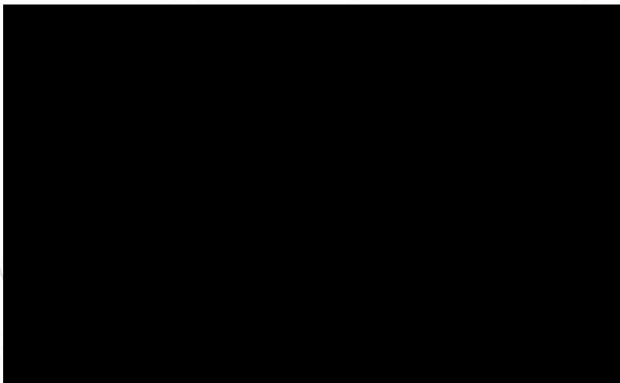
I take the opportunity to make a submission, as per the circulated Notice of an Application for a Planning Permit.

I support the proposed second dwelling which will assist the existing business operations on the site.

The proposed dwelling:

- Supports and enhances the existing equine business undertaken on the land
- Will not detrimentally impact the existing or future farming potential of the site
- Will not impact on the ability to farm or cause any amenity concern to my land, and is compatible with the surrounding area
- Does not disrupt the rural character of the area
- Is located in an appropriate location on the site
- Will not impact on vegetation or waterways

It is important that Council support and understand issues equine and farming businesses face.



8.3	HEARING OF SUBMITTERS IN RESPECT OF AMENDMENT C153MACR AND PLN/2022/359 - WILLOWBANK ROAD LOCAL ACTIVITY CENTRE
Officer:	Daniel Hall, Graduate Strategic Planner
Attachments:	Submissions ↓

Summary

To hear from submitters in relation to combined Planning Scheme Amendment C153macr and Planning Permit PLN/2022/359.

Recommendation

That the Committee:

- 1. Notes the submissions received in relation to Amendment C153macr; 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 11 September 2023.**

Background

Amendment C153macr is a proponent-led combined planning scheme amendment and permit application. The Amendment is being progressed at the request of the landowner Brady Road Investments Pty Ltd.

The Amendment proposes to rezone land located at 101-105 Willowbank Road Gisborne from General Residential Zone Schedule 1 (GRZ1) to Commercial 1 Zone (C1Z), introduce Design and Development Overlay Schedule 27 (DDO27) and vary the Restrictive Covenant PS549356W to allow for the development of a future Local Activity Centre (LAC).

Alongside the rezoning application, a planning application (PLN/2022/359) seeks approval for:

- Buildings and works to construct a supermarket, medical centre, office and food and drink premises (two cafés); and
- A reduction in the number of car parking spaces from 61 to 57 spaces.

Consultation

The Amendment underwent a five-week public exhibition period between 8 May and 13 June 2023. As a part of the public consultation council officers conducted the following:

- Circulated approximately 400 letters to all affected parties and beneficiaries of covenant PS549356W. Letters included the documents;
 - Notice of Amendment,
 - Amendment Explanatory Report
 - Amendment Factsheet.

- Circulated the Notice of Amendment in the Midland Express, the Government Gazette and via Council’s ‘have your say’ webpage. Hard copies are available at the Kyneton and Gisborne council offices.
- Provided the proponent with signs to be installed onsite fronting both Brady and Willowbank Roads.
- Conducted an in-person drop in session at Gisborne Administration Centre – 31 May 2023.
- Responded to in-person, email and phone enquires.

Summary of submissions

12 submissions were received with five submissions objecting and seven submissions including three from referral authorities supporting the Amendment. The submissions are summarised below, noting some submissions supported parts of the amendment/permit and had concerns with some components.

<p>Fencing</p> <ul style="list-style-type: none"> • Perimeter fencing was a point of both support and opposition among submissions. One submission although in support of the fence due to its role as an acoustic barrier, requests the minimum acoustic rating to be increased (material thickness). • There is opposition to the fence’s height and solid construction as it creates an imposing visual barrier and negatively affects the private realm of residential properties abutting the site. • There is a preference for a post-and-wire construction as it reflects the rural character of the surrounding area.
<p>Traffic and condition of Willowbank Road - Objections</p> <ul style="list-style-type: none"> • The current poor condition of Willowbank Road will be unable to accommodate the increase demand that this development will bring. Submitters request improvements, specifically at the intersection of Brady and Willowbank Roads. • The validity of the traffic report, in relation to the data collection methodology. • The increase in vehicle traffic accessing and parking near the site.
<p>Traffic and active transport – Support</p> <ul style="list-style-type: none"> • The development encourages a reduction in traffic congestion in central Gisborne. • The development provides walkable access to local services.
<p>Building height and scale of proposed development</p> <ul style="list-style-type: none"> • The height of the proposed buildings is inappropriate for the area, submitters request the height of the buildings to reflect the single story character. • The sites frontage should be single storey and scale to two at the rear.
<p>Sustainable development principles</p> <ul style="list-style-type: none"> • The development incorporated sustainable design principles.
<p>Landscaping and vegetation choice</p>

- Review the landscape plan on the South perimeter due to potential overshadowing issues and possible damage associated with aggressive tree roots and storm damage.
- Increase the site’s setbacks to allow for increased tree planting (with canopy) along the interface with Brady and Willowbank Roads.

Strategic justification or need - Objection

- The application is an overdevelopment of the site at this location
- The proposed LAC is too close to the existing Gisborne Town Centre and should be closer to the Willows estate.
- There is no strategic or economic justification for this type of development in the proposed location.

Strategic justification or need - Support

- The application provides for local and health infrastructure.
- The application is consistent with the current and proposed strategic policy for the area.
- The application caters for the demand in this area for this type of development.

Condition no.1 b) The location of a “No right turn sign” along Brady Road.

- Two Submitters specially do not support this condition and call for greater justification for its inclusion.

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



Dear MRSC,

As a resident  from the relevant site, I write to strongly support:

- planning application PLN/2022/359
- variation of covenant PS549356W

With the rapidly increasing local population due to the development of nearby land in the Willow Estate and other land developments in Gisborne, in my view it is incumbent on Councils and Governments to approve and provide local infrastructure e.g. shops, cafes, medical facilities, schools, child care centres, recreational facilities, neighbourhood activity centres etc. to match the new growth.

This will reduce the need for travel into the centre of Gisborne, thus reducing congestion and pollution. It will improve the amenity of local resident, and enable nearby residents to walk to the new facilities, further reducing pollution and congestion, and providing health benefits to those who partake.

We would make frequent use of the proposed facilities rather than drive the longer distance into Gisborne.

To my knowledge there is not even a local convenience store outside central Gisborne, unlike Sunbury and most other suburbs and medium-large towns. In my view it is now timely for MRSC to approve such initiatives: this development plus one as part of the new Ross-Watt Rd development and at least one in New Gisborne.

Regards,



Daniel Hall

From:
Sent:
To:
Subject:



Good afternoon, Daniel.

I'm writing to share my concern regarding the above amendment/planning permit, as [redacted]

The main concern is the height of the perimeter fence and the fact it will not be a single-story commercial zone.

The units along the back perimeter are built on small blocks which have gardens to match accordingly. The outdoor areas of the units are vitally important to give the residents a feeling of space, freedom and enjoyment. Constructing a fence other than post/wire and especially that height, with a building of multiple levels, will be overwhelming for such small blocks. It will be imposing, oppressive and prevent the natural light filtration internally and externally that we currently enjoy.

Gisborne is renowned for its beauty, regional feel and space. Whilst I understand that Gisborne is growing and requires facilities to support that growth, it requires preparation and consideration to the construction of such facilities and the impact on those who have residential properties in the surrounding area.

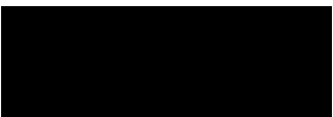
If the LAC is to accommodate the needs for the Gisborne South residents, why would it not be built closer to the area in the new Willowbank estate or around Brooking Rd, Couangalt Rd near residential blocks that are substantially larger and hence, less impact?

Building the facility on a corner block, which is a 5-minute drive or 15-minute walk from 4 supermarkets, 3 medical centres, numerous cafes and offices, and further from South Gisborne than the areas previously mentioned, doesn't exude common sense and appears to be an ad hoc (or money motivated) decision considering the former (more favourable) plans for that site.

Whilst I would prefer the site to remain a residential zone, the site could accommodate a *single-story* commercial facility *without* a high perimeter fence. This is in line with the current commercial buildings in that area.

If you want to offer a facility that provides a supermarket and cafe, then refer to the example in Kyneton of the store Watts Fresh. It still has a regional feel, an unimposing footprint, and a cafe. It has great produce and variety. It's different to the big chain supermarkets, adds something different, visually appealing and interesting which Gisborne desperately needs. Otherwise, we are going to lose the wonderful regional qualities of Gisborne and will no longer feel like we are a part of the Macedon Ranges.

I urge you to reconsider.



SUBMISSION 3

Daniel Hall

Hi Macedon Ranges Council Officers,

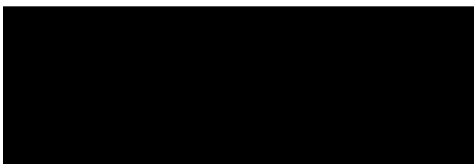
I refer to the explanatory report regarding the subject amendment, posted to my mailbox earlier this month.

As a close neighborhood nearby [REDACTED] we are generally supportive to this amendment to provide *"everyday shopping, commercial and medical needs of the surrounding residential community"*.

However, despite reading the traffic impact assessment summarised in the report, we would like to raise our concerns/comments regarding the traffic impact caused by this amendment. This includes -

- *Quoting the traffic impact assessment summarised in the report - "The surrounding road network has been assessed as able to comfortably cater for the additional vehicles utilising the local activity centre and will not result in any unreasonable queuing at intersections."* We would like to have further understanding if any road upgrade needs to be done alongside this amendment. We have particular concerns on the future traffic demand at the intersection between Willowbank Road and Brady Road when these shops & offices are opened, and believe some traffic changes need to be done esp there is childcare nearby and kids will walk to/from school everyday.
- Have the assessment considered not only the current number of residents anticipated to commute to this new area, but also the upcoming 600+ new houses under Willow development - assuming there will be thousands of additional cars travelling around the area?
- Have there been consideration (in the traffic assessment) to increase the frequency of bus services so as to reduce the number of private car traffic around the area? Apparently bus services (no. 473) have no service during morning peak and some hours in the afternoon - this is difficult for residents to access to these new shops/offices if the service is so infrequent.

Grateful if you can take into consideration the above concerns/comments, and more than happy to see some further details on that traffic impact assessment for better understanding the rationale behind.



Submission 5

Submission to Macedon Ranges Shire Council (MRSC) concerning the Planning Scheme Amendment C153macr and Planning Permit PLN/2022/359, and specifically the rezoning and proposed development at 101-105 Willowbank Road Gisborne.

This document is submitted in accordance with MRSC letter of 2 May 2023 to residents of Willowbank Road Gisborne and surrounding areas, and e-mail of 11 May 2023 to the writer inviting comment and feedback on the proposals detailed therein.

There are a number of matters that I consider require discussion and perhaps in need, comment.

I have read and (hopefully) understood all 258+ pages detailing the proposals, together with covering letters, Information Sheet and other ancillary documents in respect of the proposals, and accordingly comment hereunder.

Please also note that letter of 2 May 2023 (mentioned above) advised that a submission form could be found at relevant web site. This did not appear to be the case (and I accept I am not familiar with these type of requirements), so I have prepared my comments in this format for your consideration, and hope that it is satisfactory

The first item that immediately comes to the fore on reading the papers, is that nowhere within the documents has there been (in my opinion) an establishment of need for the development.

Whilst there is a need to rezone the land to meet the Developers requirements, nowhere can I find the need to support the provision of a 5th Supermarket for Gisborne, or additional Doctor's room, much less more Café's. These matters are discussed later.

The development generally

The comments from Council (or the Council Officer who obviously favours the development) with the statements supporting the development detailed in the untitled document enclosed with the letter of 2 May (Perhaps "Amendment C153macr is the Title) has a number of emotive statements that are missing the main point, and I suggest designed to support a proposal that is unsuitable for the area. They do not create an Establishment of Need, and I comment on each item specifically

residents in the south of Gisborne to have greater access to localised shopping, commercial and medical services and reduce the requirement to travel to the centre of Gisborne for basic retail needs.

It is therefore assumed by the author of the document that because the development is there, it will be an automatic success. Have doctors committed to the site, has a Supermarket chain committed to the site, etc. Doubtful if not full scale fantasy (emotive I know, but no less emotive than the original statement). As a general rule, and perhaps a statement of fact, the need to shop for one (or 2) items is rare as most people in this day and age shop for more than one thing at a time and more than one shop at a time so localised shopping as envisaged by the author has generally become a thing of the past (the decline of local Milk Bars is an example).

Provide a low rise neighbourhood activity centre that provides transition to the adjacent residential areas

One simple question....How? What sort of "neighbourhood activity" is envisaged. This appears to be classic "spin" with no substance. And the effrontery to call and development of up to 11 metres high, almost from the footpath vertically, "low rise," is astonishing

Create an active frontage and high quality built form presentation to Willowbank and Brady Roads.

Please explain, an "active frontage", which from the plan included with the proposal include a concrete wall up to 11 metres high almost directly from the footpath on Willowbank, and up to 9 metres high on Brady. About as active as a dose of Covid, I would suggest

Support development that provides high quality streetscapes that prioritises safety, pedestrian access active transport and public gathering spaces

It seems ill-logical that high quality streetscapes are detailed, yet we have concrete walls of ludicrous heights proposed for both Willowbank and Brady Roads, I would suggest the only streetscapes that would be attractive to that concept would be from graffiti vandals.

It should also be mentioned that this development appears to have come to fruition with the development of The Willows Estate, and bearing in mind the size of that estate (and the number of houses erected, and being erected), it seems flawed that provision for a development of this nature was not included in the planning for The Willows. It would appear logical that a development such as this be located near the School and Kindergarten area, which draws people to the area daily.

In discussing specific concerns about the proposed development, then I consider the following relevant.

1 The condition of Willowbank Road

Willowbank Road from Aitken Street to Bloomfield Road, but predominantly in the immediate proximity to the development, is in very poor condition. Pot holes, poorly completed and very uneven road repairs, no, or intermittent and non-common kerbing on both sides of the road for several hundred metres in both east and west direction, narrow bitumen, no street lighting in the vicinity of Brady Road travelling west and no footpaths on the northern side of the road for all it's length except for 2 small path lengths from Aitken street east for approximately 350-400 metres, and one smaller length to the east of the area under discussion

The road is generally a poorly finished, narrow thoroughfare from Aitken Street/ Mt Gisborne Road all the way to Bloomfield Road, and not suitable for the volume of traffic currently using it, much less increases this development would generate, despite what the Traffic Engineering Assessment report would have us believe, and Council Officers mis-guided reliance on historical data that excludes all the residential development that has occurred recently. This issue is further exacerbated by the change proposed to the Brady Road intersection (discussed later)

A mitigating factor here could be reduction of the speed limit to 50kmh in Willowbank Road, and installation of speed retardation devices every 300 metres or so along the length of Willowbank from the Aitken Street roundabout to the Bloomfield Road roundabout. (Similar to Howey Street?)

I further dispute the Report assessment that only 8% of vehicles are Commercial. Clearly the report has not been attended on present day activity, or else includes only those vehicles registered as Commercial, and excludes trucks. (I wonder how that figure was actually ascertained, by number plate recognition, or just plain guesswork). Perhaps tradies and their trailers and large SUV's are registered as private, and not seen as undertaking commercial activities, by the author.

Clearly the author doesn't reside in Willowbank Road!

It was also interesting to read in the proposal that bicycle parking will be provided on site, yet there are no bicycle paths in the area, and from what I have been able to ascertain, none planned. (Although it is noted there is such a bicycle path in McGeorge Road in The Willows estate – but that is a good kilometre or more distant from Brady Road, and no linkage from McGeorge Rd to this development appears anywhere

Riding bicycles on the footpath, whilst illegal (unless accompanying an under 10) is impractical, (although most cyclists do so), because the existing footpath on Willowbank is narrow, only allowing 2 pedestrians side by side, and Willowbank Road itself is too dangerous for a normal cyclist to use it safely. This is because of the road's poor condition, narrowness, and the speed of the road users – defined by residents generally as excessive, dangerous, and unsuitable for the road condition.

It therefore begs the question, is something planned that we (the residents) have not been advised about?

A statement has been made in the Explanatory Report that this development will “reduce car dependency for the surrounding area”. The report does not say how, and there appears to be no substantive data to support this inflammatory statement. Perhaps the assumption is made that cars will not be used to access the development, but bicycles and pedestrian usage will be prime transport mode??

Then Report goes further to state that the development is consistent with the character of the surrounding area and appropriately responds to its features.

I totally reject that claim. No adjacent/nearby building has a height of over 9 metres (and able to go to 11 metres) immediately next to (or within a few centimetres of the footpath) for the lengths along Willowbank & Brady Roads as proposed. The development appears to be at least double the height of those nearby dwellings. As a result, one must query how that statement actually can be justified, and therefore must be considered totally inconsistent.

Nowhere from the development will there be green lawn / open space visible from the roads giving/maintaining the country/rural atmosphere that currently exists in the area, and how can a development prioritise pedestrians/cyclists when there is no facilities for those pedestrians/cyclists to safely access the development?

It would also have to be assumed that the safety of users of the Early Learning Centre is considered, especially noting that “escapes” from the Centre have occurred in the past. Nothing has been stated (conveniently omitted??)

As an addendum to the Willowbank Road commentary it must be noted that Willowbank Road from Brady Road travelling west has a 3 metre wide(almost) and 1 metre deep spoon drain on the southern nature strip, which consistently floods during heavy prolonged rainfall – much more frequently than the discussed 10 year flood provision.

That spoon drain sits above the storm water drains that obviously can't cope in heavy consistent downfalls, and without specific commentary on the matter it is reasonable to assume that the flooding which the residents accept as a part of nature, will be exacerbated with this development.

2 Establishment of Need – Supermarket

Currently there are 4 Supermarkets in Gisborne, and which, for our population could be construed as at least one too many.

All 4 have excellent number of product lines, 2 have a national pricing policy, so costs are consistent anywhere in Australia, all provide excellent car parking, and all 4 are readily and easily accessible from all areas of the Gisborne township's area of influence. This includes all developments south of Willowbank Road and appear to be suitable for the general population growth planned for Gisborne.

Based on these undeniable facts, where is there a need for a 5th outlet?

The statement that this “new” Supermarket will reduce car park dependency (in Gisborne) is just wrong, unless it can be proved that users of the 5th Supermarket will make their single purchase and then immediately return home! Therefore the comment falls in to the category of unsubstantiated “spin” or emotive comment.

3 Establishment of Need – Doctors

Currently there are 44 listed GP's in Gisborne over 4 Medical Practices, plus many Allied Health Practitioners such as Dentists, Chiropractors, Physiotherapists, Podiatrists, Naturopaths, Osteopaths etc, as well as visiting Specialists of all persuasions.

I have never heard of any complaint, or located any documents (Gisborne Facebook Page, Letters to the Editor etc) from anyone, at any time (including the peak of Covid) suggesting they cannot see a doctor in Gisborne within a reasonable time. It is accepted that even with a generally accepted aging population in our country, Gisborne is well serviced for Medical Professionals. And should someone see a Doctor at this new development then any Prescription generated will need to be filled at a Pharmacy, all located in the Gisborne township – surely defeating the purpose of decentralising

4 Establishment of Need – Office Space

To establish a need for additional office space in Gisborne, it is considered prudent that the space available for lease in the town, together with the percentage occupancy rate of that space be taken into direct consideration.

Nowhere in the documents was such information detailed (as near as I could locate), suggesting either that it wasn't undertaken, or not considered relevant. Similarly, buildings with office space that are

planned to be erected should also be considered an important factor, and again, nowhere was this evident.

The question must therefore be asked, why include such an item, why not instead downsize the development by that component.

One must ask whether this item is purely for commercial consideration, or, as appears apparent, included without any real thought going into actual needs for the town.

5 Establishment of Need – Café x 2

An area that appears to be only included to make the total development more palatable to the residents effected by the development. Need-questionable

Other matters

The proposed granting of a Planning Permit document provided in undated and draft form, has items that must be considered contentious, ie

No Right Turn from Brady Road (into Willowbank I assume)

Why?

I wonder whether the residents of Parkview Road are aware, and whether the Traffic Management report has taken into consideration the flow-on effect from that decision.

If this change is followed through there must be concern that it will create other traffic issues throughout the adjacent housing estates, as well as directing traffic into Willowbank Road westward only, and clarification of this item needs to be fully explored.

Not only will Parkview be effected, but so will Morand Street, and Childe Harold Road.

Perhaps Council (Officers) are suggesting that drivers wishing to turn right into Willowbank from Brady, rather than go back to Morand Street, actually enter the development in Brady Road, then exit the development in Willowbank Road doing their right hand turn at that point. Seems a little (lot) dangerous to me!

Interesting

Rainwater Tank

A Tank of 10,000 litres seems tokenism, being small for such a large development. A circular tank of that capacity would be approximately 3 metres diameter and 2.5 metres high. Its location was not shown on any schematics and needs further information. From the commentary it does not appear to be a CFA (BAL) water provision requirement.

So why have it? Tokenism? Relevance must be considered questionable. The tank probably needs to be 4-5 times larger to have any worthwhile benefits.

Medical Practitioners

The restriction to 7 on the proposed permit has not been reflected anywhere in the Planning process for the development which still has 10 as the “preferred” number. Will this effect space required, or be adjusted to the Office space figure

Boundary Fence

Provision of a 2.4metre high boundary fence (approximately 8 feet high in the imperial measure) may be beneficial for the southern boundary, but the residential property on the western boundary not only loses all its rural views, but has this monstrosity to look at.

Additionally with the installation of a crossover access/exit driveway on that western boundary, the safety factor immediately becomes an issue, not just for vehicles, but especially for pedestrians. There is no statements anywhere addressing this very important aspect.

Conclusion

In conclusion, I fully consider that there has been no Establishment of Need for the proposed development as a whole, and also in respect of individual proposed tenancies detailed, and further, it will create more problems for our area

We don't need a development at the corner of Brady Road and Willowbank Road Gisborne that is totally out of character with the surrounding area.

If the Council are so enamored with a development to support the residents of South Gisborne as their press releases and other supporting documents state, then I respectfully suggest, build the thing in South Gisborne.

As an aside it was extremely disappointing to read in a local paper this week (Gisborne Gazette, P 3), that

- 1 The land is in South Gisborne – untrue unless we have been re-named without our knowledge
- 2 The development includes a Child Care Centre (news to everyone I suggest)
- 3 On the western end is a Childcare Centre and two osteo/physiotherapy businesses (actually on the eastern side of the adjacent roadway and on the southern boundary for the physio).

This type of poor reporting by the Paper, or poor instructing of the reporter by the Council, helps no one and perhaps muddies the water even further.

Submission 6

**Submission regarding Macedon Ranges Planning Scheme Amendment C153 and Planning Permit (PLN/2022/359) at 101-105 Willowbank Road, Gisborne**

Our family recently moved to Gisborne from Metropolitan Melbourne for a tree change – to start a quieter and more relaxed lifestyle with our young children. We are disappointed with the application; [REDACTED] Activity Centre hardly feels like the country lifestyle we envisioned. We had hoped the land would be kept for residential purposes; however, we are prepared to accept this significant change to the neighbouring property provided that the effects to our property and our lifestyle are minimised as much as possible. We hope that the applicant can appreciate and empathise with this request.

There are parts of the proposal that we support and parts that we oppose as detailed below:

1. The Fence

- a. We support the proposed height of the fence (i.e. the fence being 2.4m). The height of the fence will assist with blocking out the visual bulk of the proposed development and it also gives us more privacy and security, which we will need due to being next to a commercial property. We have concerns about youths loitering around the development and believe the height of the fence will give us a peace of mind. We would not be as accepting of this application without the proposed fence height.
- b. We are also happy with the proposed timber paling fence in terms of the aesthetics. We believe this will suit the character of the area.
- c. We are very happy with the fence being an 'acoustic fence' as this will assist with blocking out the noise of the commercial development. However, we are opposed to the minimum surface mass density of the acoustic fence. Our understanding is that the fence will have a minimum surface mass density of 12kg/m². Our research has shown that this is a light acoustic fence, which people often use in residential areas to assist with blocking out noise. Being next to a commercial development, we believe a higher surface mass density is required. We do not want to hear vehicles (or people) continuously entering and exiting the car park next door whilst we are relaxing in our backyard or playing with our children in the yard. We want the noise to be blocked out as much as possible and we think that more can be done to reduce noise than what is being proposed. We would not be able to enjoy our backyard if there is constant noise, and this would translate to a loss of amenity for us.

Proposed change: We would like an acoustic fence with minimum density of 18kg/m². We have found products online with this density using 38mm timber palings instead of the 25mm timber palings that have been proposed. These higher density fences are commonly used for commercial developments next to residential areas.

2. The Trees, Shrubs and Other Plants

- a. We support the proposed planting of beautiful native shrubs, grasses, groundcovers and climbers in the development and believe that these embrace the character of the area.
- b. We support the proposed vegetated screening hedge along the fence. We believe the hedge will assist with keeping members of the public away from the fence for our privacy and security, and this will also assist with blocking out noise to our property.
- c. We oppose the proposed trees being planted along our boundary, namely: acacia melanoxylon, allocasuarina verticillata, eucalyptus melliodora, eucalyptus ovata, eucalyptus radiata. These are all beautiful native trees; however, we are opposed to these trees being planted along our boundary for the following reasons:
 - i. Aggressive root systems: the proposed trees are notorious for their aggressive and far-reaching root systems. And it is common for their roots to damage building foundations. An arborist would confirm this. Our house and pipes are located very close to the boundary line – we have serious concerns that these trees will cause damage to the foundations of our house and/or our pipes. To prevent future claims and disputes relating to damage to our house and/or pipes, we oppose these proposed trees.
 - ii. Loss of Sunlight: The documents provided by the applicant state that the proposed trees have heights of up to 20m. We have independently researched these trees and have found reports that they could grow even taller than stipulated. The plans show several of these trees being planted along our boundary with the largest tree in the development being in the corner adjacent to our property (i.e. the south-west corner of the applicant's property, and north-west corner of our property). Planting large canopy trees along the boundary to our property will obstruct the northern sunlight we currently receive and will cast our property completely in shadow. The shadow from the trees will also interfere with the effectiveness of solar panels that we eventually intend to install.
The applicant's documents state that their building will not overshadow the adjoining properties or interfere with solar panels; however, this is pointless if the trees that are planted do overshadow our property.
 - iii. Storm Damage: The large eucalypts in particular are prone to dropping branches and falling during storms or strong winds. We want to avoid this risk to our house and family in our backyard.

Proposed change: We propose for the selected trees to be changed. The trees that have been selected are surprisingly large. We are not sure why such large trees with aggressive roots have been selected. Lots of native vegetation and greenery in the development can be achieved without having large risky trees. We would like to be consulted on the trees to be planted

directly along our boundary. We would also like to be consulted on the trees that are close enough to our property that the roots and canopies might affect us. We propose trees without aggressive root systems, and trees with heights of no more than approximately 5m. The only tree we would potentially accept from the list of proposed trees provided is the banksia marginata. If a smaller tree, such as the banksia marginata, is not large enough to fill out the space that is currently proposed to be a large canopy tree in the southwest corner of the applicant's property (which is adjacent to our property's northwest corner), then we propose that this space be used as a garden bed with other native plants and shrubs in addition to the smaller tree. We would much prefer this space to be retained as a garden bed than to have additional car parks along our property boundary as this will reduce noise for us. We support the use of this space for native plants and a smaller tree – just not an enormous tree.

Examples of other lovely smaller native trees include Sweet Bursaria and Banksia plagiocarpa 'Blue Banksia'. However, we are open to other appropriate suggestions. Ideally, we would like confirmation from an arborist that our house and pipes will not be affected even by smaller trees that are planted.

3. Proposed Operating Hours

- a. The proposal states that the supermarket will operate from 7am to 7pm everyday. We are opposed to the opening time. 7am is very early - the IGA is a large supermarket in the town and it does not even open that early - it opens at 8am.

Proposed change: We propose for the supermarket to operate from 8am to 7pm. This will reduce noise and disruption to us, particularly on the weekends.

4. Car Parking

- a. We have been advised by Council that there is no allocated parking for the development on Francis Crescent. We support this and are very happy with this. We do not want this to change in the future. There are many units on Francis Crescent; units do not have the luxury of having a driveway for visitors to use for parking. Accordingly, street parking on Francis Crescent is very much used and required for visitors of the residents. Parking permits would be an additional expense to us if these were to be implemented to safeguard residential parking.

5. The Building

- a. We support the artist impressions for the development in terms of the design and aesthetics of the building. The development is visually appealing and will fit into the character of the town.
- b. We support and appreciate the placement of the building away from the residential properties to prevent overshadowing and overlooking into backyards and windows.

- c. Height: Although the building is away from the residential properties, we do believe that the building being a double-storey is out of character for Gisborne where dwellings are predominately single-storey.
- d. Overdevelopment: The height of the building allows for additional commercial space in the upper floor, which we believe is an overdevelopment of the land. Having a single-storey building instead would ensure that parking would not spill over into the surrounding residential areas and that traffic would not become too congested on Willowbank Road and Brady Road. We understand that the intention is to bring some shops closer to the south of Gisborne; however, we are not sure what other commercial businesses would be operating here and why.

We hope that the applicant understands our concerns and will consider if they were in our situation, and that they will assist us with our requests.

We believe that we are being reasonable and we are not trying to impede their plans. We just want to be able to enjoy our home and our backyard.

We hope to receive detailed feedback from the Macedon Ranges Shire Council.

Submission 7




Our Ref: 22601/P
Doc Name: 22601_Applicant Submission
MLA/emu

09 June 2023

Statutory Planning
Macedon Ranges Shire Council
Lodged via Email: mrsc@mrsc.vic.gov.au

Statutory Planning Team

101-105 WILLOWBANK ROAD, GISBORNE APPLICANT SUBMISSION

 provide the following submission in support of the rezoning and development of a local activity centre at 101-105 Willowbank Road, Gisborne.

Strategic Support

The amendment is required to facilitate a future local activity centre on the land to provide for everyday shopping, commercial and medical needs of the surrounding residential community. Since 2009, the site has been earmarked as a local activity centre in the Gisborne/New Gisborne Outline Development Plan, 2009 (2009 ODP). The locality has seen considerable housing growth and is anticipated to continue with the development of the Willow Estate at the eastern end of Willowbank Road. There is high automobile dependency amongst the neighbourhood residents due to a lack of amenities within walking distance, the residents must travel into Gisborne Town Centre for basic shopping needs. The need for a neighbourhood convenience centre in Gisborne South has grown significantly since its initial introduction in 2009 into the Gisborne/New Gisborne ODP. As demonstrated in the aerial imagery below in February 2010 and June 2023.

Our Ref: 22601/P
 101-105 Willowbank Rd, Gisborne



Figure 1. Aerial image of the subject site and surrounding areas in February 2010.



Figure 2. Aerial image of the subject site and surrounding areas in June 2023.

The rezoning of the land at 101-105 Willowbank road to the Commercial Zone 1 appropriately facilitates the commercial vision of the site and caters to the needs of the neighbourhood.

Our Ref: 22601/P
 101-105 Willowbank Rd, Gisborne



Social effects

The proposed amendment/permit enables a centre that will serve as a hub for community gatherings and social engagement. Proposed uses like the medical centre will also compliment the nearby physio and osteo clinics that make up the medical precinct.

Through a variety of measures, including building design and siting that maximises separation from the neighbouring residential houses and incorporates plant equipment inside the roof form to conceal and acoustically treat these services, the surrounding area's amenity will be safeguarded. To ensure adherence to the pertinent noise limits, the project additionally incorporates a 2.4-meter-high acoustic fence along the residential interfaces.

Nearly all parking requirements will be provided on site with the remaining parking demand to be satisfied by a combination of sustainable transportation options, such as walking and bicycling from the neighbourhood (with bike racks provided at the centre), as well as to a lesser extent, public transportation. The neighbourhood's road system has been determined to be capable of accommodating any additional traffic associated with the activity centre.

Economic effects

The proposed amendment/permit supports commercial activities within the neighbourhood activity hub, which will sustainably create local jobs for the neighbourhood. Additionally, it will give individuals the chance to work close to home and encourage investment in the neighbourhood and adjacent areas.

The local activity centre will provide everyday essential products and services with higher order shopping needs continuing to be provided in Gisborne Town Centre.

Environmental effects

The proposed amendment/permit enables a centre that prioritises walking, cycling, and other sustainable forms of transportation to lessen the reliance on cars for the nearby residential area to access basic products and services.

The built form incorporates ecologically friendly design elements, such as provision for EV charging, the use of recycled materials, storm water absorption and retention, green lattice, and on-site power generation through roof top solar.

The built form has been designed to assimilate with the character of the surrounding residential neighbourhood through the provision of building elements such as a pitched roof form, materials, and colours. While the

Our Ref: 22601/P
 101-105 Willowbank Rd, Gisborne



surrounding residential character is single storey, a double storey built form is appropriate for the commercial nature of the use.

The proposal has been well resolved to consider matters relating to acoustics and noise, waste management and hours of operation with suitable conditions included on permit.

Issues of dispute with the proposal

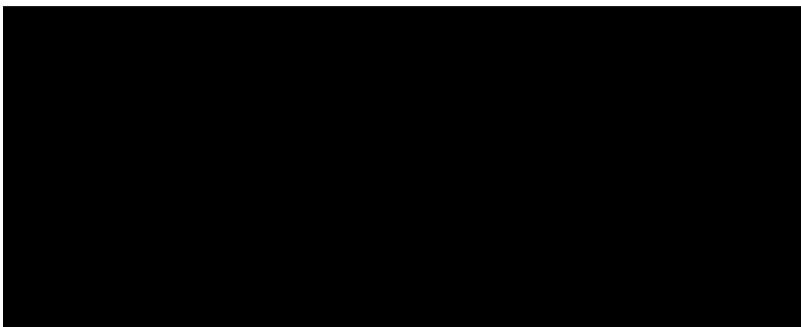
The applicant has been in extensive consultation with Macedon Ranges Shire Council throughout the application process and there is only one item of dispute between the parties which relates to no right turn from the development into Brady Road. Council propose the following permit condition in relation to this point:

Condition 1 b) The location of a "No right turn sign" along Brady Road.

The applicant has provided a traffic report/letter addressing this point and why it considers such restriction is not required.

Conclusion

We look forward to continuing to work with Macedon Ranges Shire Council and the surrounding community to deliver a local activity centre at 101-105 Willowbank Road, Gisborne.



Submission 8

Daniel Hall

From:
Sent:
To:
Subject:

Categories:

Dear MRSC,

As a resident living very close to the relevant site, I write to strongly support:

- planning application PLN/2022/359
- variation of covenant PS549356W

This will provide additional, badly needed, infrastructure in the rapidly developing area.
it will reduce the congestion and parking in the town centre and more convenience to our local residents.

We would make frequent use of the proposed facilities rather than drive the longer distance into Gisborne.

Regards,

**Submission 9**

09 June 2023

Daniel Hall
Macedon Ranges Shire Council
PO Box 151
Kyneton VIC 3444

Dear Daniel,

Proposal: Planning permit for development Development of a Commerical Centre including a Supermarket, Medical Centre, Commercial and Food and Drink Premesis

Site location: Lot No 43, 101-105 WILLOWBANK ROAD GISBORNE 3437

Melbourne Water reference: MWA-1291884

Council reference: PLN/2022/359 C153MACR

Date referred: 15/05/2023

Our Decision

Melbourne Water, pursuant to Section 56(1) of the Planning and Environment Act 1987, does not object to the proposal.

Advice

The applicant will need to contact Council in regards too flooding from Council drainage system.

To access more information regarding other services or online applications that Melbourne Water offers please visit our [website](#).

For general development enquiries contact our Customer Service Centre on 131722.

Regards,

A handwritten signature in black ink, appearing to read "George Lattouf".

George Lattouf
Statutory Referral Permit Services

Submission 10

Daniel Hall

From:
Sent:
To:
Subject:**Importance:**

CAUTION: This email originated from outside of Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good Afternoon,

I'm writing to provide a submission for Amendment C153macr - 101-105 Willowbank Rd Gisborne 3437 as the current resident of [REDACTED]

Documented at the following location: <https://www.mrsc.vic.gov.au/About-Council/News/Have-Your-Say/Amendment-C153macr>

Apologies for the submission towards the end of the process.

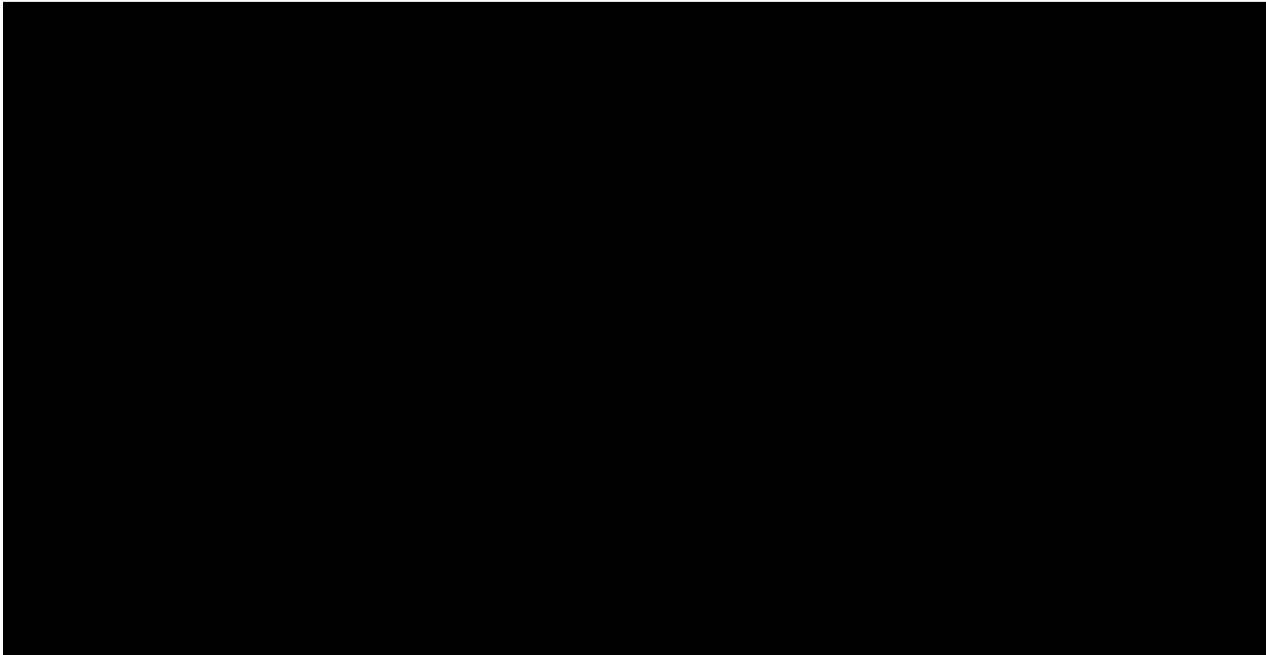
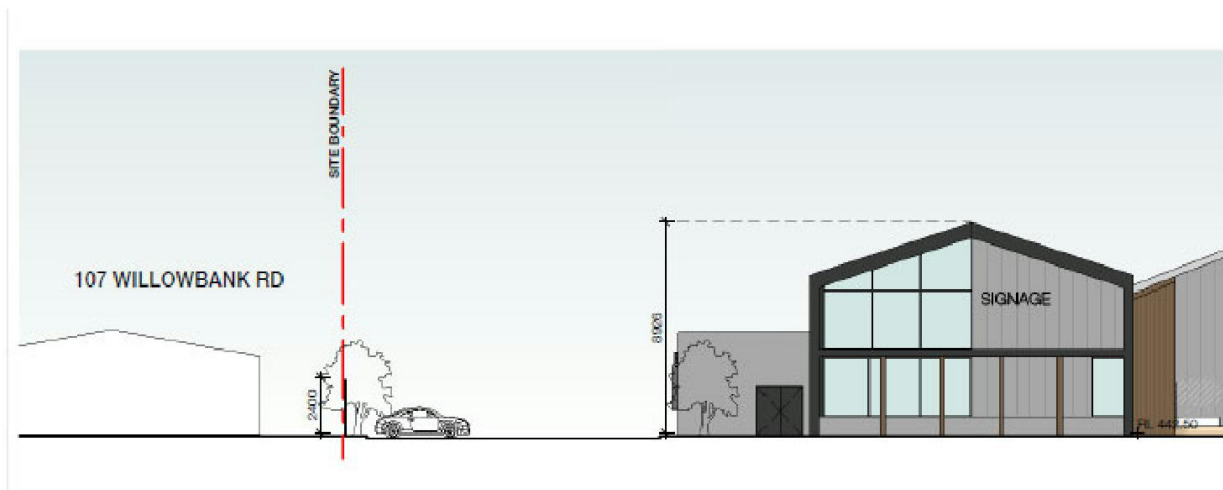
First and Foremost; I understand the want for the owner of 101-105 Willowbank Rd Gisborne earning revenue from their block of land and wish them well in that regard - **the current proposal however is not in keeping with the area and needs to be amended.**

- Building A next to 107 Willowbank **should not be allowed** to be a 2 Storey structure, it will dwarf the residence and remove the Easterly aspect from 107 Willowbank Rd. It will also remove the Northerly aspect of the premises which back onto the block of land from Francis Crescent Gisborne. The artists impression which is provided below gives a fair indication of what this will look like. A 9 metre structure within that close proximity to the boundary is not in keeping with the semi-rural 1/3 acre blocks which are on Willowbank Rd and should not be allowed.
- Building B should not be allowed to be a 2 Storey structure from the street level at Brady Rd, the commercial premises in the proximity to this proposed development are not 2 storey and neither should this. Given the gradient to the land consideration could be given to it being single story on the Brady Rd side with 2 storey at the back following the gradient. But I think serious consideration needs to be given to a height limit to be sympathetic to the area.
- Further details regarding fencing need to be tabled, at the moment we have post and rail fencing with plants along the boundary, 2.4m fencing will impact that and the natural sunlight to the surrounding house - will there be consultation with the residences regarding this fencing. Additionally what is the depth of the garden beds between the acoustic fencing and the carparking? The more spacing between the car parks and the houses the better which will have more noise.
- In addition to the Traffic Engineering Assessment which has been created; what is the plan to improve Willowbank Rd, the proposed new centre will bring more traffic to the area and at the moment the condition of the road is not in the condition to cope with the additional traffic.

I'm happy to have a further chat about the above to reach a reasonable outcome for all; but not in the current state.
Regards,



1 North Elevation - Willowbank Road
Scale 1 : 200



**Submission 11**

Our patron, Her Excellency the Honourable Linda Dessau AC, Governor of Victoria

CFA Fire Prevention and Preparedness
8 Lakeside Drive Burwood East Vic 3151
Email: firesafetyreferrals@cfa.vic.gov.au

CFA Ref: 2000-79462-128277
Telephone: 8746 1412
Council Ref: C153MACR, PLN/2022/359

19/5/2023

Daniel Hall
Macedon Ranges Shire Council
PO Box 151
KYNETON VIC 3444

Dear Daniel,

**SUBMISSION TO COMBINED PLANNING SCHEME
AMENDMENT & PERMIT APPLICATION**

Proposal: C153macr
Planning No: Pln/2022/359
Location: 101-105 Willowbank Road Gisborne

Thank you for providing CFA notice of C153MACR and Pln/2022/359 in accordance with section 96C of the *Planning and Environment Act 1987*.

CFA has assessed the proposed planning scheme amendment and permit application and has no concerns with the proposal.

The location has no significant exposure to bushfire risk and does not impact on brigade service delivery.

If you wish to discuss this matter in more detail, please do not hesitate to contact the Manager Community Safety on 8746 1412.

Yours sincerely,

David Allen AFSM
Manager Community Safety
Northwest Region

Submission 12

Daniel Hall

From: Daniel Hall
Sent: Tuesday, 30 May 2023 10:59 AM
To: 'Chris Chiu'
Subject: RE: Combined Planning Scheme Amendment and Planning Permit 101-105 Willowbank Road, Gisborne.

Categories: Action

Many thanks Chris.

Cheers,

Dan

From: Chris Chiu <Chris.Chiu@epa.vic.gov.au>
Sent: Tuesday, 30 May 2023 10:52 AM
To: Daniel Hall <DHall@mrc.vic.gov.au>
Subject: RE: Combined Planning Scheme Amendment and Planning Permit 101-105 Willowbank Road, Gisborne.

CAUTION: This email originated from outside of Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

OFFICIAL

Hi Daniel,

Thanks for taking my call just now and for notifying EPA of this combined PSA and PP proposal.

As discussed, the draft planning permit conditions included the following:

7. Noise levels emanating from the premises must not exceed those required to be met under *State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1* to the satisfaction of the responsible authority.

Please note that SEPP No. N-1 has been superseded by [EPA Publication 1826.4 Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues](#) (the Noise Protocol). Council may choose to update the condition to reflect current guidance.

Hope that helps.

Regards,
Chris

Chris Chiu
Senior Planning Advisor
Development Advisory



E Chris.Chiu@epa.vic.gov.au
P 1300 372 842 (1300 EPA VIC)
A 200 Victoria St, Carlton

Submission 13

Daniel Hall

From:
Sent:
To:
Subject:



Dear Sir/Madam,
I support this development which will be a much-needed facility for residents in the South Gisborne area.
Regards,



Virus-free www.avast.com

9 REPORTS

9.1	PLN/2022/384 - 3 SOMERVILLE LANE, RIDDELLS CREEK
Application Details:	Development of the Land for Ten (10) Dwellings For the Land at no. 3 Somerville Lane, Riddells Creek
Officer:	Yousef Taibeh, Senior Statutory Planning Officer
Council Plan relationship:	3. Improve the built environment
Attachments:	<ol style="list-style-type: none"> 1. Draft Conditions ↓ 2. Statement of Planning Policy Assessment ↓ 3. Plans ↓ 4. Planning Report ↓
Triggers for a planning permit	Neighbourhood Residential Zone (Schedule 8) - Construct two or more dwellings
Zones and Overlays	Neighbourhood Residential Zone (Schedule 8)
No. of objectors	8
Trigger for report to the Committee	Councillor Call-in and also now matter before VCAT
Key Considerations	Neighbourhood character and incremental change; impact of infill development; potential amenity impact to adjoining properties due to number of dwellings; and objector concerns.
Conclusion	The proposal would provide 10 dwelling on a large lot in an area and design that would not have a detriment impact on the character of Riddells Creek or adjoining properties. Conditions on any decision are needed to reduce site coverage to 40% and a footpath along the property frontage.
Date of receipt of application:	12/12/2022

Recommendation

That the Committee determine that had it decided on the application it would have supported the issuing of the Notice of Decision to Grant a Permit PLN/2022/384 for the Development of the Land for Ten (10) Dwellings at 3 Somerville Lane, Riddells Creek subject to the conditions outlined in Attachment 1.

Summary

The application seeks approval for the development of ten (10) dwellings. It is currently being appealed at VCAT under Section 77 Of The Planning and Environment Act 1987 –Refusal To Grant A Permit 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 was advertised and eight (8) submissions were received

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

Planning Scheme. Accordingly, it is recommended that Committee determine that had it decided the application, it would have issued a Notice of Decision to Grant a Permit subject to conditions.

Existing conditions and relevant history

Subject land

The subject site is located south-eastern side of Somerville Lane, between Melvins Road and Merrifield Street, within an established Residential area of Riddells Creek, more specifically characterise to be within Garden Setting “A” Precinct. It is rectangular in shape, providing 35.05m frontages and 100.86m depth. The resulting total area is 3535m². The site is occupied by an existing dwelling and associated outbuilding. The site includes existing vegetation and two crossovers are centrally located across the frontage with an associated loop vehicle access. Riddells Creek Train Station is approximately 1km south of the subject site. Riddells Creek Town centre is approximately 600 metres south of the subject site.

Surrounds

The immediate surrounding area is occupied by single low scale dwellings with associated outbuildings on sites of various lot sizes. Built form site coverage is low with large proportions of landscaping being the prevailing neighbourhood character feature. There is, however, a recent emergence of multi-dwelling low scale built form developments within nearby street blocks to the east and south. Additionally, a five (5) dwelling development was recently approved by VCAT on the abutting lot to the west (1 Somerville Lane, PLN/2019/432).



Satellite image of proposed site sourced from Nearmap.

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

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

On the other hand, the submitted plan of subdivision shows a 2m wide drainage easement running along the rear boundary. The proposal does not contravene with the existing easement.

Previous planning permit history

No relevant planning permit history for the subject property has been found.

Proposal

The application is seeking an approval of 10 dwellings on site. All proposed dwellings will be detached single storey dwellings with maximum building height of 5.2m. They will be positioned in two (2) linear rows each containing five (5) dwellings on either side of a common property / shared vehicle access. Dwelling 1 and 10 at the front of the development will face road and will incorporate minimum street setbacks of 9m with. Dwellings 2 to 9 will be orientated internally to face a central common driveway, which will provide vehicle access to all dwellings.



The dwellings will have a three (3) bedroom layout with associated living facilities and utilities, and with total floor areas ranging between 151.7 m² to 160.5 m². Each dwelling will be provided with an attached double garage with access from the internal driveway. Two (2) visitor parking spaces will also be provided within the common driveway area, in the middle of the site.

All dwellings will be provided with secluded private open spaces, generally located behind buildings. These areas will range in size however all will achieve over 40m², with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25m², a minimum dimension of 5 m and convenient access from a living room.

The proposed development attributes are as below:

Site Area	3550.00m ²
Site Coverage	44.06% (1564.10m ²)
Site Permeability	37.49%
Garden Area	36.40% (1292.17m ²)
Maximum Height	5.2 metres

In summary the proposal presents the following attributes:

- Single storey semi-detached dwellings with no walls on boundaries.
- Two rows of five (5) dwellings with a centralised shared common access in between.
- Two visitor car parking spaces.
- Each proposed dwelling having an integrated double garage.
- Each dwelling having three (3) bedrooms, open living area, two (2) bathrooms.
- Maximum building height of 5.20 metres.

- Materials will be a mix of brick and weatherboard cladding for the external walls with Colorbond roofing in Monument colour.
- Layout generally similar with two identical dwellings at the front (Dwelling 1 & 10), 6 identical dwellings in the middle (dwellings 2-4 & dwellings 7-9), and 2 identical dwellings at the rear (dwellings 5 & 6).
- Built up areas ranges from 151.7m² to 160.5m².
- Minimum front street setback of 9m (with porch encroachment of 1.1m).
- Minimum rear setback of 4m and the side setbacks ranging from 2m to 5m.
- All existing trees on site will be removed; however, a landscaping plan has been provided including proposed new canopy trees.

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

Clause no.	Clause name
11.01	Victoria
11.03	Planning for Places
15.01-2S	Building Design
15.01-5S	Neighbourhood Character
16.01-1S	Housing Supply
19.03-3S	Integrated Water Management

Local Planning Policy Framework

Clause no.	Clause name
21.02-1	Settlement
21.02-4	Built Environment and Heritage
21.03-2	Land Use Vision
21.04	Settlement
21.08-3	Built Environment
21.09-1	Housing in Towns
21.13-5	Riddells Creek

Zoning

Clause no.	Clause name
32.09	Neighbourhood Residential Zone – Schedule 8

Overlay

Clause no.	Clause name
N/A	

Particular provisions

Clause no.	Clause name
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
N/A	There are no Determining referral authorities who require notification of the proposed development.

Authority (Section 52)	Response
Melbourne Water	No objection (No Response)
CFA	No objection subject to conditions

MRSC Engineering	No objection subject to conditions
------------------	------------------------------------

Advertising

The application was advertised pursuant to Section 52 of the Planning and Environment Act 1987.

Eight (8) objections were received. Following are the concerns raised by the objectors:

- Contrary to the neighbourhood character;
- Inappropriate high density;
- Increased traffic and safety issues;
- Pressure on existing services and infrastructure;
- Implications on waste management;
- Non-compliance with the Clause 55 objectives;
- Amenity impacts to neighbours from construction and operations;
- Increased fire risk;
- Accumulative impact when considering the recently approved multi-dwellings in the street;
- Poor presentation/ quality and lack of variety;
- Waste management issues (number of trash bins on the street).

Officer assessment

Planning Policy Framework

Clause 11.01 – Victoria

Clause 11.01 of the Scheme contains macro objectives for planning outcomes within Victoria. Notably, objectives and strategies for development in settlements include to “provide for growth in population and development of facilities and services across a regional or sub-regional network”.

Clause 11.03 – Planning for Places

The purpose of Clause 11.03 is to provide strategic direction for macro level objectives for how development should be located within identified settlements. Of note, Clause 11.03 provides the following guidance for decision makers in considering where development should occur:

- *To manage growth in peri-urban areas to protect and enhance their identified valued attributes.*
- *Enhance the character, identity, attractiveness and amenity of peri-urban towns.*

15.01-2S – Building Design

The objective of Clause 15.01-2S is stated as being “to achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development”. Additional relevant strategies are:

- *Ensure development responds and contributes to the strategic and cultural context of its location;*

- *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 that encourages passive design responses;*
- *Encourage the layout and design of development that supports resource recovery, including separation, storage and collection of waste;*
- *Encourage water efficiency and the use of rainwater, stormwater and recycled water;*
- *Minimise stormwater discharge through sit layout and landscaping measures that support on-site infiltration and stormwater reuse;*
- *Ensure the form, scale and appearance of development enhances the function and amenity of the public realm;*
- *Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security;*
- *Encourage development to retain existing vegetation;*
- *Ensure development provides landscaping that responds to its site context, enhances the built form, creates safe and attractive spaces and supports cooling and greening of urban areas;*

Clause 15.05-1S – Neighbourhood Character

The objective of Clause 15.05-1S is “to recognise, support and protect neighbourhood character, cultural identity and sense of place”. The following strategies are relevant to this objective:

- *Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character;*
- *Ensure development responds to its context and reinforces a sense of place and the values features and characteristics of the local environment and place;*

Clause 16.01-1S – Housing Supply:

The objective of Clause 16.01-1S is “to facilitate well-located, integrated and diverse housing that meets community needs”. The following strategies contained in Clause 16.01-1S are relevant to the proposed development:

- *Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport;*
- *Identify opportunities for increased residential densities to help consolidate urban areas;*
- *Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types;*
- *Encourage the development of well-designed housing that provides a high level of internal and external amenity, and incorporates universal design and adaptable internal dwelling design;*

Clause 19.03-3S – Integrated Water Management:

The objective of Clause 19.03-3S is “to sustainably manage water supply and demand, water resources, wastewater, drainage and stormwater through an integrated water management approach”.

The proposal is acceptable with regards to the objective of Clause 19.03-3S as confirmed by MRSC Engineering referral response. Water tanks are provided within the site for capture and re-use for landscaping purposes. The proposal includes landscaping outcomes within the site in order to both improve the aesthetic appearance of the site, and to improve how the land treats and regulates stormwater generation.

In addition, the application was referred to Melbourne Water for comment, notably for input on drainage capacity of the site and surrounds, and the impact of the development on the drainage patterns of the area. No comments have been provided from Melbourne Water.

It is considered that the proposed development adequately manages integrated water management principles into the design of the proposal.

Local Planning Policy Framework

Clause 21.02-1 – Settlement:

The following core issues are identified as being of relevance to the proposed development application, as referenced in Clause 21.02-1:

- *The natural beauty of the environment and proximity to Melbourne make the Shire increasingly attractive for urban and rural living development, presenting challenges for managing growth;*
- *The Calder Freeway and the Bendigo train service will influence the rates and location of urban growth;*
- *There is a preference for the maintenance of a non-urban buffer on the edge of the metropolitan Melbourne area;*
- *Ongoing demand for rural residential development can produce adverse impacts and must be carefully managed.*

Clause 21.02-4 – Built Environment and Heritage:

Clause 21.02-4 identifies the following as key considerations and influences for development:

- *Consideration of the relationship between infrastructure provision and development needs;*
- *Significant and highly valued characteristics of each township area;*
- *Retention of the village atmosphere within the shire and the protection of distinctive township identity;*
- *Additional development will place added pressure on heritage buildings and streetscapes;*

Clause 21.03-2 – Land Use Vision:

Clause 21.03-2 offers the following relevant guiding principles with regard to development planning within the Macedon Ranges Shire:

- *The Shire remains predominantly rural, with a hierarchy of settlements set in an attractive and productive rural environment;*
- *Development occurs in an orderly and sustainable manner – maintain clear separation between settlements. Growth is generally directed to the transport corridors, in-line with infrastructure provision and cognisant of restraints;*

Clause 21.04 – Settlement:

Clause 21.04 provides a suite of policy and objectives for the development of the identified settlements within the Macedon Ranges Shire. The following strategies are relevant:

- *Encourage the development of Riddells Creek and Lancefield as district towns. The anticipated population of Riddells Creek is anticipated to be at the cusp of a district town and a large district town;*
- *Retain the roles of Woodend and Riddells Creek as district towns;*
- *Accommodate moderate growth in:*
 - *Riddells Creek in recognition of its position on the railway line and the relative absence of impediments to growth. The structure plan process will address infrastructure, flooding and bushfire risk constraints.*
- *Provide for township development in line with the settlement hierarchy vision;*
- *Ensure urban development is located within the township boundaries identified on plans in Clause 21.13;*
- *Guide population and development to settlements where existing environmental assets will not be jeopardised;*

Clause 21.08-3 – Built Environment:

Clause 21.08-3 provides guiding policy objectives and strategies for managing development that is sustainable and respectful of character and the high landscape qualities of the Shire. The following objectives and strategies are of relevance to the proposed development:

- *Direct population and development to settlements where scenic landscapes will not be jeopardised;*
- *Encourage development that respects the distinctive character and defining attributes of each settlement;*
- *Ensure the planning density and design of new residential development recognises the environmental and infrastructure constraints and preserves the distinctive characters of the Shires various communities and individual towns and settlements;*
- *Encourage energy efficient buildings;*
- *Ensure development does not exacerbate stormwater capacity issues;*

Clause 21.09-1 – Housing in Towns:

Clause 21.09 broadly provides policy frameworks for housing development within the Shire. Clause 21.09-1 of the Scheme more specifically targets housing development in township areas, and provides policy considerations for urbanised development. The following considerations are relevant to the proposed development:

- *Encourage a diversity of housing in appropriate locations;*
- *Encourage the provision of smaller housing forms, including townhouses and dwellings, around town centres to cater for changing demographics of the Shire;*
- *Promote a range of housing options to improve housing affordability in the larger towns;*
- *Facilitate a range of single and double storey dwellings to improve housing accessibility;*
- *Encourage all future residential growth to occur within township boundaries where there is adequate infrastructure available or can be made available;*

- *Promote the development of housing with a high degree of environmental sustainability;*

Clause 21.13-5 – Riddells Creek:

Clause 21.13-5 relates specifically to Riddells Creek and identifies that its location on the Bendigo-Melbourne rail line makes it a popular living destination for commuters. To this end, Riddells Creek is expected to consolidate as a district town and eventually accommodate a population of around 6000 by 2036 most of which will be housed within the township itself.

The policy identifies that this “*will require a combination of infill development and managed growth in the priority residential development precinct identified on the Riddells Creek Strategic Framework Map.*”

The following objectives and strategies are relevant to the proposal as set out under Clause 21.13-5:

- *To provide for managed growth of Riddells Creek by prioritising growth within the identified town boundary and within the protected settlement boundary applied by the Macedon Ranges Statement of Planning Policy, 2019.*
 - *Support infill development within the town boundary consistent with the identified neighbourhood character objectives for each residential neighbourhood character precinct as identified in the Riddells Creek Neighbourhood Character Precinct Map.*
- *To protect and enhance the ecological and landscape values of Riddells Creek, including the bush setting of some areas and views to the Macedon Ranges which provide a backdrop to the township.*
 - *Minimise the impact of development on the views of the Macedon Ranges.*
 - *Protect the existing streetscape character through the retention of street trees.*
 - *Require development to retain existing mature vegetation and incorporate appropriate landscaping that integrates with the landscape character of the area and increases tree canopy coverage across the township.*
- *To direct development away from areas subject to high risk of bushfire and flooding.*
 - *Direct the expansion of Riddells Creek to the north-east and south, which are at a lower risk from bushfire.*
- *To increase the range of housing options available to cater for the longer term needs of the Riddells Creek community.*
 - *Support incremental infill development, including multi-dwelling development that meets neighbourhood character objectives, in the Riddells Creek Garden Setting and Modern Residential Precincts.*
 - *Support appropriate development that provides accommodation for older residents, especially in the health, education and community precinct shown on the Riddells Creek Strategic Framework Map.*
- *To encourage development that respects the rural village character of Riddells Creek.*
 - *Support a grid-based layout and require substantial street tree planting in new residential subdivisions.*
 - *Maintain the village feel of Riddells Creek through development that is low in scale and respects neighbourhood character.*

Pursuant to the Riddells Creek Neighbourhood Character Precinct Map, the site is located within Garden Setting A Precinct where it is generally sought to facilitate incremental infill development in a manner consistent with the single storey scale and detached character of the area. Development is required to incorporate generous front and rear setbacks that can accommodate landscaping together with no or low front fencing allowing views to front yards.

The development will require the removal of all of the existing planted trees on the site (some of which have already been removed), however is supported by a landscape plan, including the provision of twenty three (23) new trees (including canopy trees) within the site frontage and within the private open spaces. The existing street trees will be retained with no impact from the proposed development.

The proposed development achieves the outcomes sought within the scheme and, in particular with Clause 21.13-5 – Riddells Creek. The single storey scale of the development will ensure the proposal does not interrupt any broader view lines, and the site is in the preferred development area north-west of the town centre where there is no significant (or recognised) environmental impediments such as high bushfire or flood risk.

A response to the specific neighbourhood character strategies for the Garden Setting “A” Precinct is provided in the table below.

Strategy	Design Response
<p>Maintain the garden setting of dwellings through the use of traditional front and rear setbacks, appropriate building footprints, accommodation of adequate landscaping and minimisation of hard surfaces.</p>	<p>The proposal adopts a minimum front setback of 9m. The relatively wide frontage of the site of 35m and spacing of the driveway enables two generous landscape areas forward of the each front dwelling capable of supporting a new large canopy tree.</p> <p>The rear setback of a 4m minimum is also generous. The extent of development to the rear of the site is consistent with neighbouring multi-dwelling layouts, and the detached dwelling typology and reasonable spacing around each individual building allows sufficient landscaping, capable of supporting at least one canopy tree per dwelling.</p> <p>Hard surfacing is not extensive and generally limited to the central driveway which is softened by planting. The two individual driveways at either side of the frontage will be removed and the nature strip to be reinstated.</p>
<p>Maintain the predominant single storey character of the streetscape by minimising the visibility of second storey development from the street. This could be achieved by avoiding sheer two storey front walls, containing the</p>	<p>The proposal adopts a single storey scale throughout with a maximum height of 5.2 metres. It is therefore entirely consistent with neighbouring single storey form and will sit below</p>

<p>second storey within the roof form or setting it behind the first storey roof.</p>	<p>some of the emerging two storey dwellings in the area.</p>
<p>Maintain the streetscape pattern of regular, detached dwellings.</p> <p>Require garages and carports to be setback behind the front façade of dwellings, or sited to the rear of the property.</p>	<p>From the street perspective, the development will have the appearance of two (2) single, detached dwellings (Dwellings 1 & 10), substantially indifferent from the status quo in the area. The streetscape pattern and rhythm will therefore be maintained.</p> <p>The garages being internal to the development are largely concealed from public view.</p>
<p>Avoid front fences over 1.2 metres in height.</p>	<p>No front boundary fencing has been proposed, which reflects the neighbourhood character, and will enable unrestricted views to front yards maintaining an open, streetscape character.</p>
<p>Support multi-dwelling development that:</p> <ul style="list-style-type: none"> • Presents to the street as a single, detached dwelling. • Provides landscaping along internal driveways. • Protects the residential amenity of adjoining properties. This could be achieved by locating two storey elements centrally within the site; locating two storey elements where they are substantially screened by existing built structures or vegetation; and / or reducing the scale and visual bulk of the second storey by incorporating appropriate articulation and upper level side and rear setbacks. 	<p>The proposal achieves a high level of consistency with the preferred design responses.</p> <p>The front dwellings will present to the street as single, detached dwelling and there is ample room for landscaping along driveways.</p> <p>The proposal will have no unreasonable amenity impacts to neighbouring residents largely by virtue of its single storey height, generous setbacks and landscaping opportunities.</p>

The subject site is well located to services and infrastructure and limits urban sprawl.

The removal of mature vegetation from the site can be appropriately balanced with the comprehensive planting of the large number of trees as part of the development proposal. The proposed dwellings are designed to take advantage of natural solar heating throughout the day, with habitable rooms afforded appropriate solar aspect where possible.

Stormwater management outcomes can be implemented through the site, with roof catchment areas connected to rainwater tanks for re-use and recycling within the subject site as indicated on the plans. The development also adopts design elements that promote passive surveillance of the streetscape and driveway, including habitable room windows, appropriate front setback areas, no front fencing and visible and clearly defined dwelling entryways.

The proposed development achieves an appropriate response with regard to perceived safety, with private Open Space areas fenced and located behind the dwellings. Secure garage spaces are provided, and the liveable areas of the dwelling, despite being linked to the street and driveway through the presence of appropriately sized windows, allow for a private and detached living area for residents via existing buffers, window designs and locations.

Clause 32.09 – Neighbourhood Residential Zone – Schedule 8 (NRZ8):

The relevant purposes of the Neighbourhood Residential Zone (NRZ) are:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To recognise areas of predominantly single and double storey residential development.*
- *To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.*

A permit is required for the construction of two or more dwellings pursuant to Clause 32.09-6. Clause 32.09-10 stipulates mandatory height and garden area requirements for development which are met as follows:

Item	Required	Proposed	Complies
Maximum building height	Maximum permissible: 9 metres	5.2 metres	Yes
Number of Storeys	2 storeys above natural ground level	single storey	Yes
Garden Area	Required: 35%	36% 1292.17m ²	Yes

Pursuant to Clause 32.09-13, the responsible authority must consider the provisions of Clause 55 for an application to construct two or more dwellings. Schedule 8 varies the Clause 55 requirements related to street setback, site coverage, permeability, landscaping, side and rear setbacks, walls on boundaries and private open space. An assessment against the requirements of Clause 55 is provided below. Compliance with all standards and objectives has been achieved.

Schedule 8 to the NRZ relates to Riddells Creek’s character precincts and includes the Riddells Creek Garden Setting Precinct “A” in which the subject site is located. The neighbourhood character objectives for this area include:

- *To facilitate incremental infill development.*
- *To retain streetscapes featuring wide verges, swale drains and informal street tree plantings.*
- *To encourage a consistent pattern of detached dwellings that is consistent with the area’s predominantly single storey scale.*
- *To encourage landscaped front and rear gardens with mature vegetation, including canopy trees.*
- *To support absent or low front fences that allows views of front gardens.*

These have been addressed in the neighbourhood character assessment above. The required site coverage is revised on the schedule to be 40%. The proposed site coverage is slightly higher (44.06% site coverage proposed), which will need to be reduced to comply. This can be managed via a permit condition.

Overall, the proposal is consistent with both the overarching objectives of the zone and the more specific neighbourhood character objectives of Schedule 8. The proposal will result in

a density which is comparable to the surrounding area and all dwellings will be detached, orientated to receive appropriate solar access and connected to existing infrastructure services readily available to the site.

The proposed conventional architectural style and detailing is consistent with the existing neighbourhood character and the landscape plan demonstrates a proper level of tree planting that maintain the streetscape and garden setting of the precinct. The proposed single driveway is centralised to the site’s frontage of 35m which can suitably accommodate the traffic without significantly reducing the wide grassed verge or impacting any street trees.

Clause 52.06 – Car Parking:

Clause 52.06 of the Scheme provides guidance on the amount of on-site car parking that is required to be provide by a given development type, as well as Australian Standards on how parking areas should be designed and constructed. The construction of a residential dwelling requires the provision of car parking at the following statutory rate:

Use	Rate	Car Parking Measure
Dwelling	1 Car Space	To each one or two bedroom dwelling;
	2 Car Spaces	To each three or more bedroom dwelling;
	1 Car Space	For visitors to every 5 dwellings for developments of 5 or more dwellings;

As demonstrated on the above table, the statutory parking requirement has been met. The proposal relies on a shared vehicle crossing and driveway located centrally within the lot. Except for the minimum setback to habitable windows (of units 3, 4, & 7), the driveway complies with the requirements of Clause 52.06-9 of the planning scheme. The central driveway has a minimum access width of 3.5m and includes a 6m wide passing area at the front, as well as adequate internal turning space enabling all vehicles to turn within the site and exit in a forward direction (including emergency vehicles). MRSC Engineering and CFA have reviewed the access and parking layout and raised no objection subject to conditions which will be included as part of the planning permit.

For the noncomplying minimum setback to habitable windows this will be managed via a permit condition requesting providing 1.5m min. setback or providing a 1m min. setback with window sill heights increased to 1.4m.

Clause 53.18 – Stormwater Management in Urban Development:

The purpose of Clause 53.18 is *“to ensure that stormwater in urban development, including retention and re-use, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits”*. Objectives for stormwater management in relation to development applications outlined in Clause 53.18-5 are as follows:

- *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;*
- *To ensure that industrial and commercial chemical pollutants and other toxicants do not enter the stormwater system;*

In response to the above objectives the proposed development incorporates a water tank for each dwelling, for the purposes of collecting stormwater for re-use within the site. The catchment of water and subsequent use for landscaping purposes is consistent with the objectives of Clause 53.18.

A Stormwater Management Strategy will be required as a condition of permit, ensuring that the development site adequately treats and disposes of stormwater that is captured within the site.

Subject to the above considerations, the proposal constitutes an acceptable response to the provisions of Clause 53.18 of the Macedon Ranges Planning Scheme.

Clause 55 – Two or More Dwellings on a Lot:

The purpose of the provisions of Clause 55 of the 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”*. The standards and objectives of Clause 55 must be adequately satisfied to demonstrate that the proposed development does not result in unreasonable amenity impacts, and is an acceptable response to both the subject site and neighbouring properties.

A response to the standards of Clause 55 is provided as a table below. The proposal achieves a general compliance with the provisions of Clause 55 as set out in the assessment except for the site coverage and the setback to habitable windows overlooking the common driveway. This will be resolved by via a permit condition.

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>B1 Neighbourhood Character Design respects existing neighbourhood character or contributes to a preferred neighbourhood character.</p> <p>Development responds to features of the site and surrounding area.</p>	<p>1. Appropriate design response to the neighbourhood and site.</p>	<p>Complies.</p> <p>The proposal complies with neighbourhood character policy as detailed in the main report.</p>
	<p>2. Design respects the existing or preferred neighbourhood character & responds to site features.</p>	<p>Complies.</p> <p>The proposal complies with neighbourhood character policy as detailed in the main report.</p>
<p>B2 Residential Policy Residential development is consistent with housing policies in the SPPF, LPPF including the MSS and local planning policies.</p>	<p>1. Application to be accompanied by written statement that explains consistency with relevant housing policy in SPPF, LPPF, MSS and local planning policies.</p>	<p>Complies.</p> <p>The proposal is accompanied by an acceptable written statement and design response. The proposal generally complies with the PPF, LPPF including the MSS and local planning policies as detailed in the body of the report.</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>B3 Dwelling Diversity Encourages a range of dwelling sizes and types in developments of ten or more dwellings.</p>	<p>1. Developments of ten or more dwellings to provide for:</p> <ul style="list-style-type: none"> ▪ Dwellings with a different number of bedrooms. ▪ At least one dwelling containing a kitchen, bath or shower, and a toilet and wash basin at ground floor level. 	<p>Complies.</p>
<p>B4 Infrastructure Provides appropriate utility services and infrastructure without overloading the capacity.</p>	<p>1. Connection to reticulated sewerage, electricity, gas and drainage services.</p> <p>2. Capacity of infrastructure and utility services should not be exceeded unreasonably.</p> <p>3. Provision should be made for upgrading and mitigation of the impact of services or infrastructure where little or no spare capacity exists.</p>	<p>Complies.</p> <p>The development is to be located in an established area where there is adequate infrastructure. The proposal will not exceed the capacity of local infrastructure.</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>B5 Integration with the Street Integrate the layout of development with the street.</p>	<p>1. Development orientated to front existing and proposed streets.</p> <p>2. Vehicle and pedestrian links that maintain and enhance local accessibility.</p> <p>3. High fences in front of dwellings should be avoided if practicable.</p> <p>4. Development next to public open space should be laid out to complement the open space.</p>	<p>Complies.</p> <p>Dwelling 1 and 10 are orientated to the road and have clearly visible points of entry with direct pedestrian and vehicle links. The development is not next to an open space. No front fencing has been proposed.</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>B6 Street Setback The setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</p>	<p>1. Walls of buildings should be set back from streets:</p> <ul style="list-style-type: none"> ▪ at least the distance specified in the schedule to the zone, or ▪ If no distance is specified in the schedule to the zone, the distance specified in Table B1. <p><i>Porches, pergolas and verandahs less than 3.6m high and eaves may encroach not more than 2.5m into the setbacks of this standard.</i></p>	<p>Complies.</p> <p>9m minimum front setback has been proposed with allowable encroachments to Dwelling 1 and 10 porches.</p>
<p>B7 Building Height Building height should respect the existing or preferred neighbourhood character.</p>	<p>1. The maximum building height should not exceed that specified in the zone, schedule to the zone or any overlay that applies to the land.</p> <p>2. Where no maximum height is specified, the max height should not exceed 9m, unless the slope of the natural ground level at any cross section wider than 8m of the site is 2.5 degrees or more, in which case the max height should not exceed 10m.</p> <p>3. Changes of building height between new and existing should be graduated.</p>	<p>Complies.</p> <p>The maximum height is under 5.2m metres which is well within the maximum height threshold.</p>
<p>B8 Site Coverage Site coverage should respect the existing or preferred neighbourhood character and respond to the features of the site.</p>	<p>1. The site area covered by buildings should not exceed:</p> <ul style="list-style-type: none"> ▪ The max site coverage specified in the schedule to the zone, or ▪ If no max site coverage is specified 60% 	<p>Does not Comply.</p> <p>The proposed site coverage is 44.06% which is over the maximum permissible of 40% (as per schedule 8). A condition will be included on the permit to reduce the coverage to meet the standard.</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>B9 Permeability Reduce the impact of stormwater run-off on the drainage system and facilitate on-site stormwater infiltration.</p>	<p>1. At least 20% of the site should not be covered by impervious surfaces</p>	<p>Complies. The proposed site permeability is 37.49% which is above the minimum requirement of 30%.</p>
<p>B10 Energy Efficiency Achieve and protect energy efficient dwellings and residential buildings. Ensure orientation and layout reduces fossil fuel energy use and makes appropriate use of daylight and solar energy.</p>	<p>1. Orientation of buildings should make appropriate use of solar energy. 2. Siting and design of buildings should not reduce the energy efficiency of buildings on adjoining lots. 3. If practicable the living areas and private open space are to be located on the north side. 4. Solar access for north-facing windows should be maximised.</p>	<p>Complies. The development does not unreasonably affect the solar access or energy efficiency of neighbouring dwellings.</p>
<p>B11 Open Space Integrate layout of development with any public and communal open space provided in or adjacent to the development.</p>	<p>1. Communal/public open spaces should:</p> <ul style="list-style-type: none"> ▪ Be substantially fronted by dwellings. ▪ Provide outlook for dwellings. ▪ Be designed to protect natural features. ▪ Be accessible and usable. 	<p>N/A</p>
<p>B12 Safety Layout to provide safety and security for residents and property.</p>	<p>1. Entrances to dwellings and residential buildings should not be isolated or obscured from the street and internal accessways. 2. Planting should not create unsafe spaces along streets and accessways 3. Good lighting, visibility and surveillance of car parks and internal accessways. 4. Protection of private spaces from inappropriate use as public thoroughfares.</p>	<p>Complies. The entrances to the dwellings are visible from the street or shared vehicle access. The private open spaces within the development are protected from inappropriate use as a public thoroughfare. The dwellings will incorporate numerous habitable room windows with an outlook to the street or shared vehicle access providing passive surveillance of common and public spaces.</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>B13 Landscaping To provide appropriate landscaping To encourage:</p> <ul style="list-style-type: none"> ▪ Development that respects the landscape character of the neighbourhood. ▪ Development that maintains and enhances habitat for plants and animals in locations of habitat importance. ▪ The retention of mature vegetation on the site. 	<ol style="list-style-type: none"> 1. Landscape layout and design should: <ul style="list-style-type: none"> ▪ Protect predominant landscape features of the neighbourhood ▪ Take into account the soil type and drainage patterns of the site ▪ Allow for intended veg. growth and structural protection of buildings 2. Development should: <ul style="list-style-type: none"> ▪ Provide for the retention or planting of trees, where these are part of the character of neighbourhood. ▪ Provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made. 3. Landscape design should specify landscape themes, vegetation location & species, paving & lighting. 	<p>Complies.</p> <p>The submitted landscape plan indicates that 23 new trees will be provided clearly exceeding the minimum 2 canopy trees required pursuant to Schedule 8 of the NRZ.</p> <p>Four (4) large canopy trees are proposed in the front setback and have adequate growing space to reach maturity, as well as a range of smaller canopy tree in areas of secluded space and along the central drive.</p> <p>The trees are supplemented by screen planting, shrubs and groundcovers achieving a reasonable depth to the planting palette.</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>B14 Access Ensure the safe, manageable and convenient vehicle access to and from the development. Ensure the number and design of vehicle crossovers respects neighbourhood character.</p>	<ol style="list-style-type: none"> 1. Accessways should provide: <ul style="list-style-type: none"> ▪ Safe, convenient and efficient vehicle movements and connections to the street network ▪ Designed to ensure that vehicles can exit in a forward direction if the accessway serves more than 5 car spaces, 3 or more dwellings or connects to a road in a Road Zone. ▪ A width of at least 3m. ▪ An internal radius of at least 4m at changes of direction. ▪ A passing area at the entrance that is at least 5m wide and 7m long if the accessway serves 10 or more car spaces and connects to a road in a Road Zone. 2. The width of the accessways or car spaces should not exceed: <ul style="list-style-type: none"> ▪ 33% of the street frontage; or ▪ 40% of the width of the street frontage is less than 20m. 3. For each dwelling fronting a street, only one single width crossover should be provided. 4. The location of crossovers will maximise the retention of on-street car parking spaces. 5. Access points to a road in Road Zones to be minimised. 6. Access for service, emergency and delivery vehicles must be provided. 	<p>Complies.</p> <p>Only 1 crossover to a local road and a shared driveway is proposed to serve all the dwellings.</p> <p>The crossover and driveway will be functional, safe, and well design. They were checked and approved by MRSC Engineers subject to conditions.</p> <p>The width of the crossover is acceptable and occupies less than 40% of the total site frontage.</p> <p>Emergency vehicle requirements are considered and will be further secured via CFA required conditions.</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>B15 Parking Location To provide convenient parking for resident and visitor vehicles. To protect residents from vehicular noise within developments.</p>	<p>1. Car parking facilities should be:</p> <ul style="list-style-type: none"> ▪ Be reasonably close and convenient to dwellings and residential buildings. ▪ Be secure. ▪ Be well ventilated if enclosed. <p>2. Shared accessways, car parks of other dwellings/ residential buildings should be at least 1.5m from the windows of habitable rooms. This setback may be reduced to 1m, where there is a fence at least 1.5m high or window sills are at least 1.4m above the accessway.</p>	<p>Complies.</p> <p>All dwelling will be equipped with garages suitably located, providing secure and convenient parking to residents. 2 centralised visitor car parking will be also provided.</p> <p>High window sills are provided to windows facing the driveway at dwelling 1 & 10. 1.5m min width garden beds are provided next to habitable room windows overlooking the driveway elsewhere.</p> <p>Non-complying windows for dwellings 3, 4, & 7 will be made compliant via permit conditions.</p>

Amenity Impacts Clause 55.04

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>B17 Side and Rear Setbacks Ensure the height and setback respects the existing or preferred neighbourhood character and limits the amenity impacts on existing dwellings.</p>	<p>1. A new building not on or within 150mm of a boundary should be setback from side or rear boundaries:</p> <ul style="list-style-type: none"> ▪ At least the distance specified in the schedule to the zone, or ▪ 1m+ 0.3m for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. <p>(refer Diagram B1 for more detail and information about minor encroachments).</p>	<p>Complies.</p> <p>All side and rear setback comfortably meet the setback and height requirements of the Standard.</p> <p>No building on boundaries are proposed.</p> <p>The maximum building height proposed is under 5.2m.</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>B18 Walls on Boundaries Ensure the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the amenity impacts on existing dwellings.</p>	<p>1. A new wall constructed on or within 150mm of a side or rear boundary of a lot or a carport constructed on or within 1m of a side or rear boundary of a lot should not abut the boundary for a length of more than:</p> <ul style="list-style-type: none"> ▪ 10m plus 25 % of the remaining length of the boundary of an adjoining lot. <p>or</p> <ul style="list-style-type: none"> ▪ Where there are existing or simultaneously constructed walls or carports abutting the boundary of an abutting lot, the length of the existing or simultaneously constructed walls or carports - whichever is the greater. ▪ A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in effective height of the wall or carport being less than 2m on the abutting property boundary. ▪ A height of a new wall constructed on or within 150mm of a side or rear boundary or a carport constructed on or within 1m of a side or rear boundary should not exceed an average of 3m with no part higher than 3.6m unless abutting a higher existing or simultaneously constructed wall. 	<p>N/A</p> <p>No walls on boundaries have been proposed.</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>B19 Daylight to Existing Windows Allow adequate daylight into existing habitable room windows.</p>	<ol style="list-style-type: none"> 1. Buildings opposite an existing habitable room window should provide a light court of at least 3sqm and a minimum dimension of 1m clear to the sky (this can include land on the adjoining lot). 2. Walls or carports more than 3m in height opposite should be setback from the window at least 50% of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window. 	<p>Complies.</p> <p>The required clearances are provided to all existing habitable room windows at neighbouring properties which will retain their current daylight levels.</p>
<p>B20 North Facing Windows Allow adequate solar access to existing north-facing habitable room windows.</p>	<ol style="list-style-type: none"> 1. Buildings should be setback 1m if an existing north-facing habitable window is within 3m of the abutting lot boundary. (Add 0.6m to this setback for every metre of height over 3.6m and add 1m for every metre over 6.9m.) Refer to 55.04-4 for further clarification (a diagram is included). 	<p>N/A</p> <p>There is no north facing existing windows within 3m of the boundaries that will be impacted by the proposed development.</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>B21 Overshadowing Open Space Ensure buildings do not significantly overshadow existing secluded private open space.</p>	<p>1. Where sunlight to a private open space of an existing dwelling is reduced, at least 75%, or 40sqm with min. 3m, whichever is the lesser area, of the open space should receive a min. of 5 hours of sunlight between 9 am and 3pm on 22 Sept.</p> <p>If the existing sunlight to the private open space of an existing dwelling is less than these requirements, the amount of sunlight should not be reduced further.</p>	<p>Complies.</p> <p>The shadow diagrams submitted demonstrate that there will be no unacceptable shadowing to the adjoining properties.</p>
<p>B22 Overlooking Limit views into existing secluded private open space and habitable room windows.</p>	<p>1. A habitable room window, balcony, terrace, deck or patio should be designed to avoid direct views into the secluded private open space of an existing dwelling within 9m (see clause for details) should have either:</p> <ul style="list-style-type: none"> ▪ A minimum offset of 1.5m from the edge of one window to the other. ▪ Sill heights of at least 1.7m above floor level. ▪ Fixed obscure glazing in any part of the window below 1.7m above floor level. ▪ Permanently fixed external screens to at least 1.7m above floor level and be no more than 25 % transparent. 	<p>Complies.</p> <p>The proposal is for single storey dwellings and standard boundary fencing to a height of 1.8m.</p> <p>There will be no overlooking implications from the proposed development.</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
	<p>2. Obscure glazing below 1.7m above floor level may be openable if there are no direct views as specified in this standard.</p> <p>3. Screens to obscure view should be:</p> <ul style="list-style-type: none"> ▪ Perforated panels or trellis with solid translucent panels or a maximum 25% openings. ▪ Permanent, fixed and durable. ▪ Blended into the development. <p>See Clause 55.04-6 for instances where this standard does not apply.</p>	
<p>B23 Internal Views Limit views into existing secluded private open space and habitable room windows of dwellings and residential buildings within the same development.</p>	<p>1. Windows and balconies should to be designed to prevent overlooking of more than 50% of the secluded private open space of a lower level dwelling or residential building within the same development.</p>	<p>Complies.</p> <p>Proposed internal fencing will conceal the views within the development and retain privacy.</p>
<p>B24 Noise Impacts Protect residents from external noise and contain noise sources in developments that may affect existing dwellings.</p>	<p>1. Noise sources should not be located near bedrooms of immediately adjacent existing dwellings.</p> <p>2. Noise sensitive rooms and private open space should consider noise sources on immediately adjacent properties.</p> <p>3. Noise levels should be limited in habitable rooms in dwellings and residential buildings. Dwellings and residential buildings should be designed to limit noise levels in habitable rooms close to busy roads, railway lines or industry.</p>	<p>Complies.</p> <p>There are no obvious noise sources to or from the development that are not usual to a residential development.</p> <p>The provided boundary fencing coupled with the proposed setback will mitigate any potential noise implications.</p>

On-Site Amenity and Facilities

Clause 55.05

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>B25 Accessibility Consider people with limited mobility in the design of developments.</p>	<p>1. Dwelling entries of the ground floor of buildings should be accessible or able to be easily made accessible to people with limited mobility.</p>	<p>Complies. The proposed dwellings are single storeys, with all living facilities provided at ground level.</p>
<p>B26 Dwelling Entry Provide a sense of identity to each dwelling/residential building.</p>	<p>1. Entries are to be visible and easily identifiable from streets and other public areas. 2. The entries should provide shelter, a sense of personal address and a transitional space.</p>	<p>Complies. The entries are visible and easily identifiable. A sense of address and shelter is also provided.</p>
<p>B27 Daylight to New Windows Allow adequate daylight into new habitable room windows.</p>	<p>1. Habitable room windows to face:</p> <ul style="list-style-type: none"> ▪ Outdoor space open to the sky or light court with minimum area of 3sqm and a min. dimension of 1m clear to the sky or; ▪ Verandah, provided it is open for at least one third of its perimeter or; ▪ A carport provided it has two or more open sides and is open for at least one third of its perimeter. 	<p>Complies. Adequate daylight is available to all windows in the development. All new habitable room windows will be located to face an outdoor area of at least 3sqm with a minimum dimension of 1m clear to the sky.</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>B28 Private Open Space Provide reasonable recreation and service needs of residents by adequate private open space</p>	<p>1. Unless specified in the schedule to the zone, a dwelling should have private open space consisting of: 40sqm with one part at the side or rear of the dwelling/residential building with a minimum dimension of 3m, a minimum area of 25sqm and convenient access from a living room or; Balcony - minimum 8sqm, minimum width 1.6m and accessed from living room or; Roof-top – minimum 10sqm, minimum width 2m and convenient access from living room.</p>	<p>Complies.</p> <p>Areas of secluded and private open space exceed minimum requirements as detailed on the plans, including requirements for a private open space area of at least 40 sqm, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 sqm, a minimum dimension of 5 m and convenient access from a living room.</p>
<p>B29 Solar Access to Open Space Allow solar access into the secluded private open space of new dwellings/buildings.</p>	<p>1. The private open space should be located on the north side of the dwelling if appropriate.</p> <p>2. Southern boundary of open space should be setback from any wall on the north of the space at least $(2+0.9h)$ h= height of wall.</p>	<p>Complies.</p> <p>The proposed private open spaces along the south western and south eastern boundaries will be partially overshadowed by the associated dwellings; however, the limited height of the proposed buildings and the large sizes of the proposed private open spaces will allow for proper north sun penetration.</p>
<p>B30 Storage Provide adequate storage facilities for each dwelling.</p>	<p>1. Each dwelling should have access to a minimum 6m³ of externally accessible, secure storage space.</p>	<p>Complies.</p> <p>Each dwelling is provided with a garden shed storage of 6m³ as shown on the plans.</p>

Detailed Design

Clause 55.06

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>B31 Design Detail Encourage design detail that respects the existing or preferred neighbourhood character.</p>	<p>1. Design of buildings should respect the existing or preferred neighbourhood character and address:</p> <ul style="list-style-type: none"> ▪ Façade articulation & detailing. ▪ Window and door proportions. ▪ Roof form. ▪ Verandahs, eaves and parapets. <p>2. Garages and carports should be visually compatible with the development and neighbourhood character.</p>	<p>Complies.</p> <p>The proposed building design is consistent with the existing architectural style within the area. All garages are to be accessible internally with limited visibility from the street. They're incorporated as part of the dwellings.</p>
<p>B32 Front Fences Encourage front fence design that respects the existing or preferred neighbourhood character</p>	<p>1. The front fence should complement the design of the dwelling or any front fences on adjoining properties.</p> <p>2. A front fence within 3m of the street should not exceed the maximum height specified in the schedule to the zone or if no max. specified, the front fence should not exceed:</p> <ul style="list-style-type: none"> ▪ 2m if abutting a Road Zone, Category 1. ▪ 1.5m in any other streets. 	<p>Complies.</p> <p>No front fencing has been proposed.</p>
<p>B33 Common Property Ensure car parking, access areas and other communal open space is practical, attractive and easily maintained. Avoid future management difficulties in common ownership areas.</p>	<p>1. Should be functional and capable of efficient management.</p> <p>2. Public, communal and private areas should be clearly delineated. Common property should be functional and capable of efficient management.</p>	<p>Complies.</p> <p>Car parking, access areas and other communal open space will be practical, attractive and easily maintained.</p>
<p>B34</p>	<p>1. Dwelling layout and design should provide for sufficient space and facilities for services to be installed and maintained.</p>	<p>Complies.</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>Site Services Ensure site services and facilities can be installed and easily maintained and are accessible, adequate and attractive.</p>	<p>2. Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and should blend in with the development.</p>	<p>Sufficient area is provided to install all necessary services and to allow for the maintenance of such services.</p> <p>Bin and recycling enclosures are shown on the plans and located for convenient access by future residents of all dwellings.</p> <p>Mailboxes are provided and located close to the street for convenient access as required by Australia Post.</p>
	<p>3. The site facilities including mailboxes should be located for convenient access. Bin and recycling enclosures located for convenient access. Mailboxes provided and located for convenient access as required by Aust. Post.</p>	

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 proposed development of ten (10) dwellings on the subject land is consistent with the Planning Policy Framework, the purpose of the Zone, and the criteria of particular provisions of the Planning Scheme including Clause 55 (Two or more dwellings on a lot).

The proposed development is of an acceptable design that appropriately manages amenity impacts on external properties and contributes to varied housing stock in the Riddells Creek.

Attachment 1 - Conditions

Planning Delegated Committee Meeting – 12 July 2023
APPLICATION FOR PLANNING PERMIT PLN/2023/384 –
DEVELOPMENT OF THE LAND FOR TEN (10) DWELLINGS –
3 SOMERVILLE LANE, RIDDELLS CREEK VIC 3431

Conditions to be included on Planning Permit

1. Before the commencement of development, amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) Maximum site coverage of 40% in accordance with Neighbourhood Residential Zone (Schedule 8);
 - b) 1.5m minimum driveway setback to all habitable room windows overlooking the driveway;
(This can be reduced to 1m minimum setback to habitable room windows of 1.4m sill height or above in accordance with Standard B15)
 - c) Concrete footpath along the frontage of the property;
 - d) Amended Landscape Plan to reflect the changes required as a result of Condition 1a), b) and c).
2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. Unless with the prior written consent of the Responsible Authority, before the occupation of the development, the landscaping works shown on the endorsed plans must be carried out, completed and thereafter maintained to the satisfaction of the Responsible Authority.
4. All pipes, fixtures, fittings, ducts and vents servicing any building on the land, other than gutters above the ground floor storey of the building, must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
5. The development must be provided with external lighting capable of illuminating access to each garage, car parking space and pedestrian walkways. 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.
6. Measures must be undertaken to minimise any loss of amenity to the neighbourhood from the development caused by dust, noise, the transport of materials to and from the land and the deposit of mud and debris on public roads, to the satisfaction of the Responsible Authority.
7. 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

8. Prior to the commencement of works, an "Asset Protection Permit" must be obtained from Council for any of the following circumstances:

PLANNING DELEGATED COMMITTEE MEETING AGENDA**12 JULY 2023**

- a) Entering a building site by means of a motor vehicle having a gross weight exceeding two tonnes.
 - b) Occupying a road for work.
 - c) Connecting any land to a stormwater drain.
 - d) Opening, altering, or repairing a road.
 - e) Opening, altering, or repairing a drain.
 - f) Accessing a building site from a point other than a vehicle crossing.
9. No polluted and/or sediment-laden runoff 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 including plan checking and supervision fees and plan includes 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-year ARI post-development flows are restricted to the pre-development level.
 - 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
 - f) A Stormwater management strategy along with STORM calculations, or MUSIC calculations or equivalent (i.e. as Deemed to Comply with Melbourne Water requirements);
11. The development is to be constructed in accordance with Macedon Ranges Shire Council's Policy Engineering Requirements for Infrastructure Construction (June 2010).
12. Before the development commences, 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;

PLANNING DELEGATED COMMITTEE MEETING AGENDA**12 JULY 2023**

- 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.
 - g) Development works on the land must be undertaken in accordance with the endorsed Construction Management Plan to the satisfaction of the Responsible Authority.
13. 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:
- 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;
- All to the satisfaction of the Responsible Authority. Car spaces, access lanes, and driveways must be kept available for these purposes at all times, to the satisfaction of the Responsible Authority.
14. 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.
15. Prior to the occupation of the development, a new concrete crossover must be constructed within Somerville Lane for the development to the satisfaction of the Responsible Authority.

CFA**16. Engineering plans required**

Before the development commences, engineering plans to the satisfaction of CFA must be submitted for approval by CFA and the responsible authority. The plans must be drawn to scale with dimensions and must show how the following conditions are to be complied with:

17. Access

PLANNING DELEGATED COMMITTEE MEETING AGENDA**12 JULY 2023**

- a) A road shall be constructed to provide emergency vehicle access to the safe work area required by condition 22. The trafficable width of this road must be at least 3.5m and it must be constructed to provide all weather access and be designed to accommodate a 15-tonne vehicle.
- b) A safe work area for a fire appliance must be provided no further away than 70m from the rear of dwellings 5 and 6.
- c) The safe work area referred to in condition No. 2.2 shall comprise of a hardstand area that is at least 3m wide and 10.3m long together with two areas adjacent to the long sides of this rectangle that are clear of any obstructions. These clear areas are to be suitable for fire-fighters to work in adjacent to the fire appliance and shall be at least 1.3m wide.

18. Hydrants

- a) An operable hydrant, above or below ground, must be provided to the satisfaction of CFA.
- b) The maximum distance between this hydrant and the rear dwellings must be 120m. This distance must be measured around lot boundaries.
- c) The hydrant must also be located within 50m of the safe work area required by condition No. 22.
- d) The hydrant must be identified as specified in 'Identification of Street Hydrants for Firefighting purposes' available under publications on the Country Fire Authority web site (www.cfa.vic.gov.au)

Expiry of Permit

19. The permit will expire if one of the following circumstances applies:

- a) The development is not commenced within two (2) years of the date of this permit.
- b) The development is not completed within four (4) years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within 6 months afterwards if the development has not commenced, or 12 months after if the development has commenced but is not yet completed.

Permit Notes:

- Future owners of the land must be made aware of the existence of this permit.

PLANNING DELEGATED COMMITTEE MEETING AGENDA

12 JULY 2023

Consistency of the proposal with the Statement of Planning Policy:

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	<i>To ensure the declared area's natural and cultural landscapes are conserved and enhanced.</i>		✓			
		<i>Manage land use, development and infrastructure to ensure that significant landscapes, views and vantage points are conserved and enhanced.</i>	✓			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.	✓			Although existing vegetation will be removed, future landscaping will include various plants of predominantly native species
		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	<i>To ensure the significant biodiversity, ecological and environmental values of the declared area are conserved and enhanced</i>				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	

PLANNING DELEGATED COMMITTEE MEETING AGENDA

12 JULY 2023

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
		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	
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				N/A	The site is not located within Cultural Heritage Sensitivity area.

PLANNING DELEGATED COMMITTEE MEETING AGENDA

12 JULY 2023

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
	cultural and spiritual heritage values and work in partnership with Traditional Owners in caring for Country.					
		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 when planning and managing land use and development, water and other environmental resources.			N/A	
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.				N/A	The proposal does not contain any agricultural components.

PLANNING DELEGATED COMMITTEE MEETING AGENDA

12 JULY 2023

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
		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	
		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	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	

PLANNING DELEGATED COMMITTEE MEETING AGENDA

12 JULY 2023

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
		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.			N/A	
		Protect the unique rural character of towns in the declared area.	✓			The proposed development is responsive to the existing character and balances incremental change with the need to be respectful of existing streetscape characteristics.
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 values, and consistent with the unique character, role and function of each settlement.		✓			The proposal achieves a balance between facilitating additional needed housing stock and a considered response to the existing streetscape character of the area.
		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. Riddells Creek 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

PLANNING DELEGATED COMMITTEE MEETING AGENDA

12 JULY 2023

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
						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 Riddells Creek 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 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.

PLANNING DELEGATED COMMITTEE MEETING AGENDA

12 JULY 2023

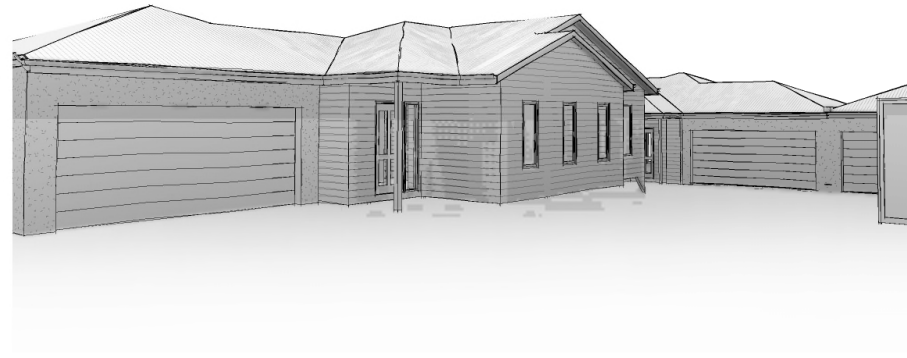
Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
		Maintain view lines of state-significant landscape features from the main road and rail transport corridors.			N/A	
		Ensure the future operation and development 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 will result in an increased residential density in a well-connected and centralised location.
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	
		Ensure planning for future use and development of land prone to flooding minimises the consequences of inundation.			N/A	



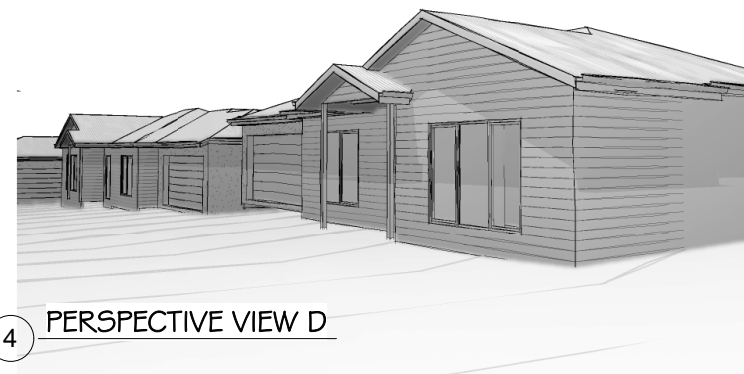
1 PERSPECTIVE VIEW A



2 PERSPECTIVE VIEW B



3 PERSPECTIVE VIEW C



4 PERSPECTIVE VIEW D

Sheet List				
Sheet No.	Sheet Name	Issue Date	Revision	Revision Date
TP00	Perspective Views	12 December, 2022		
TP01	Neighbourhood & Site Description	12 December, 2022		
TP02	Existing/Demolition Plan	12 December, 2022		
TP03	Design Response	12 December, 2022		
TP04	Garden Area Plan	12 December, 2022		
TP05	Floor Plan	12 December, 2022	A	
TP06.1	Floor Plan	12 December, 2022	A	
TP06.2	Floor Plan	12 December, 2022		
TP07	Elevations	12 December, 2022		
TP08	Elevations	12 December, 2022		
TP09	Elevations	12 December, 2022		
TP10	Elevations	12 December, 2022		
TP11.1	Shadow Diagrams	12 December, 2022		
TP11.2	Shadow Diagrams	12 December, 2022		
TP11.3	Shadow Diagrams	12 December, 2022		
TP11.4	Shadow Diagrams	12 December, 2022		
TP11.5	Shadow Diagrams	12 December, 2022		
TP11.6	Shadow Diagrams	12 December, 2022		
TP11.7	Shadow Diagrams	12 December, 2022		
TP12.1	Landscape Plan	12 December, 2022		
TP12.2	Landscape Plan	12 December, 2022		

Draft Comps Services
 ARCHITECTURAL DRAFTING & ENGINEERING SOLUTIONS
 146 COBURNS ROAD, MELTON - P.O BOX 256, MELTON, VIC. 3337
 Ph: 9743 3861 Fax: 9743 3489 email: plans@draftcomps.com.au

DRAWN	AR
CHECKED	Ted Lord
Building Practitioners Board Reg No DP - AD1195	

PROPOSED: Unit Development
ISSUE DATE: 12 December, 2022
ISSUE STATUS: Town Planning - Not for Construction

FOR: A & B Developments
AT: No. 3 (Lot 1) Somerville Lane, Riddells Creek, 3431

SHEET SIZE: A2	SHEET NO: TP00
JOB NO: 21149	REVISION:

All plans and drawings remain the copyright of Draft Comps Services Pty Ltd and must not be reproduced.



VIEW A



VIEW B



VIEW C



VIEW D



VIEW E



VIEW F

- LEGEND**
- SW - Storm water drain
 - SP - Sign post
 - EP - Electric pit
 - TP - Teletra pit
 - LP - Lamp pole
 - PP - Power pole
 - FH - Fire hydrant
 - HW - Habitable window
 - NH - Non habitable window

1 NEIGHBOURHOOD & SITE DESCRIPTION
1 : 500



Draft Comps Services
ARCHITECTURAL DRAFTING & ENGINEERING SOLUTIONS
146 COBURNS ROAD, MELTON - P.O BOX 256, MELTON, VIC. 3337
Ph: 9743 3861 Fax: 9743 3489 email: plans@draftcomps.com.au

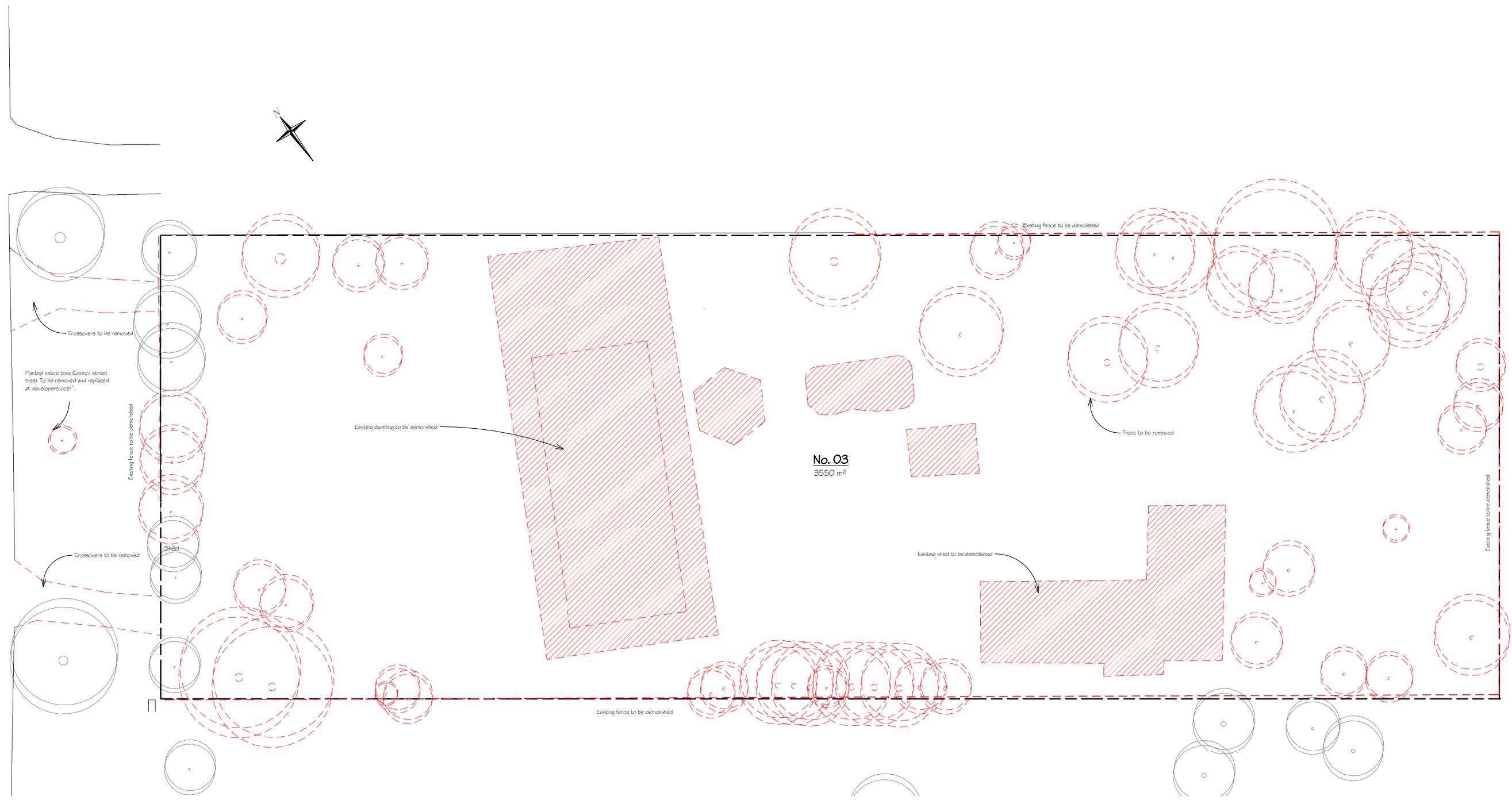
DRAWN	AR
CHECKED	Ted Lord
Building Practitioners Board Reg No DP - AD1195	

PROPOSED: Unit Development
ISSUE DATE: 12 December, 2022
ISSUE STATUS: Town Planning - Not for Construction

FOR: A & B Developments
AT: No. 3 (Lot 1) Somerville Lane, Riddells Creek, 3431

SHEET SIZE:	SHEET NO:
A2	TP01
JOB NO:	REVISION:
21149	

All plans and drawings are copyright in Draft Comps Services Pty. Ltd. and must not be reproduced.
 11/03/2023 11:28:55 AM



1 EXISTING/DEMOLITION PLAN
1 : 200

Draft Comps Services
ARCHITECTURAL DRAFTING & ENGINEERING SOLUTIONS
146 COBURNS ROAD, MELTON - P.O BOX 256, MELTON, VIC. 3337
Ph: 9743 3861 Fax: 9743 3489 email: plans@draftcomps.com.au

DRAWN	AR
CHECKED	Ted Lord
Building Practitioners Board Reg No DP - AD1195	

PROPOSED: Unit Development
ISSUE DATE: 12 December, 2022
ISSUE STATUS: Town Planning - Not for Construction

FOR: A & B Developments
AT: No. 3 (Lot 1) Somerville Lane, Riddells Creek, 3431

SHEET SIZE: A2	SHEET NO: TP02
JOB NO: 21149	REVISION:

All plans and design notes are copyright in Draft Comps Services Pty Ltd and must not be reproduced.
 1/03/2023 11:28:56 AM

LEGEND

- SW- Storm water drain
- SP - Sign post
- EP - Electric Pit
- TP - Toilet pit
- LP - Lamp pole
- PP - Power pole
- PH - Fire hydrant
- HW - Habitable window
- NH - Non habitable window



1 DESIGN RESPONSE
1 : 500

Draft Comps Services
ARCHITECTURAL DRAFTING & ENGINEERING SOLUTIONS
146 COBURNS ROAD, MELTON - P.O BOX 256, MELTON, VIC. 3337
Ph: 9743 3861 Fax: 9743 3489 email: plans@draftcomps.com.au

DRAWN	AR
CHECKED	Ted Lord
Building Practitioners Board Reg No DP - AD1195	

PROPOSED: Unit Development
ISSUE DATE: 12 December, 2022
ISSUE STATUS: Town Planning - Not for Construction

FOR: A & B Developments
AT: No. 3 (Lot 1) Somerville Lane, Riddells Creek, 3431

SHEET SIZE:	SHEET NO:
A2	TP03
JOB NO:	REVISION:
21149	

All plans and design notes are copyright in Draft Comps Services Pty. Ltd. and must not be reproduced.
 11/03/2023 11:28:58 AM



GARDEN AREAS:	
Garden area req:	35%
Site area:	3550.00m ²
Garden area:	1292.17m ²
Garden area %:	36.40%

1 GARDEN AREA PLAN
1 : 200

DraftCompsServices
ARCHITECTURAL DRAFTING & ENGINEERING SOLUTIONS
146 COBURNS ROAD, MELTON - P.O BOX 256, MELTON, VIC. 3337
Ph: 9743 3861 Fax: 9743 3489 email: plans@draftcomps.com.au

DRAWN	AR
CHECKED	Ted Lord
Building Practitioners Board Reg No DP - AD1195	

PROPOSED: Unit Development
ISSUE DATE: 12 December, 2022
ISSUE STATUS: Town Planning - Not for Construction

FOR: A & B Developments
AT: No. 3 (Lot 1) Somerville Lane, Riddells Creek, 3431

SHEET SIZE:	A2	SHEET NO.:	TP04
JOB NO.:	21149	REVISION:	

All plans and design notes are copyright in DraftCompsServices Pty Ltd and must not be reproduced.



SITE AREAS:

Site area:	3550.00m ²
Building area:	1564.10m ²
Coverage:	44.06%
Permeability:	37.48%

1 OVERALL FLOOR PLAN
1 : 200

AREA SCHEDULE (UNIT 1)

Name	Area	Squares
GROUND FLOOR	111.7 m ²	12.0
GARAGE	36.2 m ²	3.9
PORCH	3.7 m ²	0.4
Grand total	151.7 m ²	16.3

AREA SCHEDULE (UNIT 2)

Name	Area	Squares
GROUND FLOOR	111.7 m ²	12.0
PORCH	2.2 m ²	0.2
GARAGE	42.5 m ²	4.6
Grand total	156.4 m ²	16.8

AREA SCHEDULE (UNIT 3)

Name	Area	Squares
GROUND FLOOR	111.7 m ²	12.0
PORCH	2.2 m ²	0.2
GARAGE	42.5 m ²	4.6
Grand total	156.4 m ²	16.8

AREA SCHEDULE (UNIT 4)

Name	Area	Squares
GROUND FLOOR	111.8 m ²	12.0
PORCH	2.2 m ²	0.2
GARAGE	42.5 m ²	4.6
Grand total	156.5 m ²	16.8

AREA SCHEDULE (UNIT 5)

Name	Area	Squares
GROUND FLOOR	120.6 m ²	13.0
GARAGE	35.7 m ²	3.8
PORCH	4.2 m ²	0.5
Grand total	160.5 m ²	17.3

AREA SCHEDULE (UNIT 6)

Name	Area	Squares
GROUND FLOOR	120.6 m ²	13.0
PORCH	4.2 m ²	0.4
GARAGE	35.7 m ²	3.8
Grand total	160.5 m ²	17.3

AREA SCHEDULE (UNIT 7)

Name	Area	Squares
GROUND FLOOR	115.2 m ²	12.4
PORCH	3.4 m ²	0.4
GARAGE	38.2 m ²	4.1
Grand total	156.8 m ²	16.9

AREA SCHEDULE (UNIT 8)

Name	Area	Squares
GROUND FLOOR	115.2 m ²	12.4
PORCH	3.4 m ²	0.4
GARAGE	38.2 m ²	4.1
Grand total	156.8 m ²	16.9

AREA SCHEDULE (UNIT 9)

Name	Area	Squares
GROUND FLOOR	115.2 m ²	12.4
PORCH	3.4 m ²	0.4
GARAGE	38.2 m ²	4.1
Grand total	156.8 m ²	16.9

AREA SCHEDULE (UNIT 10)

Name	Area	Squares
GROUND FLOOR	111.7 m ²	12.0
GARAGE	36.2 m ²	3.9
PORCH	3.7 m ²	0.4
Grand total	151.7 m ²	16.3

LEGEND

- Concrete Area
- Landscaped Area
- Living Area
- Garage/Carport Area
- Garden area
- Permeable paving
- Shed / Storage Area
- Clothes Line
- Rubbish bin storage
- Letter Box
- Trees and Shrubs
- TPZ (tree protection zone)

Draft Comps Services
ARCHITECTURAL DRAFTING & ENGINEERING SOLUTIONS
146 COBURN'S ROAD, MELTON - P.O. BOX 256, MELTON, VIC. 3337
Ph: 9743 3861 Fax: 9743 3489 email: plans@draftcomps.com.au

DRAWN AR
CHECKED Ted Lord
Building Practitioners Board
Reg No DP - AD1195

PROPOSED: Unit Development
ISSUE DATE: 12 December, 2022
ISSUE STATUS: Town Planning - Not for Construction

FOR: A & B Developments
AT: No. 3 (Lot 1) Somerville Lane, Riddells Creek, 3431

SHEET SIZE: A2
SHEET NO: TP05
JOB NO: 21149
REVISION: A

filed: 1/03/2023 11:29:06 AM
All plans and drawings are copyright in Draft Comps Services Pty Ltd and must not be reproduced

AREA SCHEDULE (UNIT 1)		
Name	Area	Squares
GROUND FLOOR	111.7 m ²	12.0
GARAGE	36.2 m ²	3.9
PORCH	3.7 m ²	0.4
Grand total	151.7 m ²	16.3

AREA SCHEDULE (UNIT 2)		
Name	Area	Squares
GROUND FLOOR	111.7 m ²	12.0
PORCH	2.2 m ²	0.2
GARAGE	42.5 m ²	4.6
Grand total	156.4 m ²	16.8

AREA SCHEDULE (UNIT 9)		
Name	Area	Squares
GROUND FLOOR	115.2 m ²	12.4
PORCH	3.4 m ²	0.4
GARAGE	38.2 m ²	4.1
Grand total	156.8 m ²	16.9

AREA SCHEDULE (UNIT 10)		
Name	Area	Squares
GROUND FLOOR	111.7 m ²	12.0
GARAGE	36.2 m ²	3.9
PORCH	3.7 m ²	0.4
Grand total	151.7 m ²	16.3

PRIVATE OPEN SPACE SCHEDULE (UNIT 1)	
Name	Area
UNIT 1 S.P.O.S.	35.8 m ²
UNIT 1 P.O.S. (front)	138.9 m ²
UNIT 1 P.O.S. (rear)	25.3 m ²
Grand total	200.0 m ²

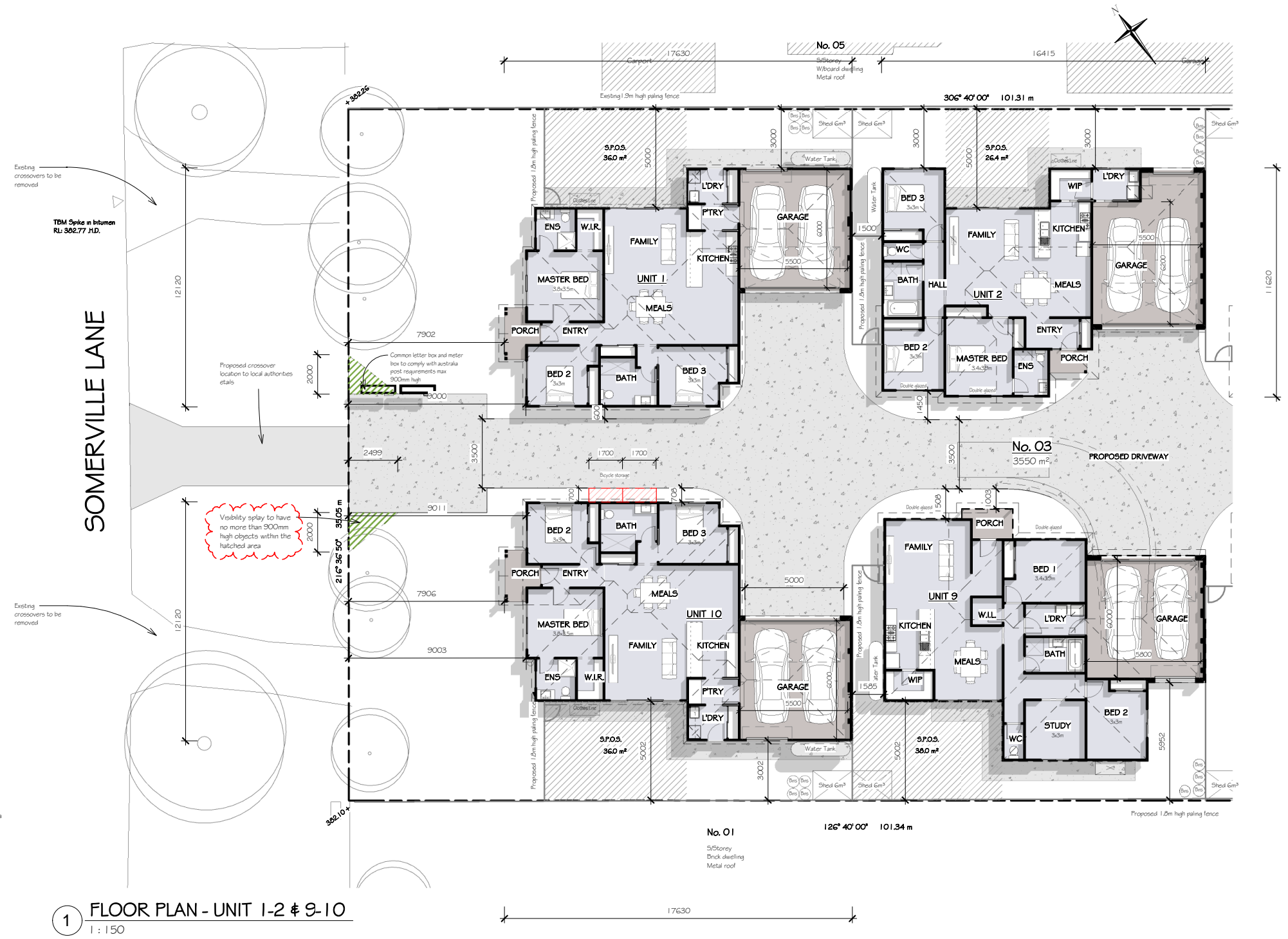
PRIVATE OPEN SPACE SCHEDULE (UNIT 2)	
Name	Area
UNIT 2 S.P.O.S.	26.2 m ²
UNIT 2 P.O.S. (rear)	23.8 m ²
UNIT 2 P.O.S. (rear)	27.6 m ²
Grand total	77.6 m ²

PRIVATE OPEN SPACE SCHEDULE (UNIT 9)	
Name	Area
UNIT 9 S.P.O.S.	38.0 m ²
UNIT 9 P.O.S. (rear)	32.2 m ²
UNIT 9 P.O.S. (rear)	11.0 m ²
Grand total	81.2 m ²

PRIVATE OPEN SPACE SCHEDULE (UNIT 10)	
Name	Area
UNIT 10 S.P.O.S.	35.9 m ²
UNIT 10 P.O.S.	126.3 m ²
UNIT 10 P.O.S. (rear)	25.3 m ²
Grand total	187.5 m ²

LEGEND

- = Concrete Area
- = Landscaped Area
- = Living Area
- = Garage/Carport Area
- = Garden Area
- = Permeable paving
- = Shed / Storage Area
- = Clothes Line
- = Rubbish bin storage
- = Letter Box
- = Trees and Shrubs
- = TFZ (tree protection zone)



1 FLOOR PLAN - UNIT 1-2 & 9-10
1 : 150

Draft Comps Services
ARCHITECTURAL DRAFTING & ENGINEERING SOLUTIONS
146 COBURNS ROAD, MELTON - P.O BOX 256, MELTON, VIC. 3337
Ph: 9743 3861 Fax: 9743 3489 email: plans@draftcomps.com.au

DRAWN	AR
CHECKED	Ted Lord
Building Practitioners Board Reg No DP - AD1195	

PROPOSED: Unit Development
ISSUE DATE: 12 December, 2022
ISSUE STATUS: Town Planning - Not for Construction

FOR: A & B Developments
AT: No. 3 (Lot 1) Somerville Lane, Riddells Creek, 3431

SHEET SIZE: A2	SHEET NO: TP06.1
JOB NO: 21149	REVISION: A

11/03/2023 11:25:12 AM
All plans and design notes are copyright in Draft Comps Services Pty Ltd and must not be reproduced

AREA SCHEDULE (UNIT 3)		
Name	Area	Squares
GROUND FLOOR	111.7 m ²	12.0
PORCH	2.2 m ²	0.2
GARAGE	42.5 m ²	4.6
Grand total	156.4 m ²	16.8

PRIVATE OPEN SPACE SCHEDULE (UNIT 3)		
Name	Area	Squares
UNIT 3 S.P.O.S.	26.2 m ²	2.8
UNIT 3 P.O.S. (rear)	28.9 m ²	3.1
UNIT 3 P.O.S. (rear)	23.8 m ²	2.6
Grand total	78.9 m ²	8.5

AREA SCHEDULE (UNIT 4)		
Name	Area	Squares
GROUND FLOOR	111.1 m ²	12.0
PORCH	2.2 m ²	0.2
GARAGE	42.5 m ²	4.6
Grand total	156.4 m ²	16.8

PRIVATE OPEN SPACE SCHEDULE (UNIT 4)		
Name	Area	Squares
UNIT 4 S.P.O.S.	26.2 m ²	2.8
UNIT 4 P.O.S. (rear)	44.9 m ²	4.8
UNIT 4 P.O.S. (rear)	15.5 m ²	1.7
Grand total	89.6 m ²	9.7

AREA SCHEDULE (UNIT 5)		
Name	Area	Squares
GROUND FLOOR	120.6 m ²	13.0
GARAGE	35.7 m ²	3.8
PORCH	4.2 m ²	0.5
Grand total	160.5 m ²	17.3

PRIVATE OPEN SPACE SCHEDULE (UNIT 5)		
Name	Area	Squares
UNIT 5 S.P.O.S.	25.5 m ²	2.7
UNIT 5 P.O.S. (rear)	34.5 m ²	3.7
UNIT 5 P.O.S. (rear)	58.0 m ²	6.2
Grand total	117.9 m ²	12.6

AREA SCHEDULE (UNIT 6)		
Name	Area	Squares
GROUND FLOOR	120.6 m ²	13.0
PORCH	4.2 m ²	0.4
GARAGE	35.7 m ²	3.8
Grand total	160.5 m ²	17.3

PRIVATE OPEN SPACE SCHEDULE (UNIT 6)		
Name	Area	Squares
UNIT 6 S.P.O.S.	25.5 m ²	2.7
UNIT 6 P.O.S. (rear)	58.0 m ²	6.2
UNIT 6 P.O.S. (rear)	36.1 m ²	3.9
Grand total	119.6 m ²	12.8

AREA SCHEDULE (UNIT 7)		
Name	Area	Squares
GROUND FLOOR	115.2 m ²	12.4
PORCH	3.4 m ²	0.4
GARAGE	38.2 m ²	4.1
Grand total	156.8 m ²	16.9

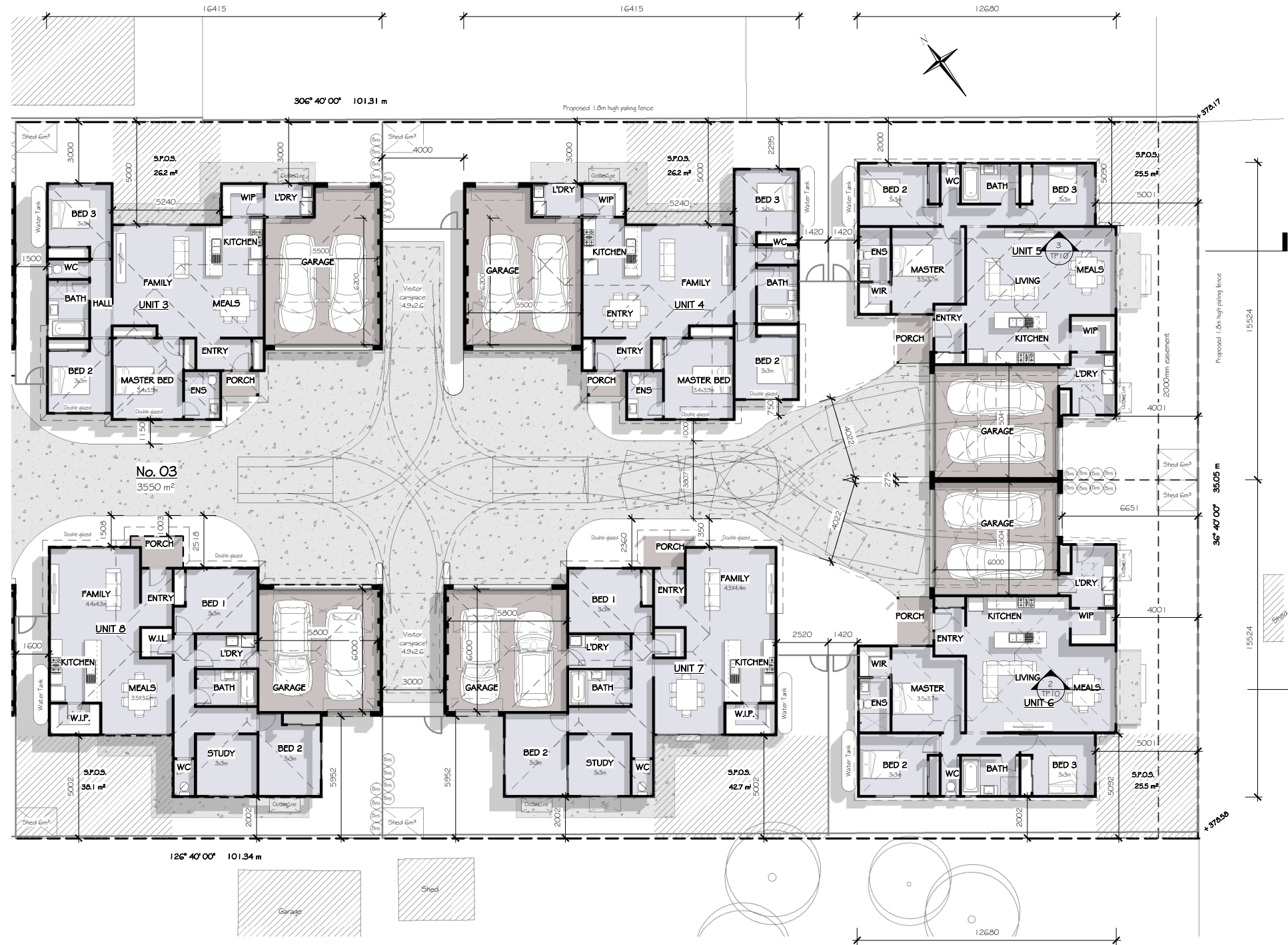
PRIVATE OPEN SPACE SCHEDULE (UNIT 7)		
Name	Area	Squares
UNIT 7 S.P.O.S.	42.7 m ²	4.6
UNIT 7 P.O.S. (rear)	10.0 m ²	1.1
UNIT 7 P.O.S. (rear)	50.0 m ²	5.4
Grand total	102.7 m ²	11.1

AREA SCHEDULE (UNIT 8)		
Name	Area	Squares
GROUND FLOOR	115.2 m ²	12.4
PORCH	3.4 m ²	0.4
GARAGE	38.2 m ²	4.1
Grand total	156.8 m ²	16.9

PRIVATE OPEN SPACE SCHEDULE (UNIT 8)		
Name	Area	Squares
UNIT 8 S.P.O.S.	38.1 m ²	4.1
UNIT 8 P.O.S. (rear)	32.2 m ²	3.5
UNIT 8 P.O.S. (rear)	9.4 m ²	1.0
Grand total	79.7 m ²	8.6

LEGEND

- = Concrete Area
- = Landscaped Area
- = Living Area
- = Garage/Carport Area
- = Garden area
- = Permeable paving
- = Shed / Storage Area
- = Clothes Line
- = Rubbish bin storage
- = Letter Box
- = Trees and Shrubs
- = TPZ (tree protection zone)



1 FLOOR PLAN - UNIT 3-8
1:150

Draft Comps Services
ARCHITECTURAL DRAFTING & ENGINEERING SOLUTIONS
146 COBURNS ROAD, MELTON - P.O BOX 256, MELTON, VIC. 3337
Ph: 9743 3861 Fax: 9743 3489 email: plans@draftcomps.com.au

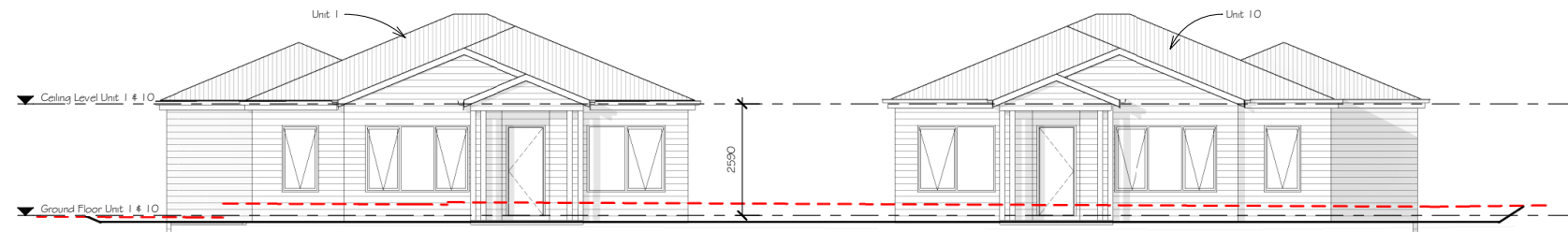
DRAWN	AR
CHECKED	Ted Lord
Building Practitioners Board Reg No DP - AD1195	

PROPOSED: Unit Development
ISSUE DATE: 12 December, 2022
ISSUE STATUS: Town Planning - Not for Construction

FOR: A & B Developments
AT: No. 3 (Lot 1) Somerville Lane, Riddells Creek, 3431

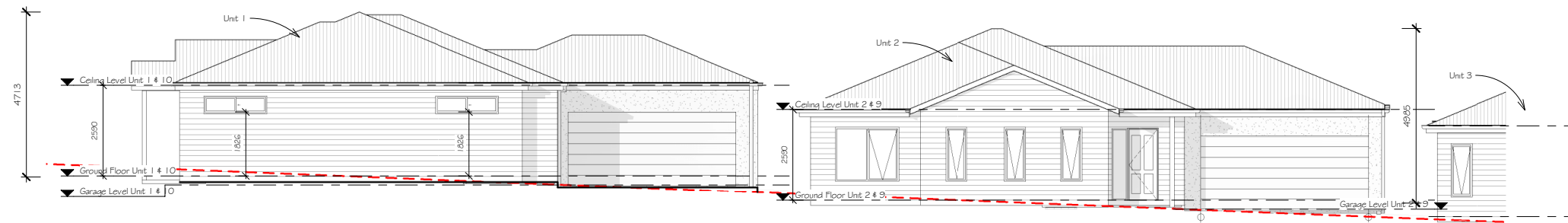
SHEET SIZE: A2	SHEET NO: TP06.2
JOB NO: 21149	REVISION:

filed: 1/03/2023 11:25:14 AM
All plans and design notes are copyright in Draft Comps Services Pty. Ltd. and must not be reproduced.

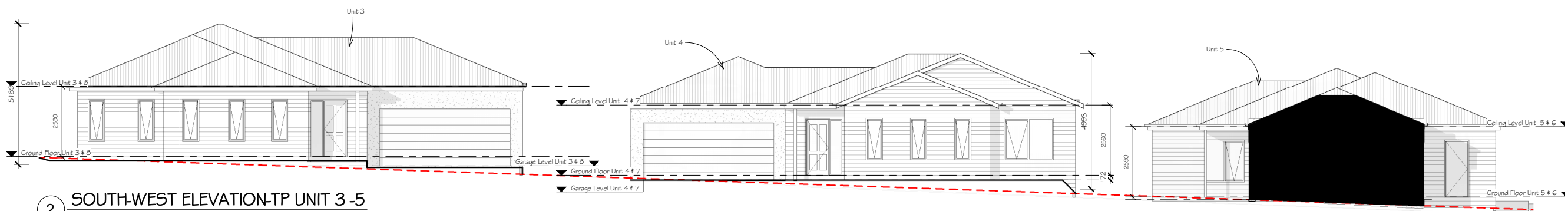


COLOURS AND MATERIALS SCHEDULE		
Roof	- Colorbond	- Ironstone
Fascia	- Steel	- White
Gutter	- Steel	- Ironstone
Cladding	- Brick	- Raven (advanced)
	- W/Board (James Hardie Primeline)	- Shale grey
Windows	- Aluminum	- White
Front door	- Timber	- Ironstone
Garage door	- Aluminum	- Shale grey
Driveway	- Concrete	- Charcoal

3 NORTH-WEST ELEVATION - UNIT 1 - 10
1 : 100

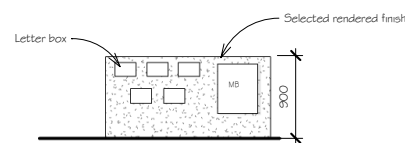
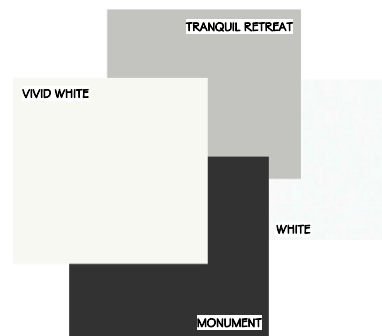


4 SOUTH-WEST ELEVATION-TP UNIT 1 -2
1 : 100



2 SOUTH-WEST ELEVATION-TP UNIT 3-5
1 : 100

COLOURS AND MATERIALS SCHEDULE		
Roof	- Colorbond	- Monument
Fascia	- Steel	- Monument
Gutter	- Steel	- Monument
Cladding	- Brick Render	- Dulux - Tranquil retreat
	- WeatherBoard	- Dulux - Tranquil retreat
Windows	- Aluminum	- White
Front door	- Timber	- White
Garage door	- Aluminum	- White
Driveway	- Concrete	- Charcoal



1 LETTERBOX TYPICAL
1 : 50

Draft Comps Services
ARCHITECTURAL DRAFTING & ENGINEERING SOLUTIONS
146 COBURNS ROAD, MELTON - P.O BOX 256, MELTON, VIC. 3337
Ph: 9743 3861 Fax: 9743 3489 email: plans@draftcomps.com.au

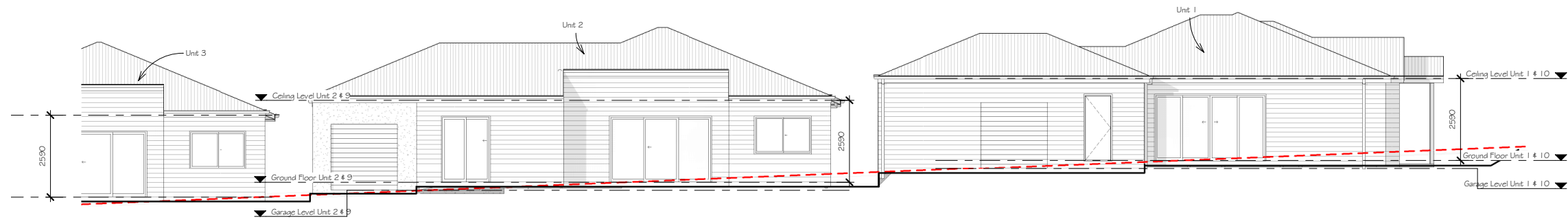
DRAWN	AR
CHECKED	Ted Lord
Building Practitioners Board Reg No DP - AD1195	

PROPOSED: Unit Development
ISSUE DATE: 12 December, 2022
ISSUE STATUS: Town Planning - Not for Construction

FOR: A & B Developments
AT: No. 3 (Lot 1) Somerville Lane, Riddells Creek, 3431

SHEET SIZE: A2	SHEET NO: TP07
JOB NO: 21149	REVISION:

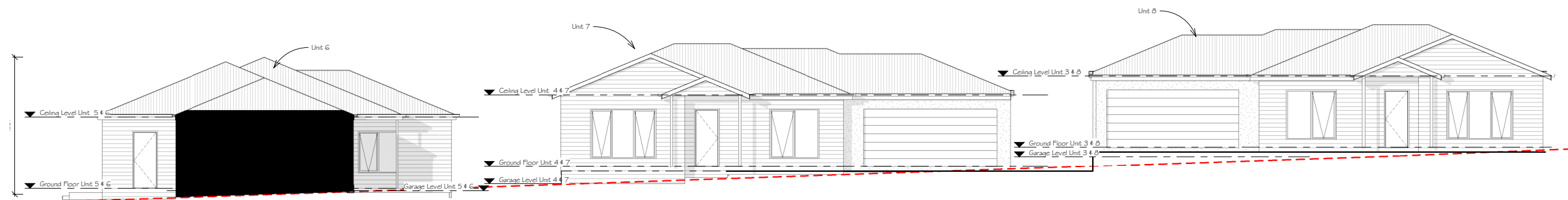
All plans and details are copyright in Draft Comps Services Pty Ltd and must not be reproduced without written permission.



3 NORTH-EAST ELEVATION - TP UNIT 1-2
1 : 100



1 NORTH-EAST ELEVATION - TP UNIT 3-5
1 : 100



2 NORTH-EAST ELEVATION UNIT 6-8
1 : 100

DraftCompsServices
ARCHITECTURAL DRAFTING & ENGINEERING SOLUTIONS
146 COBURNS ROAD, MELTON - P.O BOX 256, MELTON, VIC. 3337
Ph: 9743 3861 Fax: 9743 3489 email: plans@draftcomps.com.au

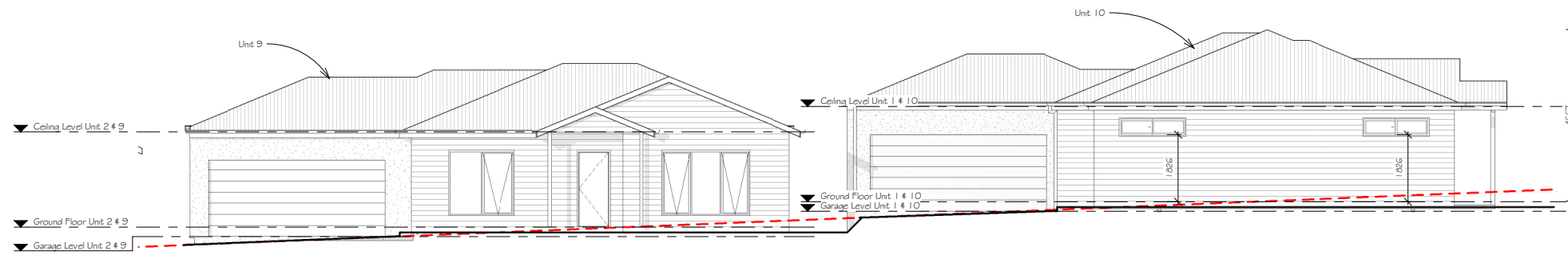
DRAWN	AR
CHECKED	Ted Lord
Building Practitioners Board Reg No DP - AD1195	

PROPOSED: Unit Development
ISSUE DATE: 12 December, 2022
ISSUE STATUS: Town Planning - Not for Construction

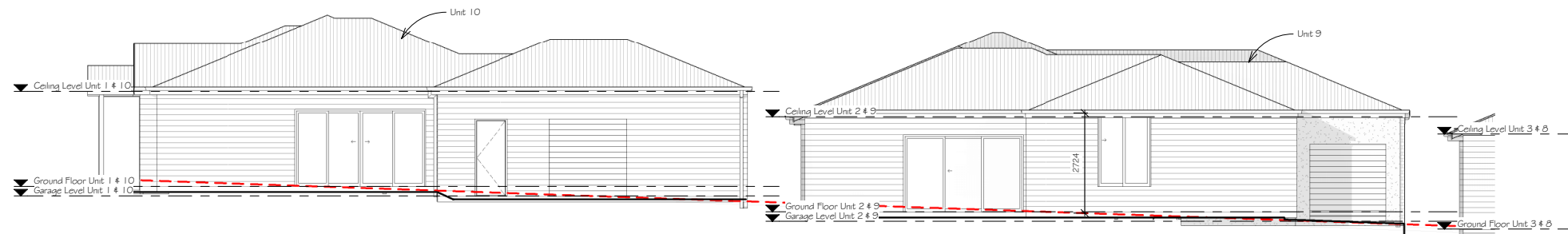
FOR: A & B Developments
AT: No. 3 (Lot 1) Somerville Lane, Riddells Creek, 3431

SHEET SIZE: A2	SHEET NO: TP08
JOB NO: 21149	REVISION:

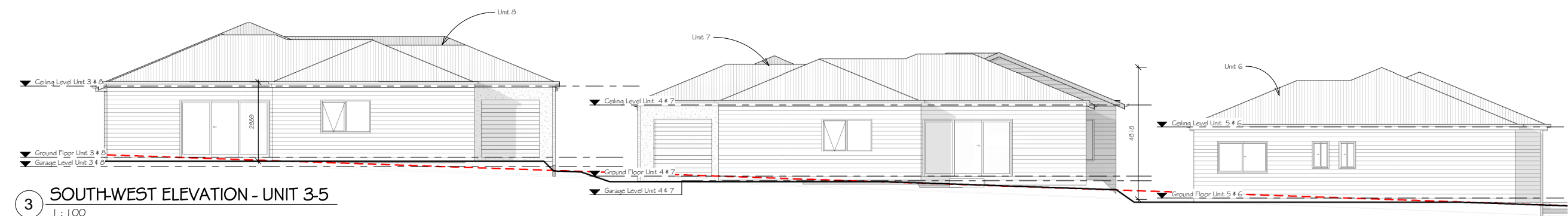
All plans and drawings are copyright in DraftComps Services Pty. Ltd. and must not be reproduced without written permission.



1 NORTH-EAST ELEVATION - UNIT 9-10
1 : 100



2 SOUTH-WEST ELEVATION UNIT 10-9
1 : 100



3 SOUTH-WEST ELEVATION - UNIT 3-5
1 : 100

DraftComps Services
ARCHITECTURAL DRAFTING & ENGINEERING SOLUTIONS
146 COBURNS ROAD, MELTON - P.O BOX 256, MELTON, VIC. 3337
Ph: 9743 3861 Fax: 9743 3489 email: plans@draftcomps.com.au

DRAWN	AR
CHECKED	Ted Lord
Building Practitioners Board Reg No DP - AD1195	

PROPOSED: Unit Development
ISSUE DATE: 12 December, 2022
ISSUE STATUS: Town Planning - Not for Construction

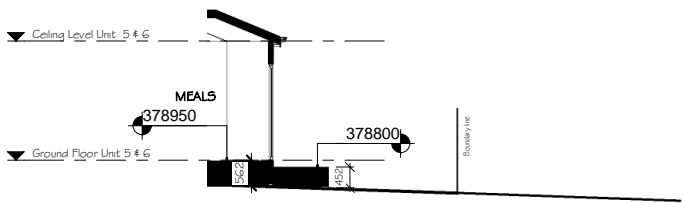
FOR: A & B Developments
AT: No. 3 (Lot 1) Somerville Lane, Riddells Creek, 3431

SHEET SIZE: A2	SHEET NO: TP09
JOB NO: 21149	REVISION:

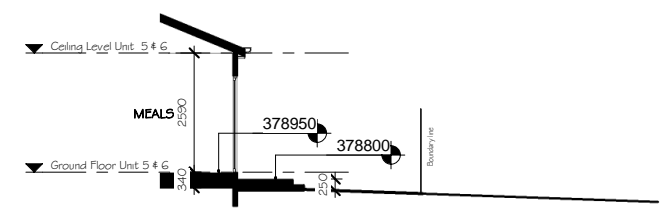
All plans and design notes are copyright in DraftComps Services Pty Ltd and must not be reproduced.
 mfb05: 1/03/2023 11:29:28 AM



1 SOUTH-EAST ELEVATION - UNIT 5 - 6
1 : 100



3 OVERLOOKING SECTION UNIT 5
1 : 100



2 OVERLOOKING SECTION UNIT 6
1 : 100

DraftCompsServices
ARCHITECTURAL DRAFTING & ENGINEERING SOLUTIONS
146 COBURNS ROAD, MELTON - P.O BOX 256, MELTON, VIC. 3337
Ph: 9743 3861 Fax: 9743 3489 email: plans@draftcomps.com.au

DRAWN	AR
CHECKED	Ted Lord
Building Practitioners Board Reg No DP - AD1195	

PROPOSED: Unit Development
ISSUE DATE: 12 December, 2022
ISSUE STATUS: Town Planning - Not for Construction

FOR: A & B Developments
AT: No. 3 (Lot 1) Somerville Lane, Riddells Creek, 3431

SHEET SIZE: A2	SHEET NO: TP10
JOB NO: 21149	REVISION:

All plans and design notes are copyright to Draft Comps Services Pty Ltd and must not be reproduced.
 final: 1/03/2023 11:29:31 AM



1 SHADOW DIAGRAM @ 9AM
1 : 250

DraftCompsServices
ARCHITECTURAL DRAFTING & ENGINEERING SOLUTIONS
146 COBURNS ROAD, MELTON - P.O BOX 256, MELTON, VIC. 3337
Ph: 9743 3861 Fax: 9743 3489 email: plans@draftcomps.com.au

DRAWN	AR
CHECKED	Ted Lord
Building Practitioners Board Reg No DP - AD1195	

PROPOSED: Unit Development
ISSUE DATE: 12 December, 2022
ISSUE STATUS: Town Planning - Not for Construction

FOR: A & B Developments
AT: No. 3 (Lot 1) Somerville Lane, Riddells Creek, 3431

SHEET SIZE:	A2
JOB NO:	21149

SHEET NO:	TP11.1
REVISION:	

All plans and design notes are copyright in DraftCompsServices Pty. Ltd. and must not be reproduced.
 I:\BOS\1\03\2023\11_29\37 AM



1 SHADOW DIAGRAM @ 10AM
1 : 250

Draft Comps Services
ARCHITECTURAL DRAFTING & ENGINEERING SOLUTIONS
146 COBURNS ROAD, MELTON - P.O BOX 256, MELTON, VIC. 3337
Ph: 9743 3861 Fax: 9743 3489 email: plans@draftcomps.com.au

DRAWN	AR
CHECKED	Ted Lord
Building Practitioners Board Reg No DP - AD1195	

PROPOSED: Unit Development
ISSUE DATE: 12 December, 2022
ISSUE STATUS: Town Planning - Not for Construction

FOR: A & B Developments
AT: No. 3 (Lot 1) Somerville Lane, Riddells Creek, 3431

SHEET SIZE: A2	SHEET NO: TP11.2
JOB NO: 21149	REVISION:

11/03/2023 11:25:43 AM
 All plans and design notes are copyright in Draft Comps Services Pty. Ltd. and must not be reproduced.



1 SHADOW DIAGRAM @ 11 AM
1 : 250

Draft Comps Services
ARCHITECTURAL DRAFTING & ENGINEERING SOLUTIONS
146 COBURNS ROAD, MELTON - P.O BOX 256, MELTON, VIC. 3337
Ph: 9743 3861 Fax: 9743 3489 email: plans@draftcomps.com.au

DRAWN	AR
CHECKED	Ted Lord
Building Practitioners Board Reg No DP - AD1195	

PROPOSED: Unit Development
ISSUE DATE: 12 December, 2022
ISSUE STATUS: Town Planning - Not for Construction

FOR: A & B Developments
AT: No. 3 (Lot 1) Somerville Lane, Riddells Creek, 3431

SHEET SIZE:	SHEET NO:
A2	TP11.3
JOB NO:	REVISION:
21149	

11/03/2023 11:25:49 AM
 All plans and design notes are copyright in Draft Comps Services Pty. Ltd. and must not be reproduced.



1 SHADOW DIAGRAM @ 12PM
1 : 250

DraftCompsServices
ARCHITECTURAL DRAFTING & ENGINEERING SOLUTIONS
146 COBURNS ROAD, MELTON - P.O BOX 256, MELTON, VIC. 3337
Ph: 9743 3861 Fax: 9743 3489 email: plans@draftcomps.com.au

DRAWN	AR
CHECKED	Ted Lord
Building Practitioners Board Reg No DP - AD1195	

PROPOSED: Unit Development
ISSUE DATE: 12 December, 2022
ISSUE STATUS: Town Planning - Not for Construction

FOR: A & B Developments
AT: No. 3 (Lot 1) Somerville Lane, Riddells Creek, 3431

SHEET SIZE:	SHEET NO:
A2	TP11.4
JOB NO:	REVISION:
21149	

All plans and design notes are copyright in DraftCompsServices Pty Ltd and must not be reproduced.
 mfb05: 1/03/2023 11:29:55 AM



1 SHADOW DIAGRAM @ 1 PM
1 : 250

DraftCompsServices
ARCHITECTURAL DRAFTING & ENGINEERING SOLUTIONS
146 COBURNS ROAD, MELTON - P.O BOX 256, MELTON, VIC. 3337
Ph: 9743 3861 Fax: 9743 3489 email: plans@draftcomps.com.au

DRAWN	AR
CHECKED	Ted Lord
Building Practitioners Board Reg No DP - AD1195	

PROPOSED: Unit Development
ISSUE DATE: 12 December, 2022
ISSUE STATUS: Town Planning - Not for Construction

FOR: A & B Developments
AT: No. 3 (Lot 1) Somerville Lane, Riddells Creek, 3431

SHEET SIZE:	SHEET NO:
A2	TP11.5
JOB NO:	REVISION:
21149	

All plans and design notes are copyright in DraftCompsServices Pty. Ltd. and must not be reproduced.
 11/03/2023 11:30:01 AM



1 SHADOW DIAGRAM @ 2PM
1 : 250

DraftCompsServices
ARCHITECTURAL DRAFTING & ENGINEERING SOLUTIONS
146 COBURNS ROAD, MELTON - P.O BOX 256, MELTON, VIC. 3337
Ph: 9743 3861 Fax: 9743 3489 email: plans@draftcomps.com.au

DRAWN	AR
CHECKED	Ted Lord
Building Practitioners Board Reg No DP - AD1195	

PROPOSED: Unit Development
ISSUE DATE: 12 December, 2022
ISSUE STATUS: Town Planning - Not for Construction

FOR: A & B Developments
AT: No. 3 (Lot 1) Somerville Lane, Riddells Creek, 3431

SHEET SIZE:	SHEET NO:
A2	TP11.6
JOB NO:	REVISION:
21149	

All plans and design notes are copyright in DraftComps Services Pty. Ltd. and must not be reproduced.
 11/03/2023 11:30:07 AM



1 SHADOW DIAGRAM @ 3PM
1 : 250

Draft Comps Services
ARCHITECTURAL DRAFTING & ENGINEERING SOLUTIONS
146 COBURNS ROAD, MELTON - P.O BOX 256, MELTON, VIC. 3337
Ph: 9743 3861 Fax: 9743 3489 email: plans@draftcomps.com.au

DRAWN	AR
CHECKED	Ted Lord
Building Practitioners Board Reg No DP - AD1195	

PROPOSED: Unit Development
ISSUE DATE: 12 December, 2022
ISSUE STATUS: Town Planning - Not for Construction

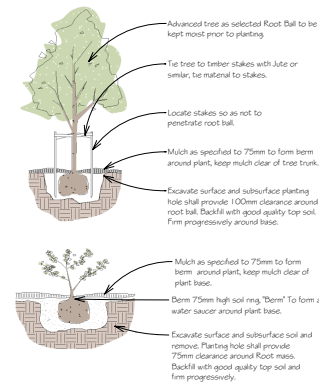
FOR: A & B Developments
AT: No. 3 (Lot 1) Somerville Lane, Riddells Creek, 3431

SHEET SIZE:	SHEET NO:
A2	TP11.7
JOB NO:	REVISION:
21149	

All plans and design notes are copyright in Draft Comps Services Pty. Ltd. and must not be reproduced.
 11/03/2023 11:30:14 AM



1 LANDSCAPE PLAN UNIT 1 - 3
1:100

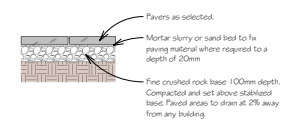


LANDSCAPE NOTES

SPECIFICATIONS: The contractor shall verify the location and depth of all services prior to commencing on site. The contractor shall be liable for any damage to services during landscape works.
PLANTING AND PLANTING: All plants are to be healthy, disease-free specimens. Over-irrigate all plant holes by at least twice the volume. Trees are to be staked outside their rootball with 3 hardwood stakes and secured with a figure-eight loop of rubber or jute webbing.
 All plants are to be watered before and after planting and during establishment period. All trees planted within lawn areas are to have a 75mm circular ring of mulch as specified.
MAINTENANCE: All garden and lawn areas are to be maintained to a high standard, including lawn mowing, pruning, fertilising, watering and weeding. Garden beds and lawn areas are to be regularly watered during the establishment period and dry spells.
SUBSTITUTIONS: Every effort has been made to specify plants and recommended pot sizes that are available from a local specialist indigenous nursery. However, if a plant is unavailable in the recommended size, the next smallest size is to be used. If a plant is not available at all, contact the Landscape Architect for a suitable substitute plant.

Legend

- Concrete area
- Barked garden bed
- Topping
- Lawn - Pennisetum clandestinum Kikuyu or Dufourea repens Kaitiaki Wood
- Permeable paving



Keycode	Type	Common Name	Mature Height	Mature Width	Count	Type Image
TREES						
Eu	Eucalyptus	Dwarf yellow gum	7000	5000	10	
SHRUBS						
Ac	Acacia cognata	Lime-light Wattle	1000	1000	36	

Keycode	Type	Common Name	Mature Height	Mature Width	Count	Type Image
GRASSES & TUSSOCK PLANTS						
Lo	Lomandra longifolia	Spry-headed Mat-rush	1000	1000	66	
Da	Phormium tenax	Bronze Baby	750	750	73	

Draft Comps Services
 ARCHITECTURAL DRAWING & ENGINEERING SOLUTIONS
 146 COLBURN ROAD, MELTON - P.O. BOX 256, MELTON, VIC. 3337
 PH: 9743 3861 FAX: 9743 3489 email: plans@draftcomps.com.au

DRAWN: AR
 CHECKED: Ted Lord
 Building Practitioners Board
 Reg No DP - AD1195

PROPOSED: Unit Development
 ISSUE DATE: 12 December, 2022
 ISSUE STATUS: Town Planning - Not for Construction

FOR: A & B Developments
 AT: No. 3 (Lot 1) Somerville Lane, Riddells Creek, 3431

SHEET SIZE: A1
 SHEET NO: TP12.1
 JOB NO: 21149
 REVISION:

09/07/2023 11:31:22 AM
 All rights reserved. No part of this document may be reproduced without the prior written consent of Draft Comps Services.



2 LANDSCAPE PLAN UNIT 3 - 5
1:100

Legend

- Concrete area
- Barked garden bed
- Topping
- Lawn - *Pteridium claudatum* Kikuyu or *Dichroa repens* Kuley Wood
- Permeable paving

Keynote	Type	Common Name	Mature Height	Mature Width	Count	Type Image
TREES						
Ep	<i>Eucalyptus laucaylon</i> Euky Dwarf	Dwarf yellow gum	7000	5000	10	
SHRUBS						
Ap	<i>Acacia copulata</i> Landtag	Landtag Wattle	1000	1000	16	

Keynote	Type	Common Name	Mature Height	Mature Width	Count	Type Image
GRASSY 4 LOOK PLANTS						
Aa	<i>Acmena smithii</i> Cherry Surprize	Cherry Surprize	2000	1500	37	
Ap	<i>Eleocharis parviflora</i>	Wandering Bush	3000	2000	21	
Cc	<i>Carex testacea</i>	Orange sedge	500	500	34	
La	<i>Lomoloma longifolia</i>	Sprynghedod Mar-rush	1000	1000	65	
Lp	<i>Pteridium claudatum</i>	Bronze Baby	750	750	73	

Draft Comps Services
ARCHITECTURAL DRAWING & ENGINEERING SOLUTIONS
146 COBURG ROAD, MELTON - P.O. BOX 256, MELTON, VIC. 3337
PH: 9743 3861 FAX: 9743 3489 email: plans@draftcomps.com.au

DRAWN	AR	PROPOSED:	Unit Development
CHECKED	Ted Lord	ISSUE DATE:	12 December, 2022
Building Practitioners Board Reg No DP - AD1195		ISSUE STATUS:	Town Planning - Not for Construction

FOR: A & B Developments
AT: No. 3 (Lot 1) Somerville Lane, Riddells Creek, 3431

SHEET SIZE:	A1	SHEET NO.:	TP12.2
JOB NO.:	21149	REVISION:	

08/07/2023 11:26:06 AM
 All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Draft Comps Services Pty Ltd.



PO Box 256, Melton, Victoria 3337
 Phone: (03) 9743 3861
 Fax: (03) 9743 3489
 Email: plans@draftcomps.com.au
 Office: 146 Coburns Road, Melton
 www.draftcomps.com.au

TOWN PLANNING SUBMISSION AND COMPLIANCE STATEMENT

AGAINST CLAUSE 55 OF THE VICTORIAN PLANNING PROVISIONS

(RESCODE)

Advertised

PROPOSED UNIT DEVELOPMENT

No. 3 (Lot 1) Somerville Lane, Riddells Creek

FOR

A & B Developments Pty Ltd

Prepared by:	Fiona Pettett
Date:	12/09/2022
Released by:	Alicia Richardson
Date:	12/09/2022

MACEDON RANGES SHIRE COUNCIL
 COPYRIGHT AND DISCLAIMER INFORMATION
 This copied document is made available for the sole purpose of
 enabling its consideration and review as part of a planning process
 under the Planning and Environment Act 1987.
 The document must not be used for any purpose which may breach
 any copyright.

Draft Comps Services Pty Ltd



TABLE OF CONTENTS

SUMMARY OF PROPOSAL 3

 PROPOSED SITE: 3

 CLIENT: 3

 DEVELOPMENT DESCRIPTION: 3

 ATTACHMENTS: 4

 ASSESSMENT SUMMARY 5

CLAUSE 55.01 - NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE 6

 CLAUSE 55.01-1 - NEIGHBOURHOOD AND SITE DESCRIPTION 6

 (NEIGHBOURHOOD RELATIONSHIP) 6

 CLAUSE 55.01-1 - NEIGHBOURHOOD AND SITE DESCRIPTION 7

 (SITE RELATIONSHIP) 7

CLAUSE 55.01-2 - DESIGN RESPONSE 9

CLAUSE 55.02 - NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE 9

 CLAUSE 55.02-1 - NEIGHBOURHOOD CHARACTER OBJECTIVES (STANDARD B1) 9

 CLAUSE 55.02-2 - RESIDENTIAL POLICY (STANDARD B2) 10

 CLAUSE 55.02-3 - DWELLING DIVERSITY (STANDARD B3) 10

 CLAUSE 55.02-4 - INFRASTRUCTURE OBJECTIVES (STANDARD B4) 10

 CLAUSE 55.02-5 - INTEGRATION WITH THE STREET OBJECTIVE (STANDARD B5) 11

CLAUSE 55.03 - SITE LAYOUT AND BUILDING MASSING 12

 CLAUSE 55.03-1 - STREET SETBACK OBJECTIVE (STANDARD B6) 12

 CLAUSE 55.03-2 - BUILDING HEIGHT OBJECTIVE (STANDARD B7) 12

 CLAUSE 55.03-3 - SITE COVERAGE OBJECTIVE (STANDARD B8) 13

 CLAUSE 55.03-4 - PERMEABILITY OBJECTIVES (STANDARD B9) 13

 CLAUSE 55.03-5 - ENERGY EFFICIENCY OBJECTIVES (STANDARD B10) 13

 CLAUSE 55.03-6 - OPEN SPACE OBJECTIVE (STANDARD B11) 14

 CLAUSE 55.03-7 - SAFETY OBJECTIVE (STANDARD B12) 14

 CLAUSE 55.03-8 - LANDSCAPING OBJECTIVES (STANDARD B13) 15

 CLAUSE 55.03-9 - ACCESS OBJECTIVES (STANDARD B14) 15

 CLAUSE 55.03-10 - PARKING LOCATION OBJECTIVES (STANDARD B15) 16

CLAUSE 55.04 - AMENITY IMPACTS 17

 CLAUSE 55.04-1 - SIDE AND REAR SETBACKS OBJECTIVE (STANDARD B17) 17

 CLAUSE 55.04-2 - WALLS ON BOUNDARIES OBJECTIVE (STANDARD B18) 17

 CLAUSE 55.04-3 - DAYLIGHT TO EXISTING WINDOWS OBJECTIVE (STANDARD B19) 18

 CLAUSE 55.04-4 - NORTH-FACING WINDOWS OBJECTIVE (STANDARD B20) 18

 CLAUSE 55.04-5 - OVERSHADOWING OPEN SPACE OBJECTIVE (STANDARD B21) 18

 CLAUSE 55.04-6 - OVERLOOKING OBJECTIVE (STANDARD B22) 18

 CLAUSE 55.04-7 - INTERNAL VIEWS OBJECTIVE (STANDARD B23) 19

 CLAUSE 55.04-7 - NOISE IMPACTS OBJECTIVES (STANDARD B24) 19

CLAUSE 55.05 – ON-SITE AMENITY AND FACILITIES 20

 CLAUSE 55.05-1 – ACCESSIBILITY OBJECTIVE (STANDARD B25) 20

 CLAUSE 55.05-2 - DWELLING ENTRY OBJECTIVE (STANDARD B26) 20

 CLAUSE 55.05-3 - DAYLIGHT TO NEW WINDOWS OBJECTIVE (STANDARD B27) 20

 CLAUSE 55.05-4 - PRIVATE OPEN SPACE OBJECTIVE (STANDARD B28) 20

 CLAUSE 55.05-5 - SOLAR ACCESS TO OPEN SPACE OBJECTIVE (STANDARD B29) 21

 CLAUSE 55.05-6 - STORAGE OBJECTIVE (STANDARD B30) 22

CLAUSE 55.06 - DETAILED DESIGN 23

 CLAUSE 55.06-1 - DESIGN DETAIL OBJECTIVE (STANDARD B31) 23

Draft Comps Services Pty Ltd

Advertised

CLAUSE 55.06-2 - FRONT FENCES OBJECTIVE (STANDARD B32) 23

CLAUSE 55.06-3 - COMMON PROPERTY OBJECTIVE (STANDARD B33) 24

CLAUSE 55.06-4 - SITE SERVICES OBJECTIVE (STANDARD B34)..... 24

SCHEDULE 8 TO CLAUSE 32.09 – NEIGHBOUR RESIDENTIAL ZONE (NRZ8) 25

1.0 NEIGHBOURHOOD CHARACTER OBJECTIVE 25

2.0 MINIMUM SUBDIVISION AREA 26

3.0 PERMIT REQUIRED FOR THE CONSTRUCTION OR EXENTION OF ONE DWELLING ON A LOT. 26

4.0 . REQUIREMENTS FOR CLAUSE 54 AND 55 26

5.0 . MAXIMUM BUILDING HEIGHT REQUIREMENT FOR A DWELLING OR RESIDENTIAL BUILDING 28

6.0 .APPLICATION REQUIREMENTS 28

7.0 .DESIGN GUIDELINES 28

Draft Comps Services Pty Ltd

Advertised

SUMMARY OF PROPOSAL

PROPOSED SITE:

No. 3 (Lot 1) Somerville Lane
Riddells Creek 3431

CLIENT:

A & D Developments

DEVELOPMENT DESCRIPTION:

Site details

The subject site is located in Somerville Lane, Riddell’s Creek. The site is located within Neighbourhood Residential Zone 8 (NRZ8) and Schedule to the General Residential Zone – Schedule 1 under the Macedon Ranges Planning Zones.

According to the Macedon Ranges planning scheme under clause 16, planning should provide for housing diversity and ensure the efficient provision of supporting infrastructure, new housing should have access to all services and housing should provide land for affordable housing.

With the site located within Neighbourhood Residential Zone 8 (NRZ8); the site needs to retain streetscapes, provide consistent pattern of detached dwellings, providing housing development on sites that are located to nearby local infrastructure.



Satellite image of proposed site sourced from Nearmap.

Draft Comps Services Pty Ltd**Advertised*****Development details***

It is proposed to remove all existing dwellings and structures on site for the construction of the proposed development. It is proposed to develop the site into a ten (10) dwelling unit development. The proposed units will comprise of three (3) bedrooms, double lock-up garages, porches, single open plan living and two (2) bathrooms. Construction methods proposed will be colour bond pitched roofing, weatherboard and brick veneer walls, with aluminium framed windows with a contemporary style. Multiple façade designs are proposed to provide a variance in dwelling appearances from the shared crossover. The total proposed building area is 1563 square metres.

The subject site measures approximately 3550 square metres in total area with a north-west street frontage along Somerville Lane. The site has existing timber paling boundary fencing to its side and rear boundary, steel picket front fencing, with an existing dirt crossover connecting the site to the road. The existing crossover, front and boundary fences will be removed, with a new crossover proposed for the subject site, to be located in the centre of the nature strip. New side and rear boundary fences are proposed to be 1.8m high timber paling fences.

Unit 1 and unit 10 are proposed to have a Somerville Road facing frontage from the porches, with the garages to be placed to the rear of each dwelling. Units 2-5 will be located behind unit 1, with units 6-9 located behind unit 2. The proposed crossover at the front of the site is proposed to have a driveway connected to it, following through the middle of the site, which will veer off to each individual double lock up garage, as well as two visitor car spaces on site. Due to the number of dwellings proposed for the site, bicycle storage is also proposed to be located along the wall of unit 10 which faces to shared accessway/driveway.

Due to the site's orientation, Units 1-4 are proposed have been designed to have a north-east solar access to the open spaces. Units 5 and 6 are proposed to have south-east solar access to their open spaces, with units 7-10 proposed to have south-west solar access to their open spaces. Due to southern sun aspect to the secluded private open spaces (S.P.O.S.) and living areas, the proposed areas have been increased in size to accommodate for this aspect. Storage sheds have been located within secluded private open space (S.P.O.S.) to the proposed sites.

ATTACHMENTS:***Documents:***

- Copy of Title
- Plan of Subdivision
- Planning application form

Drawings:

- Sheet TP00 - Perspective Views
- Sheet TP01 - Neighbourhood & Site Description, Site Photos
- Sheet TP02 - Existing/Demolition Site Plan
- Sheet TP03 - Neighbourhood Design Response
- Sheet TP04 - Garden Area Plan
- Sheet TP05 - Floor Plan
- Sheet TP06.1 - Floor Plan
- Sheet TP06.2 - Floor Plan
- Sheet TP07 - Elevations

Draft Comps Services Pty Ltd**Advertised**

- Sheet TP08 - Elevations
- Sheet TP09 - Elevations
- Sheet TP10 - Elevations
- Sheet TP11 - Shadow Diagrams
- Sheet TP12 - Shadow Diagrams
- Sheet TP13 - Shadow Diagrams
- Sheet TP14 - Landscape Plan
- Sheet TP15 - Landscape Plan

ASSESSMENT SUMMARY

The design response for this proposal meets objectives and standards, where applicable, as required by Clause 55 of the Victorian/ Macedon planning provisions (Recode) for the development of two or more dwellings on a lot and residential buildings.

The proposal has also been addressed against Macedon Planning Scheme guidelines (although not a mandatory document, it does show an inherent outcome that the council desires to be achieved within the municipality), which achieves most objectives stipulated within this preferred character statement.

Draft Comps Services Pty Ltd

Advertised

CLAUSE 55.01 - NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

***CLAUSE 55.01-1 - NEIGHBOURHOOD AND SITE DESCRIPTION
(NEIGHBOURHOOD RELATIONSHIP)***

Pattern of development of the neighbourhood.

Riddells Creek is a small town located north-east of Gisborne. Properties near the subject site consist predominantly of residential buildings that appear to have been constructed between 1970s – 1990s, with new unit developments popping up within this street and nearby area.

There are a number of residential dwellings within Somerville Lane; consisting of numerous types of construction materials, predominantly weatherboard housing of dark and light colours employed. Roof pitches are pitched approximately 22.5°. Somerville Lane is filled with dwellings with tiled or colorbond roofing, coloured in light and dark shades predominantly employed. There are a wide variety of styles and treatments within the neighbourhood with a few themes constant.

Somerville Lane has electricity poles above ground with the light poles. Street setbacks within the area are ranging from approximately 3.6m-15.7m. Majority of nature strips and front yards are combined together along Somerville Lane, which are populated with large mature trees. Landscaped front gardens are shown to be predominant in Somerville Lane to provide an attractive look to each development and providing privacy from the street setting. Surrounding dwellings have secluded private open spaces to the rear of their respective properties and are landscaped using plants, shrubs, trees and grassed areas. Private open spaces are predominantly made up of permeable areas. These areas are landscaped with vegetation.

There are multiple dwelling unit developments nearby; 1, 2, 39 Somerville Lane, 3, 7, 27, 29, 34, 39-41, 57-59, 61, 71 Mahoney's Road, 3-5 Stephen Street, 24 Sutton Street, 2 Larter Court, 2 Egan Court, and 18 Hamilton Street.

Built form, scale and character of surrounding development including front fencing.

The neighbourhood character has a predominance of single storey small to medium housing, with frontal setbacks consisting of 3.6m-15.7m. There is a wide variety of single garage and double garage housing. The existing front steel picket fencing on the site will be removed for the construction of the proposed development. Front fences are uncommon within the area. Side fences are predominantly timber in Somerville Lane and are approximately 1.6m -2m high along the boundary lines.

Architectural and roof styles.

The surrounding architectural and roof styles consists of simple contemporary designs with simple pitched roof forms. Construction forms are predominately brick veneer and weather board construction with some forms of render articulation, simple façade lines with minor articulation. There is a mixture of attached and detached porch structures to facades with a common approach to no eaves to roof forms. Roofs are commonly tiled or colorbond pitch designs with an approximate roof pitch of 22.5 degrees in darker tones.

Other notable features or characteristics of the neighbourhood.

There are no other notable feature or characteristics of the neighbourhood.

Draft Comps Services Pty Ltd

Advertised

**CLAUSE 55.01-1 - NEIGHBOURHOOD AND SITE DESCRIPTION
(SITE RELATIONSHIP)**

Site shape, size orientation and easements.

The proposed site is rectangular in shape. The site title boundaries lines are dimensioned as follows; the north-west (front) boundary and south-east (rear) boundary are approximately 30.55m. The north-east and south-west (side) boundaries are approximately 101.34m. The site area equates to 3550 square metres, with a 2 metres easement running along the rear boundary line. Surrounding sites within the neighbourhood character consist of a mixture of narrow unit development sites (approx. 10m frontages) to medium sites consisting frontages with more than one crossover.

Levels of the site and the difference in levels between the site and surrounding properties.

Levels were taken into consideration and the proposed finished floor levels of the units and garages set down appropriately to make efficient use of the land and contours. Levels are shown on drawing sheets TP05

The location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.

All existing dwellings and structures on site will be removed for the construction of the proposed development. The properties adjoining the subject site are single storey dwellings. Drawing sheet TP01 contains photographs showing the current adjoining sites, along with a Neighbourhood and Site Description layout to define surrounding properties.

The use of surrounding buildings.

All surrounding buildings are for residential use only; there are no other uses within the surrounding area.

The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.

There are no existing habitable windows facing the proposed development from the surrounding sites that will be affected by the proposal. All adjoining properties are separated from the site by 1.8m high timber fences and will not be affected by the proposed development.

As shown on the Neighbourhood Design Response on drawing sheet TP03, no private open spaces will be affected by the proposed development. The proposed site is not elevated and of single storey construction, therefore the proposed development will not be subject to overlooking of any surrounding properties. As shown on the Design Response plan on drawing sheet TP03 and Floor Plan on sheet TP04 and TP05, neither private open spaces nor habitable windows will be affected by the proposed development.

Solar Access to the Site and to Surrounding Residents.

Each unit has been designed to have large northern habitable windows where possible. As the proposed development is of single storey construction, solar access to surrounding residents will not be affected by the unit development.

The attached drawing sheet TP11 to TP13 diagrammatically shows the casting shadows projected by the proposal, as such they do not project any further than the perimeter fencing shadows indicating that the proposal does not impact its surrounding.

Draft Comps Services Pty Ltd**Advertised***Location of significant trees existing on the site and any significant trees removed from the site 12 months prior to the application being made, where known.*

As depicted on drawing sheet TP02, trees will need to be removed for the construction of the proposed unit development. Two mature trees within the nature strip will remain untouched. No trees have been removed in the past 12 months prior to this application being made, to our knowledge.

Any contaminated soils and filled areas, where known.

There are no known contaminated soils or soil filled areas on this site.

Views to and from the site.

There are no significant views towards or from the subject site which the proposal would hinder or need to consider. The subject site is within an established street within a predominantly older housing area, with new unit development starting to be constructed nearby; the surrounding land is moderately sloped with no perimeter views.

The existing mesh front fencing on the site will be removed for the construction of the proposed development, with no new fencing proposed; to provide an open look to the unit development, as such the development will be harmonious to its surroundings and within neighbourhood character. Drawing sheet TP01 depicts views to and from the site.

Street frontage features such as poles, street trees and kerb crossovers.

Somerville Lane have lawns that typically extend from the front of the property and connect onto the nature strip, which then extends to the road. The existing crossover connected to the site will be removed, with a new concrete crossover proposed for the unit development, which will be located to the centre of the nature strip.

Drawing sheets provided shows views to and from the site and notates all features.

The location of local shops, public transport services and public open spaces within walking distance.

Somerville Lane is a relatively quiet street within the petite town of Riddells Creek, with main roads and highways at a short distance*. Some of which include Kilmore Road (1.2km), Sutherlands Road (650).

A full range of shopping facilities are located in Riddles Creek with a shopping strip located close to the site on Main Road, Riddles Creek. Riddells Creek has one primary school which is located a short distance from the subject site, sporting facilities available to the rear of the school within Riddles Creek Recreation Reserve, as well as Tree Tops Scout Group located 1.6km from the subject site.

Riddell's Creek has a train station which runs along the Bendigo Line and provides the town with services to Melbourne's Southern Cross Station. The train station is located 1 kilometre from the subject site.

*All distances are approximate and have been obtained from www.googlemaps.com.au

Any other notable features or characteristics of the site.

There are no other notable site features that need to be considered.

Draft Comps Services Pty Ltd

Advertised

CLAUSE 55.01-2 - DESIGN RESPONSE

General Description

The design response has been undertaken to formally translate, the identification of the site features and constraints and the derivation of site influences into a site layout, which has been assessed in regard to both the existing neighbourhood character and the individual standards of Clause 55 of the planning provisions (ResCode).

There are a variety of issues that have been identified, which the design response must address. The most critical of these include;

- The location of the site
- The character of the neighbourhood
- The general abuttal's which occur to adjoining property
- The location of community services and facilities
- The prevailing character of the precinct

Through the design response it has been confirmed that the proposal fully complies with every standard of ResCode.

CLAUSE 55.02 - NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE

CLAUSE 55.02-1 - NEIGHBOURHOOD CHARACTER OBJECTIVES (STANDARD B1)

Objective

- *To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.*
- *To ensure that the development responds to the features of the site and the surrounding area.*

Design Response

The proposed development reflects a well-established design response in terms of material usage and general configuration. The proposed development is generally consistent with the neighbourhood character, weatherboard dwellings, with a brick veneer garages. Colorbond roofing is proposed to be pitched at 22.5° to be similar to the surrounding dwellings located within Somerville Lane. The immediate neighbourhood has a combination of tiled and colorbond roofing with dark and medium shades being the existing colours employed.

In keeping with the neighbourhood character, it is proposed for 1.8m high timber paling fencing to separate the proposed dwellings, as well as around the subject site. Storage sheds for the unit developments will be located within the secluded private open spaces.

The proposed development with its contemporary design is able to make a positive statement to the neighbourhood character and amenity. Council has registered the site in NRZ8, which will be addressed through this Rescode.

A unit development on the adjoining property at 1 Somerville Lane has recently been granted a building permit, which provides a similar street setback, with 5 single storey units following along the length of the site.

The proposal complies with Standard B1.

Draft Comps Services Pty Ltd

Advertised

CLAUSE 55.02-2 - RESIDENTIAL POLICY (STANDARD B2)

Objective

- To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.

Design Response

The proposed development complies with the State Planning Policy Framework, in particular section 16 for medium density housing as follows:

- The neighbourhood character is respected, as the development does not negatively impose on the streetscape.
- The choice of housing is improved as each unit will have 3 bedrooms.
- The proposed development will make for more efficient use of the site and the local infrastructure, as ten (10) families are accommodated on one site, otherwise ten separate sites would be required.
- Energy efficiency is improved with the proposed development, as the energy and resources required to build small units is far less than that for larger dwellings.
- The proposed development will allow for more diverse affordable option.
- The proposed development will be able to achieve the required 6-star rating.

The proposal complies with Standard B2.

CLAUSE 55.02-3 - DWELLING DIVERSITY (STANDARD B3)

Objective

- To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Design Response

With 10 dwellings proposed for the subject site, the proposal is required to have a range of difference in dwellings to avoid repeating a dwelling design. As shown on the Elevations on Sheets TP07-TP10 multiple facades have been designed in order to distinguish each dwelling separately. This is to provide individual appearances for each dwelling for the shared accessway/driveway. Garden beds are shown to provide separation from each dwelling to the shared accessway/driveway to definition to each dwelling.

The proposal complies with. Standard B3

CLAUSE 55.02-4 - INFRASTRUCTURE OBJECTIVES (STANDARD B4)

Objective

- To ensure development is provided with appropriate utility services and infrastructure.
- To ensure development does not unreasonably overload the capacity of utility services and infrastructure.

Draft Comps Services Pty Ltd**Advertised*****Design Response***

The proposed development will have sewerage, storm water drainage, water, electricity and gas connected to the site. The storm water system will be designed by a qualified engineer shall it be deemed required. Telephone/ NBN connection will also be provided. All social and community facilities are available within a relatively close proximity to the development. The development is well within the expected sizing for the sub division and will not have any excess demands on infrastructure over what has been anticipated, it is also common to previous surrounding developments which have been granted.

The proposal complies with Standard B4.

CLAUSE 55.02-5 - INTEGRATION WITH THE STREET OBJECTIVE (STANDARD B5)***Objective***

- To integrate the layout of development with the street.

Design Response

Unit 1 and unit 10 s facades are proposed to face the street boundary. Unit 2 to unit 5 are proposed to follow behind unit 1, with unit 6-9 to follow behind unit 10. The existing crossover will be removed, with the proposal of a new crossover for the subject site to be located at the centre of the nature strip. Due to the existing crossover being created by dirt, it can be filled in with more landscaping if required by council.

The new crossover located to the middle of the site is proposed to be 3 metres wide and of concrete construction. A driveway proposed to connect to the crossover and follow along the middle of the site, which will veer off to each unit double lock up garage, as well as a visitor's car spaces, which is proposed to be located along unit 3 and 8's double lock up garage.

Each porch entry for units 2 to 9 have been designed to face towards the proposed shared driveway. Each unit will have access to the street from their relevant car space, which is attached to the relevant dwelling. To provide an attractive look to the driveways, flowerbeds and garden beds are proposed to be planted along each dwelling, which is shown on landscape plan on the relevant drawing sheet. There are no nearby public open spaces which need to be addressed by the design, and no character towards front fences. Housing is generally open landscaped frontages addressing the street lines with low setbacks.

The proposal complies with Standard B5.

Draft Comps Services Pty Ltd

Advertised

CLAUSE 55.03 - SITE LAYOUT AND BUILDING MASSING

CLAUSE 55.03-1 - STREET SETBACK OBJECTIVE (STANDARD B6)

Objective

- To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

Design Response

The neighbourhood character of the Somerville Lane has a mixture of 3.3m to 15.76m street setbacks, this is reflected throughout the majority of the neighbourhood character. There are no requirements stipulated within the schedules to the planning zoning for a specified setback requirement, as such the common average setback takes precedence. The adjoining site to the north-east has an existing front setback of 13.033 metres and the property located to the south-west has an existing frontal setback of approximately 16.43 metres.

Recently, a planning permit has been approved for 1 Somerville Lane for a 5-unit single storey development. The proposal for the adjoining property will have a proposed street setback of 7.9 metres from the porch of unit 1, with a proposed 9 metres from the dwelling.

Unit 1 and unit 10 for the proposed subject site have been designed for their facades to be street facing. Unit 1 is proposed to have a frontal setback of 9m from the proposed dwelling, with unit 10 proposed to be placed 9.01m-9.03m from the street setback. The porch for both unit 1 and 10 is proposed to be set slightly forward from each dwelling, to provide a variance in street setbacks and avoiding any bulk look to the streetscape for the units. Unit 2 to unit 9 are setback at a significant distance from the street boundary as they are located to the rear of unit 1 and unit 10.

From a visually pleasing perspective and consistency with the neighbourhood character, the layout of the dwellings on site meets the objectives for street setback. The layout utilised within the design response provides for very efficient use of the site.

The proposal complies with Standard B6.

CLAUSE 55.03-2 - BUILDING HEIGHT OBJECTIVE (STANDARD B7)

Objective

- To ensure that the height of buildings respects the existing or preferred neighbourhood character.

Design Response

The character of the street is single storey residences with low overall building heights located on a relatively flat surface. There are no specified overall building heights within the planning zone schedule, thus a maximum overall building height of nine (9) metres will be required.

Due to the slope to the site, the approximate overall building height for the unit development is 4.713 for unit 1, 4.985m for unit 2, 5.189m for unit 3, 4.993m for unit 4 and 4.81m for unit 5, 4.98m for unit 6, 4.991m for unit 7, 5.167m for unit 8, 4.96m for unit 9 and 4.66m for unit 10. The building height is consistent with the surrounding residences within

Draft Comps Services Pty Ltd

Advertised

the surrounding area, and as such no section of the proposal will exceed the overall building height of nine metres above natural surface ground level.
The proposal complies with Standard B7.

CLAUSE 55.03-3 - SITE COVERAGE OBJECTIVE (STANDARD B8)

Objective

- To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

Design Response

The site area is approximately 3550 square metres with a total building area of approximately 1563 square metres. This gives site area coverage of approximately 44.03%, which is within the limit set by the ResCode standard.

There are no other policy requirements with respect to site coverage, constraints imposed by existing development, or site features that must be accommodated within the design response. There are no other policy requirements with respect to site coverage, constraints imposed by existing development, or site features that must be accommodated within the design response.

The proposal complies with Standard B8.

CLAUSE 55.03-4 - PERMEABILITY OBJECTIVES (STANDARD B9)

Objectives

- To reduce the impact of increased stormwater run-off on the drainage system.
- To facilitate on-site stormwater infiltration.

Design Response

The site is located within an established street; as such the infrastructure of the drainage system should be designed to be adequate to cater for sites being developed on 60 percent of their site with site permeability to a 20 percent minimum under standard regulation requirements. There are no policies or schedules under the planning zones which stipulate requirements to be adhered to. As such the proposal has intended site coverage of 44.03 percent (under the allowable 60 percent) and a site permeability of 37.52a percent.

The proposal complies with Standard B9.

CLAUSE 55.03-5 - ENERGY EFFICIENCY OBJECTIVES (STANDARD B10)

Objectives

- To achieve and protect energy efficient dwellings and residential buildings.
- To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

Design Response

The proposed unit development will be analysed by a qualified energy assessor when building plans are undertaken, and an energy assessment report will be provided. The proposed construction and the general orientation of the development allows for north facing habitable windows, where practical, and will result in an energy efficient design that

Draft Comps Services Pty Ltd**Advertised**

will achieve a “six stars” rating for each unit, thus meeting the ResCode requirement. Each unit will have their secluded private open spaces located to gain northern solar access as much as conveniently possible. The proposal has been designed to address the site aspects and energy efficiency where possible whilst addressing other confining aspects with regards to site addressment and street identification.

Locations of the proposed siting positions have also taken into consideration dwellings on adjoining properties to ensure no impact or loss of northern light has occurred; this can be seen within the shadow diagrams located on the relevant drawing sheets. The blocks orientation means the shadowing of the development is minimal and contained within the site boundaries and fencing shadows.

The proposal complies with Standard B10.

CLAUSE 55.03-6 - OPEN SPACE OBJECTIVE (STANDARD B11)***Objective***

- To integrate the layout of development with any public and communal open space provided in or adjacent to the development.

Design Response

The open space within the development is proposed driveway/accessway for the proposed unit development. Unit’s 2-9 are proposed to be facing towards the shared accessway, while proposed garden beds have been designed to separate each dwelling from the concreted part of the site, which provides an attractive look to the proposed unit development.

The proposal complies with Standard B11.

CLAUSE 55.03-7 – SAFETY OBJECTIVE (STANDRD B12)***Objective***

- To ensure the layout of development provides for the safety and security of residents and property.

Design Response

Lighting will be provided for the entrance area for each unit, which will form part of each facade design. Lights will also be attached to the side of each dwelling and garage, facing the car spaces to light the area at night. The above stated lighting is provided to enhance visibility and safety at night. Lights are also proposed to face the bicycle storage and visitor car spaces, to provide visibility and safety at night. The proposal has been designed to offer good safety and security for the unit development. Although planting will be provided along the driveways, the plants and shrubs chosen are small and will not affect the driveways in anyway.

The proposal complies with Standard B12.

Draft Comps Services Pty Ltd

Advertised

CLAUSE 55.03-8 - LANDSCAPING OBJECTIVES (STANDARD B13)

Objectives

- To encourage development that respects the landscape character of the neighbourhood.
- To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.
- To provide appropriate landscaping.
- To encourage the retention of mature vegetation on the site.

Design Response

As shown on the existing/demolition plan there is existing vegetation on site. Although majority is proposed to be removed as it does not coincide with secluded private open space of the proposed units. A landscaping plan for the site is shown in the relevant drawing sheet, the landscape layout provides comprehensive details of proposed planting that are suitable for climatic and soil conditions of the area and provide low maintenance. The selection of plants respects the existing landscape character of the neighbourhood and will provide a positive contribution to the local area garden character. Landscape vegetation is proposed to be planted in secluded private open spaces and along each driveway.

To provide an attractive appearance to the unit developments streetscape, 4 Indigenous large advanced canopy trees are proposed to be planted along the street facing open spaces for units 1 and 10. With garden beds proposed along the boundary lines. The trees chosen are known to grow over 5 metres high. Grassed area is proposed to cover the remaining surface of the proposed open spaces. The trees within the open spaces of the unit development have also been chosen for habitat importance to help animals that are known within the area.

The proposal complies with Standard B13.

CLAUSE 55.03-9 – ACCESS OBJECTIVES (STANDARD B14)

Objectives

- To ensure the number and design of vehicle crossovers respects the neighbourhood character.

Design Response

The existing crossover will not be utilised by the proposed development. As the existing crossover is a dirt path, if required by council, the dirt path can be covered by a new landscaped and easily maintained grassed area.

A new concrete crossover is proposed for middle of the nature strip, which is proposed to service the entire unit development. A concrete driveway is proposed to be connected to the crossover, which will be following along the middle of the site and veer off to the relevant double lock up garage to each dwelling. This driveway will also veer off to the visitor's car parks, which are located next to unit 3 and unit 8's garages. Garden beds are proposed to divide each dwelling from the shared driveway/accessway to provide an attractive look to the concreted part of the site.

Exiting the site in a forward direction is not required as the site does not connect to a road on a Road Zone. On street car parking will not be impacted as the proposed development incorporates the required car parking spaces to each unit, which will be accessible from the

Draft Comps Services Pty Ltd**Advertised**

relevant driveway, as well as a visitor's car spaces provided midway through the shared accessway/driveway. Convenient access to the site is provided for in the design response for service, emergency and delivery vehicles.

The proposal complies with Standard B14.

CLAUSE 55.03-10 - PARKING LOCATION OBJECTIVES (STANDARD B15)***Objectives***

- To provide convenient parking for resident and visitor vehicles.
- To protect residents from vehicular noise within developments.

Design Response

The parking locations for the unit development have been designed to be reasonably close and convenient to the relevant unit, as well as allowing safe and efficient movement within the site.

Each unit is proposed to have a double lock up garage. All which are proposed to face the shared driveway/accessway, which is connected to the proposed crossover along Somerville Lane. Each garage can be accessed from their sectional lift door, rear external door or internal door. Each garage has been designed to be well ventilated, well-lit and to be close and convenient to the respective dwelling and providing a secure car space for each unit.

Visitor parking is proposed to be located next to units 3 and 8 garages, which will be well lit from proposed lighting.

Habitable windows facing the proposed accessway/driveway are proposed to be setback 1.5 metres from the driveway or to be double glazed to provide a noise buffer and with planting proposed between to provide an attractive look to the concreted part of the site.

The proposal complies with Standard B15.

Draft Comps Services Pty Ltd

Advertised

CLAUSE 55.04 - AMENITY IMPACTS

CLAUSE 55.04-1 - SIDE AND REAR SETBACKS OBJECTIVE (STANDARD B17)

Objective

- 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.

Design Response

Unit 1 to unit 5 are proposed to be placed along the north-east (side) boundary line, with northern solar access. Each garage and dwelling for units 1-4 are proposed to be setback 3 metres from the side boundary line, with unit 5 proposed to be setback 2 metres from the same boundary. A portion of units 1-4 are proposed to be setback 5 metres from the boundary line, which in turn provides sufficient open space for northern solar access to the secluded private open spaces, with large glazed sliding doors, for solar access to each family room.

The secluded private open spaces of unit 5 and 6 are proposed to be placed to the rear (south-west) of the site. Unit 5 is proposed to have a side (north-east) setback of 2 metres from the side boundary, with unit 6 proposed to have a setback of 2.0m from the south-west (side) boundary. Unit 5 and 6 are proposed to have their secluded private open space to be placed to the rear of the site, along the south-east boundary line. Each dwelling is proposed to be setback 4.001m – 5.001m from the boundary line, with each garage proposed to be setback 6.651m from the boundary line.

Unit 6-10 are proposed to be placed along the south-west (side) boundary line. Each garage and dwelling for units 7-10 are proposed to be setback 3.002 metres from the side boundary line, with unit 6s dwelling proposed to be setback a minimum of 2.0m from the same side boundary. A portion of units 6-10 are proposed to be setback 5.002 metres from the side boundary line, this provides sufficient space for secluded private open spaces, with large glazed sliding doors, for solar access to each family room.

The proposed design has taken consideration to the placement of existing adjoining dwellings and as such the proposed layout is seen to be harmonious to its surroundings and within character to the area. All setbacks are in accordance with the standard.

The proposal complies with Standard B17.

CLAUSE 55.04-2 - WALLS ON BOUNDARIES OBJECTIVE (STANDARD B18)

Objective

- 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.

Design Response

No walls on boundaries are proposed for the subject site, with the closest wall being over 1.5m from boundary line.

The proposal complies with Standard B18.

Draft Comps Services Pty Ltd

Advertised

CLAUSE 55.04-3 - DAYLIGHT TO EXISTING WINDOWS OBJECTIVE (STANDARD B19)

Objective

- To allow adequate daylight into existing habitable room windows.

Design Response

As the proposed dwellings are of single storey construction, with proposed 1.8m high timber paling fencing surrounding the subject site, no existing habitable windows will be affected by the unit development. Adjoining dwelling habitable windows have ample clearances from their associated fences allowing plenty of light sources to be retained.

The proposal complies with Standard B19.

CLAUSE 55.04-4 - NORTH-FACING WINDOWS OBJECTIVE (STANDARD B20)

Objective

- To allow adequate solar access to existing north-facing habitable room windows.

Design Response

As the proposed dwellings are of single storey construction, with proposed 1.8m high timber paling fencing surrounding the subject site, no existing north facing habitable windows will be affected by the unit development. The adjoining north facing windows to the properties located to the rear have ample setbacks from the rear fencing, along with the proposed rear setbacks.

The proposal complies with standard B20.

CLAUSE 55.04-5 - OVERSHADOWING OPEN SPACE OBJECTIVE (STANDARD B21)

Objective

- To ensure buildings do not significantly overshadow existing secluded private open space.

Design response

As the proposed dwelling is of single storey construction, with proposed 1.8m high timber paling fencing surrounding the subject site, overshadowing is not an issue within the unit development. As shown on the associated shadow diagrams enclosed within the submission, the shadows generated by the proposal fall within the constraints of the proposed site of fence shadow projections, as such there is no impact on shadowing surrounding sites.

The proposal complies with standard B21.

CLAUSE 55.04-6 - OVERLOOKING OBJECTIVE (STANDARD B22)

Objective

- To limit views into existing secluded private open space and habitable room windows.

Design Response

As the proposed dwellings are of single storey construction, with proposed 1.8m high timber paling fencing surrounding the subject site on flat site topography, overlooking is not an issue within the unit development.

Draft Comps Services Pty Ltd**Advertised**

The proposal complies with standard B22.

CLAUSE 55.04-7 - INTERNAL VIEWS OBJECTIVE (STANDARD B23)***Objective***

- To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.

Design Response

As the proposed dwellings are of single storey construction, with proposed 1.8m high timber fencing surrounding the subject site and internal division lines, internal views are not an issue within the unit development.

The proposal complies with Standard B23.

CLAUSE 55.04-7 - NOISE IMPACTS OBJECTIVES (STANDARD B24)***Objectives***

- To contain noise sources in developments that may affect existing dwellings.
- To protect residents from external noise.

Design Response

No mechanical plant will be located within the property. An air-conditioning system, if fitted, will be located where possible on each unit without disturbing other units or adjoining properties and will be the only source of noise within the property. This will have minimum impact within the development and on adjoining properties.

As the site development is situated in an already established residential area, there are not likely to be any particular noise sources from immediate adjacent properties in the future that need to be accommodated within the design response. The property is not situated near industry.

The proposal complies with Standard B24.

Draft Comps Services Pty Ltd

Advertised

CLAUSE 55.05 – ON-SITE AMENITY AND FACILITIES

CLAUSE 55.05-1 – ACCESSIBILITY OBJECTIVE (STANDARD B25)

Objective

- To encourage the consideration of the needs of people with limited mobility in the design of developments.

Design Response

The open design of the proposed units makes it suitable for easy manoeuvring for people with limited mobility, the design has considered people with limited mobility and as such steps to the front of the units have been excluded where possible. Easy modifications can be made to the units to convert small step ways to have accessible ramps.

The proposal complies with Standard B25.

CLAUSE 55.05-2 - DWELLING ENTRY OBJECTIVE (STANDARD B26)

Objective

- To provide each dwelling or residential building with its own sense of identity.

Design Response

The entranceway to each proposed dwelling can be seen from the shared driveway/accessway. Each entry is provided by a single door through the porch. Garden beds are proposed to be planted next to each porch to provide an attractive look to each unit, while separating each porch from the proposed driveway. The porch design provides shelter, a sense of personal address and a transitional space around the entry of the proposed unit.

The proposal complies with Standard B26.

CLAUSE 55.05-3 - DAYLIGHT TO NEW WINDOWS OBJECTIVE (STANDARD B27)

Objective

- To allow adequate daylight into new habitable room windows.

Design Response

All proposed habitable room windows within the development are provided with sufficient light wells in excess of the 3 square metres with a 1m minimum clear to the sky opening.

The proposal complies with Standard B27.

CLAUSE 55.05-4 - PRIVATE OPEN SPACE OBJECTIVE (STANDARD B28)

Objective

- To provide adequate private open space for the reasonable recreation and service needs of residents.

Draft Comps Services Pty Ltd

Advertised

Design Response

The proposed development provides ample usable private open space located within the site to both front and rear areas. The layout provides usable effective areas to allow the occupants ample area of open space with direct access off main living spaces and ancillary service areas.

Unit 1 has a proposed total private open space of 200 square metres located to the front and rear of the proposed site area bounded by unit 1. Out of this area, 61.1 square metres of area is proposed to be located behind fencing. The remaining is to be located within the front boundary line to provide a landscaped streetscape, as well as a small portion of garden bed to divide the dwelling from the shared accessway/driveway.

All the proposed open spaces for units 2-9 will be enclosed behind fencing to the rear of each dwelling, with the following amounts; Unit 2 has a proposed total private open space of 77.6 square metres. Unit 3 has a proposed total private open space of 78.9 square metres. Unit 4 has a proposed total private open space of 57.5 square metres. Unit 5 has a proposed total private open space of 129 square metres. Unit 6 has a proposed total private open space of 129.1 square metres. Unit 7 has a proposed total private open space of 57.5 square metres. Unit 8 has a proposed total private open space of 100 square metres located. Unit 9 has a proposed total private open space of 77.5 square metres. Not included in these totals are proposed gardens bed, which will divide each dwelling from the shared accessway/driveway. Small plants indigenous to Macedon Ranges are proposed to provide an attractive look to the concreted part of the site.

Unit 10 has a proposed total private open space of 200 square metres located to the front and rear of the proposed site area bounded by unit 1. Out of this area, 61.1 square metres of area is proposed to be located behind fencing. The remaining is located within the front boundary line to provide a landscaped streetscape, as well as a small portion of garden bed to divide the dwelling from the shared accessway/driveway.

The private open space for each unit has a minimum area of 25 square metres that has a minimum dimension of 4 metres, thus satisfying the ResCode requirement. The private open spaces to each unit are well over the 40 square metres minimum for total private open space including 25 square metre minima for secluded private open space.

Each secluded private open space has been designed with access from side gates, rear garage doors and large glazed family room sliding doors, which will maximise solar access to each living area.

The proposal complies with Standard B28.

CLAUSE 55.05-5 - SOLAR ACCESS TO OPEN SPACE OBJECTIVE (STANDARD B29)

Objective

- To allow solar access into the secluded private open space of new dwellings and residential buildings.

Design Response

Each secluded private open spaces have been designed to be located in a position to obtain maximum northern solar access. The majority of each area has direct, uninterrupted solar access as illustrated in the shadow diagrams on drawing sheet A06 and A07.

Draft Comps Services Pty Ltd**Advertised**

Due to the orientation the site, the following occurs for the proposed private open spaces; Unit 1 to unit 4 are proposed to have north-east secluded private open spaces. The proposed unit 5 and 6 have south east facing open spaces, with unit 7 to unit 10 have south-west facing secluded private open spaces due to the sites orientation not allowing for northern aspects. As such the design has considered the southern facing aspect and increased setbacks to the S.P.O.S. areas have been factored to allow for increase solar access opportunities. As shown on the shadow diagram, on the relevant drawing sheet, each open space will receive over the minimum of 5 hours of sunlight a day.

The proposal complies with Standard B29.

CLAUSE 55.05-6 - STORAGE OBJECTIVE (STANDARD B30)***Objective***

- To provide adequate storage facilities for each dwelling.

Design Response

A storage shed will be provided for each unit, as shown on the relevant drawing sheets. Each shed will be of steel construction and will be at least 6 cubic metres. These sheds will be located in each unit's secluded private open space.

The proposal complies with Standard B30.

Draft Comps Services Pty Ltd

Advertised

CLAUSE 55.06 - DETAILED DESIGN

CLAUSE 55.06-1 - DESIGN DETAIL OBJECTIVE (STANDARD B31)

Objective

- To encourage design detail that respects the existing or preferred neighbourhood character.

Design Response

The proposed development has been designed in such a way that it will be harmonious towards the surrounding dwellings and street aesthetics; with the use of weatherboard and brick veneer construction, along with pitched colourbond roofing, which can be said to be part of the neighbourhood character. The proposed units 1 and 10 is shown to have plenty of articulation along Somerville Lane frontage, with projected porches and side setbacks to accommodate for the proposed planting on the site. The use of vertical proportion windows for the appearance of further delineation along the frontages of each unit has been adopted, which further define the main frontage. This approach fits well within the neighbourhood character of the street providing an integrated approach to the adjoining sites.

Surrounding development sites ensure that the proposal will be in-keeping with the neighbourhood character, with similar unit development designed within Somerville Lane and Mahoney's Road nearby. With a large articulation of the building design positioned off front, sides and rear boundaries allows the proposal to fit within the streetscape whilst providing ample separation from each other and adjoining properties, this approach provides a final product which appears as a smaller housing site option.

Colours have been chosen to blend well within the existing neighbourhood character of the area, the construction materials chosen and attention to detail ensures that the proposed unit development will integrate satisfactorily into the neighbourhood setting. The implementation of soft landscaping to the sites frontages and small driveways helps reduce the visual bulk and provide further articulation to their frontages. Small garden beds are proposed to be planted on either side of each proposed car space to provide an attractive look to the unit development.

The proposal complies with Standard B31.

CLAUSE 55.06-2 - FRONT FENCES OBJECTIVE (STANDARD B32)

Objective

- To encourage front fence design that respects the existing or preferred neighbourhood character.

Design Response

The existing front fencing will be removed, with no new front fencing proposed. Fencing is not common to the neighbourhood character and as such no fencing is proposed to be provided to the sites frontage. By removing the front fencing, this provides an open look to the unit development, while providing more room for landscaping, to provide an attractive look to the unit development.

The proposal complies with Standard B32.

Draft Comps Services Pty Ltd

Advertised

CLAUSE 55.06-3 - COMMON PROPERTY OBJECTIVE (STANDARD B33)

Objectives

- To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.
- To avoid future management difficulties in areas of common ownership.

Design Response

The common property within the subject site will be the proposed accessway/driveway. Small, easily maintainable plants and shrubs will be planted each side of the driveway and visitor's car space to provide an attractive look to the unit development, which will be capable of efficient management for future residents.

The proposal complies with Standard B33

CLAUSE 55.06-4 - SITE SERVICES OBJECTIVE (STANDARD B34)

Objectives

- To ensure that site services can be installed and easily maintained.
- To ensure that site facilities are accessible, adequate and attractive.

Design Response

The development does not impede on the services or access to the services for maintenance purposes. Letter boxes will be located at the front of the property, besides the shared accessway/driveway and will meet the requirements of Australia Post. Bins can be located behind fencing or within garages belonging to each unit, or within the private open space or near the external side or rear doors at the occupant's discretion.

The proposal complies with Standard B34.

Draft Comps Services Pty Ltd

Advertised

SCHEDULE 8 TO CLAUSE 32.09 – NEIGHBOUR RESIDENTIAL ZONE (NRZ8)

According to the Macedon Ranges Planning Scheme, the propose site is within the Neighborhood Residential Zone NRZ8.

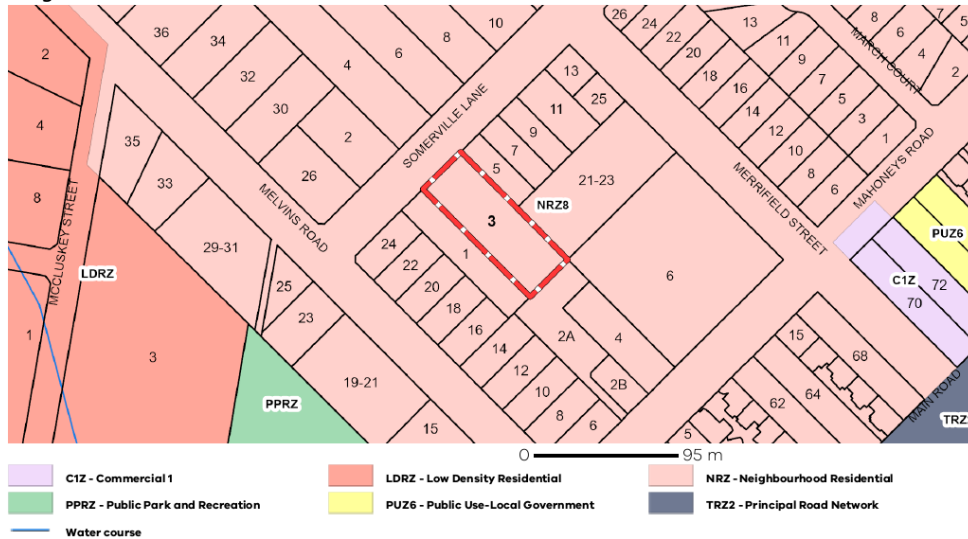


Image sourced from Vicplan

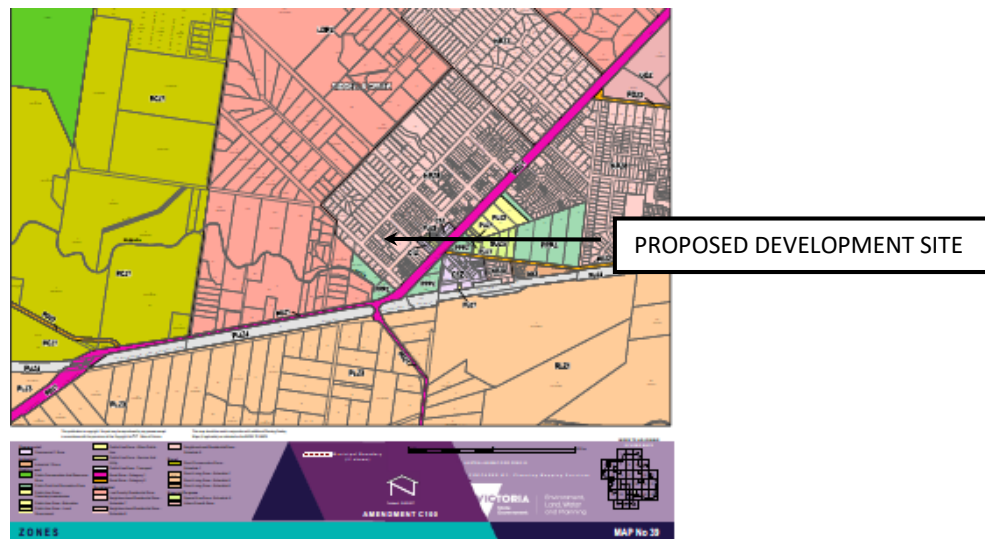


Image sourced from Macedon Planning Scheme.

1.0 NEIGHBOURHOOD CHARACTER OBJECTIVE.

To comply with the Macedon Range Planning Scheme, the proposed development site will be single storey dwellings. The design is proposed to have vegetation to all front and rear gardens. No front fencing is proposed to allow views to the proposed landscape front garden of the site.

Draft Comps Services Pty Ltd

Advertised

2.0 MINIMUM SUBDIVISION AREA.

None is specified. Therefore, the proposed site has taken other unit development sites within the neighbourhood character, to provide a similar look to established unit developments in the area, within Somerville Lane, Mahoneys Road and nearby.

3.0 PERMIT REQUIRED FOR THE CONSTRUCTION OR EXENTION OF ONE DWELLING ON A LOT.

This does not apply to the proposed.

4.0 . REQUIREMENTS FOR CLAUSE 54 AND 55

As shown on the above ResCode, the proposed development complies with Clause 55.

Specifically;

B8 – Site Coverage

The site area is approximately 3550 square metres with a total building area of approximately 1563 square metres. This gives site area coverage of approximately 44.03%, which is well within the limit set by the ResCode standard of 60% while just out of the Macedon Ranges Planning Scheme requirement of 40%.

B9 – Permeability

The proposal has intended site coverage of 44.03 percent (under the allowable 60 percent) and a site permeability of 37.52 percent. Although this is over the planning schemes recommended 30%; this site is located in an established neighbourhood, as such the infrastructure of the drainage system will be designed to be adequate to cater for the being developed on 39.3 percent of their site with site permeability to a 36.24. It is also proposed to have minimal hard surfaces keeping within the streetscape.

B13 – Landscaping

A landscaping plan for the site is shown in the relevant drawing sheets, the landscape layout provides comprehensive details of proposed planting that are suitable for climatic and soil conditions of the area and provide low maintenance. The selection of plants respects the existing landscape character of the neighbourhood and will provide a positive contribution to the local area garden character. Landscape vegetation is proposed to be planted in secluded private open spaces and along each driveway

B17 – Side & Rear Setbacks.

Macedon Ranges planning scheme states that new building should be setback 2 metres from boundary line. As shown on the proposed plans, all setbacks are proposed to be 2 metres or more to comply with guidelines.

Unit 1 to unit 5 are proposed to be placed along the north-east (side) boundary line, with northern solar access. Each garage and dwelling for units 1-4 are proposed to be setback 3 metres from the boundary line, with unit 5 proposed to be setback 2 meters from the same boundary. A portion of units 1-4 are proposed to be setback 5 metres from the boundary line, this provides sufficient space for norther solar access to the secluded private open spaces, with large glazed siding doors, for solar access to each family room.

Unit 5 and 6 are proposed to be placed to the rear of the site. Unit 5 is proposed to have a side (north-east) setback of 2 metres from the side boundary, with unit 6

Draft Comps Services Pty Ltd**Advertised**

proposed to have a setback of 2.0m from the south-west (side) boundary. Unit 5 and 6 are proposed to have their secluded private open space to be placed to the rear of the site, along the south-east boundary line. Each dwelling is proposed to be setback 4.001m – 5.001m from the boundary line, with each garage proposed to be setback 6.651m from the boundary line.

Unit 5-10 are proposed to be placed along the south-west (side) boundary line. Each garage and dwelling for units 5-9 are proposed to be setback 3.002 metres from the boundary line, with unit 6 proposed to be setback 2.0m from the same side boundary. A portion of units 5-9 are proposed to be setback 5.002 metres from the boundary line, this provides sufficient space for secluded private open spaces, with large glazed sliding doors, for solar access to each family room.

The proposed design has taken consideration to the placement of existing adjoining dwellings and as such the proposed layout is seen to be harmonious to its surroundings and within character to the area. All setbacks are in accordance with the standard.

B18 – Walls on boundaries

No walls on boundaries are proposed

B28 – Private open space

As stated in the rescode report; the proposed development provides ample usable private open space located within the site to both front and rear areas. The layout provides usable effective areas to allow the occupants ample area of open space with direct access of main living spaces and ancillary service areas.

Unit 1 has a proposed total private open space of 200 square metres located to the front and rear of the proposed site area bounded by unit 1. Out of this area, 61.1 square metres of area is proposed to be located behind fencing. The remaining is located within the front boundary line to provide a landscaped streetscape, as well as a small portion of garden bed to divide the dwelling from the shared accessway/driveway.

All the proposed open spaces for units 2-9 will be enclosed behind fencing to the rear of each dwelling; with the following amounts; Unit 2 has a proposed total private open space of 77.6 square metres. Unit 3 has a proposed total private open space of 78.9 square metres. Unit 4 has a proposed total private open space of 57.5 square metres. Unit 5 has a proposed total private open space of 129 square metres. Unit 6 has a proposed total private open space of 129.1 square metres. Unit 7 has a proposed total private open space of 57. square metres. Unit 8 has a proposed total private open space of 100 square metres located. Unit 9 has a proposed total private open space of 77.5 square metres. Not included in these totals are proposed gardens bed, which will divide each dwelling from the shared accessway/driveway. Small plants indigenous to Macedon Ranges are proposed to provide an attractive look to the concreted part of the site.

Unit 10 has a proposed total private open space of 200 square metres located to the front and rear of the proposed site area bounded by unit 1. Out of this area, 61.1 square metres of area is proposed to be located behind fencing. The remaining is located within the front boundary line to provide a landscaped streetscape, as well

Draft Comps Services Pty Ltd**Advertised**

as a small portion of garden bed to divide the dwelling from the shared accessway/driveway.

The private open space for each unit has a minimum area of 25 square metres that has a minimum dimension of 4 metres, thus satisfying the ResCode requirement. The private open spaces to each unit are well over the 40 square metres minimum for total private open space including 25 square metre minima for secluded private open space.

5.0 . MAXIMUM BUILDING HEIGHT REQUIREMENT FOR A DWELLING OR RESIDENTIAL BUILDING.

The character of the street is single storey residence with low overall building heights located on a relatively flat surface. There are no specified overall building heights within the planning zone schedule, thus a maximum overall building height of nine (9) metres will be required.

The character of the street is single storey residence with low overall building heights located on a relatively flat surface. There are no specified overall building heights within the planning zone schedule, thus a maximum overall building height of nine (9) metres will be required.

Due to the slope to the site, the approximate overall building height for the unit development is 4.713 for unit 1, 4.985m for unit 2, 5.189m for unit 3, 4.993m for unit 4 and 4.81m for unit 5, 4.98m for unit 6, 4.991m for unit 7, 5.167m for unit 8, 4.96m for unit 9 and 4.66m for unit 10. The building height is consistent with the surrounding residences within the surrounding area, and as such no section of the proposal will exceed the overall building height of nine metres above natural surface ground level.

The building height is consistent with the surrounding residences within the surrounding area, and as such no section of the proposal will exceed the overall building height of nine metres above natural surface ground level.

6.0 .APPLICATION REQUIREMENTS

This proposal shows the unit development meets all requirements for a Town planning Application

7.0 .DESIGN GUIDELINES

There are currently no design guidelines for the proposed site and therefore existing neighbourhood character has been taken into consideration when designed the proposed unit development.

9.2	PLN/2013/144/A - 26 MARSHALL AVENUE, MACEDON
Application Details:	Change of Use from Dwelling to Wellness Centre/Medical Practice (Amendment sought to add Use for a Place of Assembly (function centre) and change of hours of operation)
Officer:	Robert Wallis, Senior Statutory Planning Officer
Council Plan relationship:	3. Improve the built environment
Attachments:	<ol style="list-style-type: none"> 1. Statement of Planning Policy Assessment ↓ 2. Plans ↓ 3. Planning Report ↓
Triggers for a planning permit	Rural Living Zone – Schedule 1 (RLZ1) – Use of the Land for a Section 2 Use (Place of Assembly (Function Centre))
Zones and Overlays	Rural Living Zone – Schedule 1 (RLZ1) Bushfire Management Overlay (BMO)
No. of objectors	Nineteen (19)
Trigger for report to the Committee	Councillor Call-in
Key Considerations	The impact of non-residential uses in residential areas
Conclusion	Notice of Decision to Refuse to Grant to Amend a Permit
Date of receipt of application:	6 December 2022

Recommendation

That the Committee issues a Notice of Decision to Refuse to Grant to Amend a Permit for Planning Permit Application PLN/2013/144/A at LOT 2 LP 133259 P/Gisborne, 26 Marshall Avenue MACEDON on the following grounds:

- 1. The proposal does not comply with the objectives of Clause 11.03 (Planning for Places) of the Planning Scheme by failing to concentrate commercial entities in designated activity centres, and failing to avoid the use of the land that could undermine distinctive areas and landscapes.**
- 2. The proposal does not comply with the objectives of Clause 13.07-1S (Land Use Compatibility) by seeking to locate a function centre use in an area that will result in detrimental off-site impacts to sensitive residential uses including noise.**
- 3. The proposal does not comply with the objectives of Clause 17.02-1S (Business) by failing to locate a function centre in activity centres.**
- 4. The proposal does not comply with the objectives of Clause 21.13-6 (Macedon) which seeks to ensure that the rural and landscape character of the township is preserved.**
- 5. The proposal is inconsistent with the purpose and provisions of the Rural Living Zone and fails to appropriately manage the impact of the use on the residential properties within the Rural Living Zone and the Low Density Residential Zone.**

6. **The proposal does not comply with the decision guidelines of Clause 65.01 of the Planning Scheme with regard to the purpose of the zone, orderly planning of the area and the effect on the amenity of the area.**

Summary

The amendment to Planning Permit PLN/2013/144 seeks approval to broaden the functions of the land in conjunction with the currently operating Medical Centre (Wellness Centre) to include the Use of the subject land as a Place of Assembly (Function Centre) to accommodate two (2) large functions per year (comprising a maximum of 100 people) and ten (10) moderate sized functions a year comprising fifty (50) people.

The application was advertised. Nineteen (19) objections were received as a result of the advertising.

Key issues to be considered relate to the suitability of a Function Centre in an established rural area on the outskirts of the Macedon Township, in close proximity to established residential properties and amenity impacts.

The application has been assessed against the relevant provisions of the Macedon Ranges Planning Scheme and is found to not constitute an acceptable response to the objectives and provisions of the Planning Scheme. It is recommended that Council resolve to issue a Notice of Decision to Refuse to Grant to Amend a Permit.

Existing conditions and relevant history

Subject land

The subject site is located on the north-western corner of the intersection of Marshall Avenue and Mount Macedon Road, and is bordered by Williams Avenue to the west of the site. The land is located within the Rural Living Zone, with land to the east and west of the site being located within the Rural Conservation Zone and the Low Density Residential Zone respectively. The subject site is populated by an existing building, located in the western portion of the site, which was previously used as a residential dwelling. The building is currently used as a Medical Centre (Wellness Retreat) and has been operated as such since the grant of PLN/2013/144.

The subject site is serviced by two crossovers, one located approximately 30m from the intersection of Marshall Avenue and Mount Macedon Road, accessed via a sealed portion of the road, and one crossover located approximately 100m from the western boundary of the site. The roadway servicing this crossover is currently unsealed. The site is reasonably vegetated along the northern and western sections of the site, with additional plantings along the southern boundary forming a visual barrier from Marshall Avenue. The eastern portion of the site is grassed areas, with a small pond provided in the north-eastern corner of the site.

Surrounds

The surrounding area is an established rural residential area. Dwellings are reasonably hidden by existing vegetation and are modest in size, generally comprising single-storey dwellings with associated outbuildings. Vegetation is a dominant feature of the landscape. Dwellings are substantially screened from each other by vegetation. Land to the east of the

subject site is the existing Bolobek precinct, which operates with the benefit of existing use rights.

Roads are largely unsealed between Mount Macedon Road and McBean Avenue, which further contributes to the low-density and rural character of the area. Land sizes vary, with lots on the smaller side being roughly 900sqm in size. Larger lots of land are approximately 2 hectares in size.

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

The subject site is not burdened by any restrictions on Title.

Previous planning permit history

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

Permit No.	Description
PLN/1996/430	Construction of a Residential Dwelling - Approved
PLN/1998/791	Construction of a Verandah to an existing Dwelling - Approved
PLN/1999/190	Construction of an accessway onto Mount Macedon Road - Refused
PLN/2006/614	Construction of a Garage to an existing Dwelling - Approved
PLN/2013/144	Change of Use from Dwelling to Wellness Centre/Medical Practice and the installation of business identification signage - Approved

Proposal

The proposal seeks approval for the amendment of the existing approval (issued for Change of Use from Dwelling to Wellness Centre/Medical Practice) to incorporate a place of assembly component, to accommodate both medium and large-scale events at the subject site throughout the year.

The proposed place of assembly will have:

- A maximum of ten (10) functions a year with a maximum attendance of fifty (50) people;
- Two (2) large-scale events a year with maximum attendances of one hundred (100) people.
- The large functions will be held on either a Friday or Saturday night.
- The smaller functions will occur over across multiple days.

A summary of the proposed operating hours is provided below.

Medical Centre (Wellness Centre) - Monday to Friday 9am to 5pm:

Place of Assembly (Function Centre) – Medium Sized Functions:

Option 1	Option 2
Wednesdays 9am – 9:30pm	Fridays 5pm – 9:30pm
Thursdays 9am – 9:30pm	Saturdays 9am – 9:30pm
Friday 9am – 5pm	Sundays 9am – 5:30pm

Place of Assembly (Function Centre) – Large Sized Functions:

Option 1	Option 2
Fridays 9am – 11pm	Saturdays 11am to 11pm

The application does not include any modifications to the existing building or car parking areas.

Overflow car parking has been shown to be provided on a grassed area within the site north of the existing car parking spaces, and this is intended to be used for overflow car parking for the duration of the two (2) large events. The creation of the overflow car parking area will require the removal of small canopy trees, however the removal of these trees does not require any planning permissions

A new effluent disposal area is proposed to be constructed to adequately accommodate the additional demand on the on-site wastewater disposal system. The system is to be installed along the southern boundary of the subject site, and comprises an area of 1000 square meters.

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
11.03-3S	Peri-Urban Areas
11.03-5S	Distinctive Areas and Landscapes
12.05-1S	Environmentally Sensitive Areas
13.02-1S	Bushfire Planning
13.05-1S	Noise Management
13.07-1S	Land Use Compatibility
17.02-2S	Out of Centre Development

Local Planning Policy Framework

Clause no.	Clause name
21.02	Key Issues and Influences
21.03-2	Land Use Vision
21.03-3	Strategic Framework Plans
21.04	Settlement
21.05-2	Significant Environments and Landscapes
21.06-3	Bushfire
21.13-6	Macedon

Zoning

Clause no.	Clause name
35.03	Rural Living Zone

Overlay

Clause no.	Clause name
44.06	Bushfire Management Overlay

Particular provisions

Clause no.	Clause name
51.07	Macedon Ranges Statement of Planning Policy
52.06	Car Parking

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> ?	No
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
N/A	N/A

Authority (Section 52)	Response
MRSC Engineering	No Objection subject to Conditions
MRSC Health	No Objection subject to Conditions
MRSC Economic Development	No Objection

Advertising

Pursuant to Section 52 of the Planning and Environment Act 1987, the application was advertised by sending notices to the owners and occupiers of surrounding/adjoining land and by requiring a notice to be erected on the land for a period of 14 days.

In response to the carrying out of public notice, nineteen (19) submissions were received from nearby property owners. Submissions received broadly communicated the following concerns with the application and proposal:

- Removal of the 'dwelling' component;
- The operation of a commercial entity and a change in the quiet rural character of the area;
- Not enough sufficient detail in relation to the type of functions to be carried out;
- Comparisons to Bolobek made by the application are misleading and unreliable as a point of comparison;
- Incorrect reference in the application for access to be provided via a sealed road;
- Dust from traffic on the road will negatively impact surrounding properties;
- Issues in relation to the provision of adequate car parking;
- The use of the word 'entertainment' as part of the proposal is vague;
- The future potential use of the site of another proprietor taking advantage of a broad existing approval;
- Carrying out of functions in the evening, and the impact of evening noise generation in the rural setting;
- Additional commercial use will result in substantial environmental detriment from wastewater generation;
- The proposal will result in the devaluation of nearby properties;
- The proposal will detrimentally effect the nearby flora and fauna;
- Noise impacts from the proposed use are unreasonable;
- The view from neighbouring properties into the subject site will be disrupted by the proposal;
- The proposed use of the land results in increased bushfire risk to patrons;
- Overflow parking will be carried out within the road reserve and will impact the character and environment nearby;
- Vehicles will cause a safety hazard for nearby residents;
- The extent of public notification carried out during the application process was not satisfactory;
- The proposal will cause overlooking impacts to the property to the north and west;
- The function centre will be used for high impact events, such as weddings, and will take advantage of the maximum yield of 100 patrons;
- Spill-over from functions will impact the availability of dining opportunities in local restaurants;
- The proposal will disrupt the ability of shift workers to sleep;

- The application does not provide certainty about whether or not events will be held on weeknights or weekends;
- The application details are vague and difficult to determine explicit outcomes;
- The proposed use of the land is not compatible with the semi-rural environment.

Officer assessment

Planning and Local Planning Policy Framework:

The objective of Clause 11.03-3S is '*to manage growth in peri-urban areas to protect and enhance their identified valued attributes.*' The following strategies are of relevance to the facilitation of non-residential uses in residential areas, and the facilitation of development in the Shire's Peri-Urban areas:

- *Establish growth boundaries for peri-urban towns to avoid urban sprawl and protect agricultural land and environmental assets;*
- *Enhance the character, identity, attractiveness and amenity of peri-urban towns;*
- *Prevent dispersed settlement and provide for non-urban breaks between urban areas;*

The objective of Clause 11.03-5S is '*to recognise the importance of distinctive areas and landscapes to the people of Victoria and protect and enhance the valued attributes of identified or declared distinctive areas and landscapes.*' The following strategies are of relevance to achieve this objective, and ensure that distinctive areas and landscapes are protected and enhanced:

- *Protect the identified key values and activities of these areas;*
- *Support use and development where it enhances the valued characteristics of these areas;*
- *Avoid use and development that could undermine the long-term natural or non-urban use of land in these areas;*

The objective of Clause 12.05-1S is '*to protect and conserve environmentally sensitive areas.*' The strategy for the policy identifies the Macedon Ranges as an area of environmental conservation and recreational value. In response to the Policy, the protection of these areas and the avoidance of development that would diminish the identified significant values should be avoided.

The objective of Clause 13.02-1S is '*to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.*' Clause 13.02 further specifies that bushfire risk should be considered for use and development applications for a Place of Assembly, among other application typologies. Clause 13.02 does not trigger a referral to the relevant Fire Authority, however a Responsible Authority must consider the objectives of Clause 13.02 in its decision making.

Clause 13.02-1S contains the following relevant strategies for the adequate protection of human life and the adequate mitigation of bushfire risk:

- *Directing... development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire;*
- *Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process;*
- *Ensure the bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of future land use and development;*

- *Achieving no net increase in risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reducing bushfire risk overall;*

The objective of Clause 13.05-1S is 'to assist in the management of noise effects on sensitive land uses'. Clause 13.05-1S seeks to ensure that development is not prejudiced and community amenity and human health is not adversely impacted by noise emissions.

The objective of Clause 13.07-1S is 'to protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts'. Clause 13.07-1S contains the following relevant strategies for ensuring that use and development does not contribute to land use conflicts:

- *Ensure that use or development of land is compatible with adjoining and nearby land uses*
- *Avoid locating incompatible uses in areas that may be impacted by adverse off-site impacts from commercial, industrial and other uses.*
- *Avoid or otherwise minimise adverse off-site impacts from commercial, industrial and other uses through land use separation, siting, building design and operational measures.*

The objective of Clause 17.02-2S is stated as being 'to manage out-of-centre development'. The following strategies are outlined as being relevant:

- *Discourage proposals for expansion of single use retail, commercial and recreational facilities outside activity centres.*
- *Give preference to locations in or on the border of an activity centre for expansion of single use retail, commercial and recreational facilities.*
- *Ensure that out-of-centre proposals are only considered where the proposed use or development is of net benefit to the community in the region served by the proposal or provides small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.*

Clause 21.03-2 specifies that 'development and land use planning will be guided by the following vision':

- *The Shire remains predominantly rural, with a hierarchy of settlements set out in an attractive and productive rural environment;*
- *Development complements the nature and character of the rural landscapes of the Shire. Landscapes, in particular the landscapes around Mount Macedon, Woodend and the nationally iconic Hanging Rock, are highly valued by residents and visitors and facilitate tourism which plays a key economic role in the Shire;*
- *Economic growth and development is encouraged to deliver jobs and reduce escape expenditure. This occurs in appropriate locations within the settlement boundaries, apart from agriculture based business;*

Clause 21.04 is intended to be read in conjunction with Clause 21.13-6, and provides for strategic objectives to address issues and opportunities within the Macedon Ranges Shire Council. The following objectives and strategies are of relevance to the proposed application:

- *In the smaller settlements there may be occasional opportunities for small infill development, but essentially these settlements will retain their existing role, size, services and character;*

- *The high bushfire risk and other environmental constraints affect the potential for growth in Macedon, Mount Macedon, Riddells Creek and Woodend. Development will be restricted and discouraged in the rural areas and small, unsewered settlements in order to protect water quality, agricultural activities and environmental and landscape values;*
- *To ensure land use and development in settlements have regard for environmental assets, hazards and constraints;*
- *Direct new development opportunities away from locations at high or extreme risk of bushfire.*

The role of Clause 21.05-2 in decision making is to ensure that adequate consideration is given to the landscape character, dominant landscape features, existing character of distinctive settlements and the prevailing rural and township values of the Macedon Ranges Shire. Clause 21.05-2 sets out the following objectives and strategies to ensure that the landscape setting is adequately considered in decision making:

- *Maintain and enhance the existing rural landscapes;*
- *Protect the landscape, environmental and scenic qualities of the Macedon Ranges;*
- *Protect the rural landscapes and bushland setting of the Shire's towns by preserving non-urban breaks between towns;*

The objective of Clause 21.06-3 is to work in tandem with Clause 13.02 of the Scheme in 'prioritise fire risk in planning decisions, avoid increasing bushfire risk and minimise exposure of people to bushfire risk'. Clause 21.06-3 requires that fire risk be prioritised as 'a critical consideration' of applications. In addition, the impact of facilities used by a high number of people needs to be considered with regards to the cumulative impact of use and development within an identified area.

Clause 21.13-6 provides specific strategies and objectives for use and development within the Macedon Township. The following measures are of relevance for the Decision Maker in considering commercial development in residential areas within the Macedon Township area:

- *Defining character elements of Macedon include a low-density bush setting, and modest commercial development in a gently sloping, heavily treed terrain;*
- *Ensure the location, form and design of new development is consistent with the Macedon Township Framework Plan;*
- *The policy encourages the location of residential development within the identified township boundary of Macedon, and commercial development within the commercial centre;*
- *Prioritise fire risk as a critical planning consideration for Macedon and use a risk management approach when making decisions.*
- *To provide for limited commercial development within Macedon that retains and strengthens the distinct village character of the commercial centre;*
- *Support new commercial development, including on key opportunity sites, that responds to the existing village centre character through appropriate siting, scale, setbacks, parking provision, signage, landscaping, materials and other design elements;*
- *Promote tourism development in Macedon that retains the key characteristics of the area;*

Clause 35.03 – Rural Living Zone (RLZ):

Clause 35.03 of the Macedon Ranges Planning Scheme lists the following relevant purposes:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for residential use in a rural environment.*
- *To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.*
- *To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*

Planning permit is required pursuant to the provisions of the zone for the use of the land as a Place of Assembly (Function Centre).

In addition to the considerations of the Planning and Local Planning Policy Frameworks that have already been examined in the body of this report, the RLZ contains the following relevant decision guidelines in relation to Use applications:

- *The capability of the land to accommodate the proposed use or development;*
- *Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses;*
- *The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agricultural and other land uses.*
- *The impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality and by the emission of noise, dust and odours;*
- *The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance;*
- *Whether the use or development will require traffic management measures;*

Policy Assessment

With respect to the applicable policies contained with the Planning Policy and Local Planning Policy Frameworks and the purpose of the Rural Living Zone, there are consistent references throughout the scheme to the need to be responsive to the existing character of the Macedon Township and to ensure that any proposal is responsive to the amenity of the local area, with limited and well-located non-residential uses that do not impact on sensitive uses. The following assessment of the proposal discusses concerns with the proposed use of the land and examines the impact of the proposal under various categories.

Land Use Compatibility and Amenity Impacts

Although the subject site is capable of accommodating non-residential use with perceived community benefit (comprising the existing wellness centre), the use of the land for a function centre is considered to fail to integrate with the nearby residential properties and constitutes an unreasonable outcome for the subject site in the content of the relevant Planning Policies.

The subject site currently operates as a non-residential use, with a historical residential use ceasing when the medical and wellness centre use on site commenced. The medical and

wellness centre use has not resulted in an unreasonable amenity impact on the residential setting of the site.

The proposed amendment to the permit to allow functions throughout the year is a substantial and detrimental shift. It is noted that the subject site is located within a Rural Living Zone, but directly interfaces with Low Density Residential Zones within the Macedon Township:

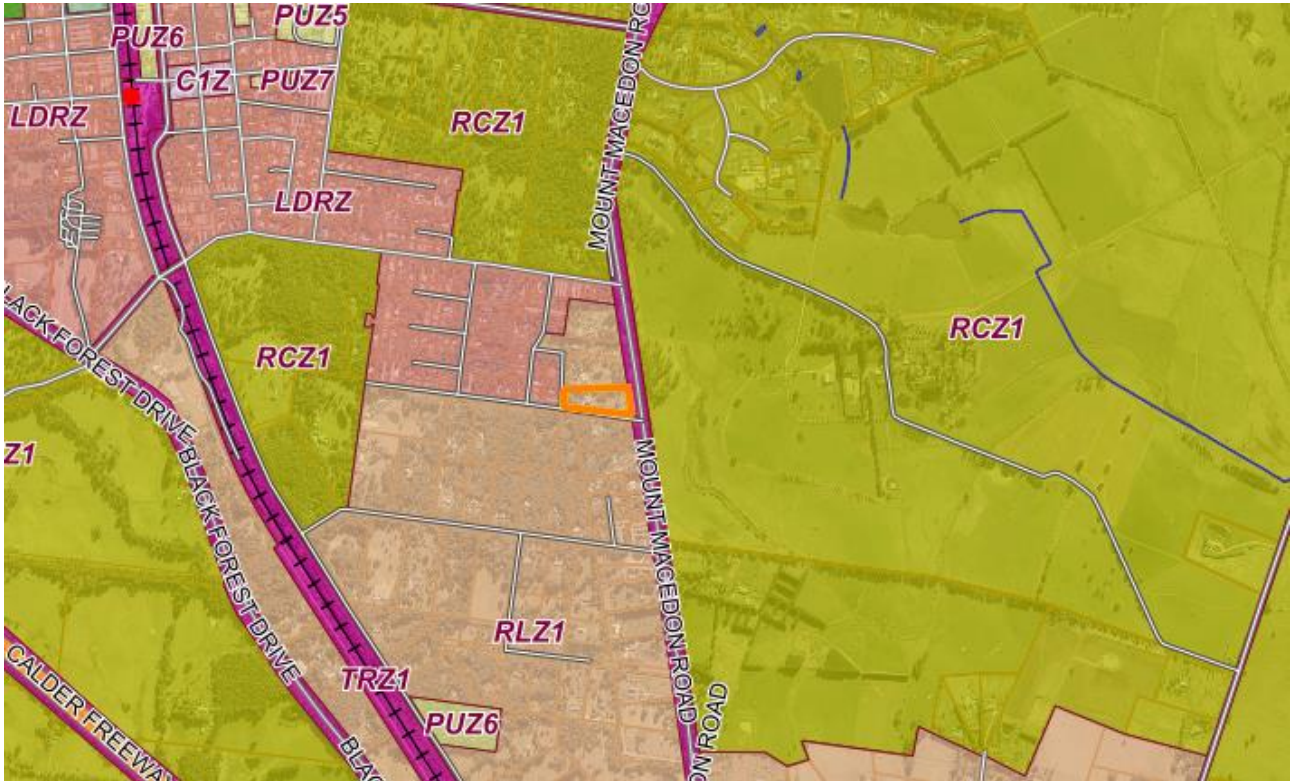


Figure 1: Zoning Context

Low Density Residential Zone is nested under the residential zones category and are viable for the operation of limited non-residential uses but a demonstration for appropriate integration and minimal disruption of residential amenity needs to be achieved.

Residents of the Low Density Residential Zone areas expect quiet living, away from centralised services and commercial areas. It is the responsibility of Council to protect the surrounding Low Density Residential Area from potentially incompatible land uses, and to have regard to expectations of the residential amenity of the area. Residents do not have access to (and choose to not have access to) most of the normal services and infrastructure provided in urban areas, including the extent of commercial operations nearby.

The intensification of the use in area of low density residential setting is not considered to be an acceptable outcome and results in land use conflict. The locality has a quiet, rural living character formed by dwellings positioned on large lots offering a high degree of amenity for residents living in the area. The frequency of events and the proposed number of attendees will introduce an intensity of non-residential activity which is at odds with the existing rural living character and amenity enjoyed by residents.

The land is not substantially larger than neighbouring properties and there are no opportunities to create separation between the proposed use and existing dwellings. The use of the land and the existing building as a function centre is a substantial departure from the expected amenity of the area and will have a direct interface with residential properties nearby.

A function centre is clearly distinct from other uses that typically operate in rural areas such as wineries, agricultural businesses, rural industries etc. that cannot realistically operate in urban areas. A function centre can feasibly operate in an urban setting and it is unreasonable to facilitate the use of residential land for a function centre which is better suited to operate in a commercial area.

The proposed use of the land is inconsistent with the objectives of the Macedon Ranges Planning Scheme because it will introduce an intensity of activity which is at odds with the existing rural residential/lifestyle character of the locality and the enjoyment of that setting by existing residents.

Noise Impacts

Noise from the proposed function centre will permeate into the nearby residential properties and will be a substantial departure from the current conditions of the site. The effects of this noise generation are likely to be increased as the site operates into the evenings of both weekdays and late weekend evenings. The residential context of the land places the proposed use and its impacts in direct conflict with established residential properties. In contrast, the operation of the use in a commercial area would likely experience substantial separation from residential properties that would adequately buffer noise impacts. Centralised areas also afford more flexible expectations around noise and amenity, and the facilitation of the proposed use in a more appropriate area would be less likely to result in detrimental impacts.

The size of the site and the proximity of nearby dwellings offers minimal opportunity to moderate the impact of the proposal. Even at the lower scale of what is proposed, the attendance of fifty (50) people on the land will generate ambient noise that will not adequately integrate with the existing residential context. At the larger scale, the attendance of one hundred (100) people on the land constitutes an unacceptable encroachment into the residential area and will substantially alter the amenity of the nearby area by way of unreasonable noise impacts.

The impact of vehicle noise is also likely to cause amenity impacts to nearby residents with vehicles existing the site and permeating into the surrounding road network. Notably in the evenings, at which stage there is unlikely to be much movement or noise on adjoining properties beyond the natural sounds of the environment, the movement of vehicles is a departure from the quiet amenity expectations of residents and will alter the character of the nearby area.

There is no reasonable way to moderate the expected impact of noise generation on the nearby residential properties as the proposed function centre is fundamentally incompatible with the surrounding area. The encroachment of a function centre into an established low density residential area is not considered to be a reasonable imposition on the existing community and the facilitation of the proposed use will invariably result in unreasonable noise impacts on nearby properties.

It is therefore submitted that the facilitation of a function centre on the boundary of the Macedon Township is contrary to the purpose of the relevant planning policies and will result in detrimental amenity impacts on nearby sensitive uses by way of unreasonable noise impacts.

Car Parking and Traffic Concerns

Despite the technical compliance with Clause 52.06, officers consider the parking response proposed for the site to be indicative of a proposed use that exceeds the capacity of the site to reasonably integrate the proposed functions of the land with the site and the broader neighbourhood context.

The subject site itself is not adequately capable of accommodating large quantities of vehicles during large events, with overflow parking likely to degrade the lawn areas north of the existing parking bays. Although this impact will be short-term, and any damage can be rejuvenated, the lack of formal parking areas and a reliance on encroachment into permeable sections of the land is indicative that the proposed use of the land exceeds the facilities available.

In addition to the parking of vehicles on the site exceeding reasonable outcomes for the land it is noted that Engineers have identified that *“the increased traffic activities will increase the dust in the existing road, considering the road is constructed to a gravel standard”*. The advice continues to recommend that should a permit be granted, that conditions require the watering of the road to ensure that the impact of dust generation from vehicles leaving the site is adequately managed.

It can be surmised from the response that in the absence of any watering treatment, the propose use of the land will result in detrimental impacts from the extent of vehicular use of the site generating dust from vehicles travelling over unsealed roads.

Noting that the majority of the roadway abutting the subject site is unsealed, the surrounding road network does not experience high volumes of traffic, and is not designed to cater for high volumes of traffic.

The impact of vehicles on the surrounding road network will alter the existing amenity of the area. It is necessary for vehicles leaving the site to travel on unsealed roads before returning to Mount Macedon Road, and the impact of the high number of vehicles exiting the site will result in generation of dust that will detrimentally impact the abutting properties. The commercial operation of the site will require commercial vehicles, and this is a further contributor to the detrimental amenity impacts that will occur as a result of the proposal.

Clause 52.06 – Car Parking:

Clause 52.06 of the Scheme provides guidance on the amount of on-site car parking that is required to be provide by a given development type, as well as Australian Standards on how parking areas should be designed and constructed.

The use of the land for a Place of Assembly requires the provision of car parking at the following statutory rate:

Use	Car Parking Rate	Car Parking Measure
Place of Assembly	0.3 spaces per	Each Patron Submitted

The submitted plans indicate that the site is capable of accommodating twenty-five (25) vehicles with the existing car parking space. During peak events, some of these spaces will be non-functional (comprising a loss of three (3) spaces) with a total of twenty-two (22) existing car parking spaces and additional car parking spaces will be provided in the lawn area to the north of the existing access way.

Based upon the above criteria, the proposed car parking arrangement is compliant with the statutory rates required by Clause 52.06 of the Macedon Ranges Planning Scheme. Despite the technical compliance with Clause 52.06, officers consider the parking response proposed for the site to be indicative of a proposed use that exceeds the capacity of the site to reasonably integrate the proposed functions of the land with the site and the broader neighbourhood context. Concerns with traffic flow and resulting amenity impacts have been discussed in this report.

Clause 65.01 – Approval of an Application or Plan:

Clause 65.01 of the Macedon Ranges Planning Scheme directs that before deciding on an application or approval of a plan, the Responsible Authority must consider, as appropriate:

Matter	Response
The matters set out in Section 60 of the Act.	The proposal is not consistent with the matters set out in Section 60 of the Act, including the objectives of the relevant Planning Scheme and the need to consider significant social effects the application may have.
The Municipal Planning Strategy and the Planning Policy Framework.	The proposed use of the land is not consistent with the objectives of the Planning Policy Framework for the reasons outlined in this report.
The purpose of the zone, overlay or other provision.	The proposed use of the land is not consistent with the purpose of the Rural Living Zone, for the reasons outlined in this report.
The orderly planning of the area.	The proposal is contrary to the orderly planning of the area and results in substantial departures from the expected amenity and character of the area.
The effect on the environment, human health and amenity of the area.	The proposed use of the land results in a detrimental impacts on the human health and amenity of the area.
The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.	The land is located within a Bushfire Prone Area. The bushfire hazards can be adequately managed by the preparation of a Bushfire Emergency Management Plan.
The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.	The proposed use will result in detrimental amenity impacts as a result of the frequency and type of vehicles using the unsealed road network, as well as the reliance on personal transport vehicles as the only viable way to attend 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 proposed use of the subject land for the purpose of a function centre is not consistent with the relevant objectives of the Planning Policy Framework and the purpose of the Zone. The proposal is fundamentally inappropriate noting the low density residential context of the land, and the proposed use will generate unreasonable amenity impacts for surrounding residential properties. For the reasons outlined in this assessment, it is recommended that Council resolve to issue a notice of decision to refuse to grant to amend a permit.

Consistency of the proposal with the Statement of Planning Policy:

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.			X		
		Manage land use, development and infrastructure to ensure that significant landscapes, views and vantage points are conserved and enhanced.		X		The intensification of the proposed Use of the land is at odds with the rural character of the area and will compromise the environmental character of the Macedon Township and the interface of the Township with the Rural areas to the south and east.
		Encourage retention of native vegetation and revegetation that contributes to significant landscapes, particularly on escarpments and ridgelines and along riparian areas.			N/A	
		Manage development around significant landscapes of visual, scientific or education value, including along ridgelines and at vantage points.			N/A	
		Manage development and infrastructure provision to ensure sequences of views from key road and rail corridors are maintained for current and future users.			N/A	
2	To ensure the significant biodiversity, ecological and environmental values of the declared area are conserved and enhanced				N/A	The proposal does not result in detrimental impacts to high quality vegetation.
		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	

Objective number	Objective in the SOPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
		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.			N/A	
		Minimise the effects of weeds and pest animals on biodiversity values by establishing and implementing best practice land management plans.			N/A	
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				N/A	The site is not located within Cultural Heritage Sensitivity 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
	cultural and spiritual heritage values and work in partnership with Traditional Owners in caring for Country.					
		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 when planning and managing land use and development, water and other environmental resources.			N/A	
5.	To recognise, conserve and enhance the declared area's significant post-contact cultural heritage values.				N/A	The subject site is not subject to any heritage overlay or potentially significant features.
		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.			X		The proposal does not include any agricultural component, however it is noted that the proposal is not consistent with listed objectives for the adequate management of effects of rural land use on environmental and cultural values.
		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			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
		farming, water reuse, technologies to enable farming to adapt and respond to emerging and niche markets).				
		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.		X		The proposed use of rural land for a Function Centre is not in keeping with this objectives and will contribute to amenity impacts and an erosion of rural character in the area.
		Restrict the supply of rural-living-zoned land to conserve and protect agricultural practices.			N/A	
		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.			X		
		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.		X		The proposed use of the land as a Function Centre is not considered to be in keeping with the expected environmental character and landscape values of the area, noting the rural context of the land.
		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	

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 the unique rural character of towns in the declared area.		X		The proposed use is not adequately responsive to the rural and environmental character of the Macedon Township, and fails to protect the unique character attributed to the Macedon Township.
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 values, and consistent with the unique character, role and function of each settlement.			X		
		Direct urban development to a hierarchy of settlements identified for growth, through clearly defining long-term settlement boundaries.		X		It is considered that the proposed use is contradictory to the primary purpose of the zone which is to provide for limited human development in a rural environment. It is considered that this development is contrary to the character and expected amenity of what a rural area should experience.
		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.			N/A	
		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.			N/A	
		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	

Objective number	Objective in the SOPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
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.			N/A	
		Maintain and enhance transport connections that provide links between and within regional communities and to major cities.			N/A	
		Reduce use of fossil fuels and reduce greenhouse gas emissions by prioritising active transport and public transport modes.			N/A	
		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.			N/A	
		Ensure equitable access to community infrastructure.			N/A	
		Encourage the use of active and public transport by planning infrastructure and facilities in accessible locations, and improve walking and cycling routes.			N/A	
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.	✓			The intensification of the use generates additional inherent bushfire risk, but the

Objective number	Objective in the SOPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
						adoption of a Bushfire Emergency Management Plan will adequately assist in ensuring the protection of human life is prioritised.
		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	

COPYRIGHT AND DISCLAIMER INFORMATION
 This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. This document must not be used for any purpose which may breach any copyright.

26 Marshall Avenue, Macedon

Proposed Place of Assembly

Parking and Access - Existing - 27 spaces

Advertised



NB: Existing Well-being Permit # PLN/2013/144 will continue

14/11/2020 3:36:25 PM

COPYRIGHT AND DISCLAIMER INFORMATION
 This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. This document must not be used for any purpose which may breach any copyright.

26 Marshall Avenue, Macedon

Proposed Place of Assembly

Parking and Access - Proposed 37 spaces

Advertised



NB: Existing Well-being Permit # PLN/2013/144 will continue

COPYRIGHT AND DISCLAIMER INFORMATION
 This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. This document must not be used for any purpose which may breach any copyright.

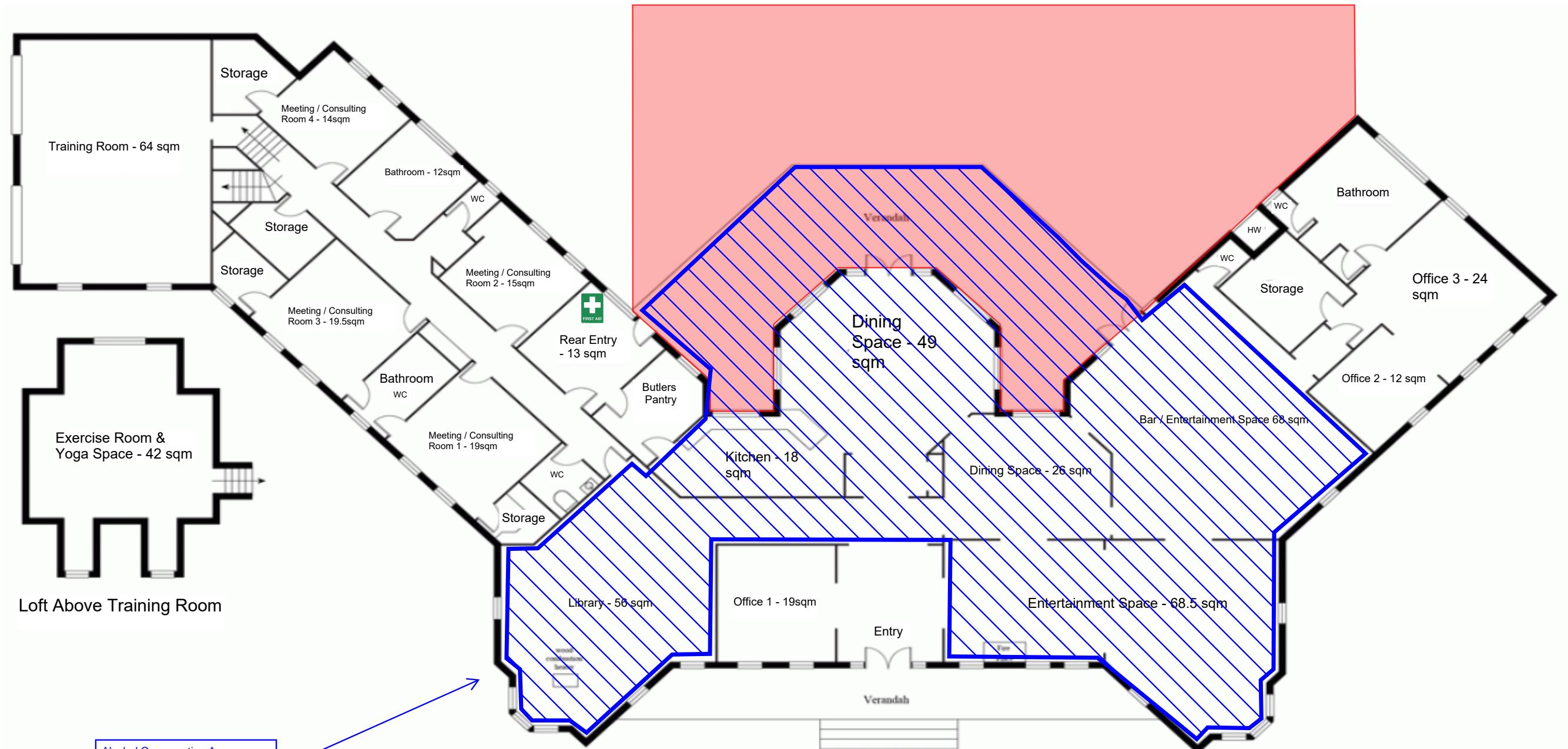
26 Marshall Avenue, Macedon

Proposed Place of Assembly

Venue Plan

Advertised

Extent of Outdoor Entertainment Area - 320 sqm



Alcohol Consumption Area (hatched)

NB: Existing Well-being Permit # PLN/2013/144 will continue

14/11/2020 3:36:44 PM

COPYRIGHT AND DISCLAIMER INFORMATION

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

Advertised**MACAULAY**

Town Planning Property Advice Strategy

Planning Report

Application to Amend Planning Permit PLN/2013/144 to include proposed Place of Assembly (Function Centre) Use

**26 Marshall Avenue Macedon**

November 2022

Client: S. Dean

MACEDON RANGES SHIRE COUNCIL
COPYRIGHT AND DISCLAIMER INFORMATION

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987.
The document must not be used for any purpose which may breach any copyright.

Advertised

Contact Details:

Sharon Macaulay
Urban & Regional Planner
Macaulay Town Planning
Phone: 03) 5422 3054

Office by appointment only:

44 Donnithorne Street
Kyneton Victoria 3444

Servicing Victoria for residential, rural, commercial, industrial, and public land use planning.

This document is produced by Macaulay Town Planning for the purpose of applying for a Planning Permit on behalf of the client. The author does not and shall not assume any responsibility or liability to any third party arising out of any use or reliance by any third party on the content of this document.

MACEDON RANGES SHIRE COUNCIL
 COPYRIGHT AND DISCLAIMER INFORMATION
 This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987.
 The document must not be used for any purpose which may breach any copyright.

Advertised

Contents

1 INTRODUCTION 1

2 SUBJECT LAND & SURROUNDING CONTEXT 1

3 THE PROPOSAL 2

4 PLANNING PERMIT TRIGGERS 6

5 MACEDON RANGES PLANNING SCHEME 7

5.1 State Planning Policy Framework 7

5.2 Local Planning Policy Framework 10

5.3 Zone Provisions 12

 5.3.1 Rural Living Zone 12

5.4 Particular Provisions 15

 5.4.1 Clause 52.06 (Car Parking) 15

6 CONCLUDING REMARKS 16

7 APPENDIX 1 EXISTING EMERGENCY ASSEMBLY POINT PLAN 18

COPYRIGHT AND DISCLAIMER INFORMATION

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

Advertised

1 Introduction

This report is provided in support of an application to amend the 2013 Planning Permit PLN/2013/144 at 26 Marshall Avenue, Macedon to include the additional use of Place of Assembly (Function Centre) and change the hours of operation. The permit currently allows for use of the land for Medical Centre (Wellness Centre) for up to 5 practitioners at any one time. Days of operation are Monday to Saturday.

The “Dean Manor” wellbeing centre, offers multi-modal wellness services. As a result of previous Covid 19 restrictions the number of practitioners and frequency of appointments reduced and the range of practitioners is currently under review. To ensure flexibility for the continuation of the permitted use no changes are sought regarding maximum number of practitioners at any one time which will be kept at five.

The proposed hours of operation are to be revised with reduced hours for the wellbeing centre and additional hours of operation of the Place of Assembly use as detailed in the application letter dated 24 November 2022 and Section 3 of this report.

The nature of the Place of Assembly use for wholistic and educational wellbeing retreats is complimentary to use of the land as a Wellness Centre as detailed further in this report.

The proposal builds upon an existing, permitted wellness-focused business which aligns with the Shire’s strategic healthy lifestyles aspirations and the wider region’s burgeoning wellness economy. The change to the permit is modest in scale given the proposed low frequency of the events and will make a positive contribution to the Shire’s health and wellbeing sector and the local economy and is therefore worthy of Council’s support

This report describes the proposed additional land use, the subject land and its surrounds and demonstrates how the proposal fulfils the relevant provisions of the Scheme.

2 Subject Land & Surrounding Context

Property Summary

Address: 26 Marshall Avenue, Macedon.

Title Particulars: Lot 2 LP133259, Certificate of Title Vol. 10002 Fol. 564 **Area:** 1.9ha

Planning Provisions

Zone: Rural Living Zone (RLZ); Rural Living Zone - Schedule 1

Overlays:

Bushfire Management Overlay (BMO)

Vegetation Protection Overlay (VPO Schedule 2 – Roadside Vegetation) – marginally affected adjacent boundaries.

Land Description

The subject land is described as gently-sloping and 1.9 hectares in area with a perimeter boundary of 632m. It is a quadrilateral trapezoid shape with a south-facing frontage width of 270.40m that faces Marshall Avenue and a maximum depth of 70.66m fronting Mt Macedon Road (RDZ1) to the east. The subject land is easily accessed via the designated entrance off

COPYRIGHT AND DISCLAIMER INFORMATION

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

Advertised

Marshall Avenue and has an established exit back into Marshall Avenue. The is also a separate accessway for staff to the rear of the building.

Beyond the north-facing boundary is a rural residential property of similar scale and shape, while the west-facing boundary fronts Williams Avenue and directly opposite is the beginning of the Low Density Residential Zone, which is made up of smaller blocks of established housing. The east-facing boundary fronts Mt Macedon Road, across which is located Bolobek; a working farm that offers visitor accommodation and holds annual events and open gardens.

The perimeter of the property is lined with established trees that provide privacy for Wellness Centre and proposed Function Centre activities and preserves amenity of the surrounding area.

The land is occupied by an expansive sandstone-coloured brick house (known as Bayley Park and operating as Dean Manor Wellbeing Centre), as well as associated shedding, garage, expansive gardens and formalised parking, as detailed in the site plan and floor plan.

Surrounding Context

The subject property is located in the township of Macedon with dispersed dwellings on varying sized blocks, located to the south of Woodend.

The closest dwelling to the north is about 36m from the building proposed for use as a Function Centre and line of sight is obscured by established line of trees along the shared boundary. The nearest dwelling to the west is about 105m away from the building.

Having regard to existing amenity, Bolobek, to the east, holds an annual Garden Lovers’ Fair, hosts year-round Accommodation and a Gallery as well as running occasional events such as the Melbourne Food & Wine Festival Regional World’s Longest Lunch. The Cottage at Bolobek, which offers visitor accommodation, is located diagonally opposite the subject land on Mt Macedon Road.

3 The Proposal

Refer to site layout plans and floor plan.

Medical Centre (Wellness Centre) Use

The Medical Centre (Wellness Centre) Use will have reduced hours of operation being Mondays to Fridays 9.00am to 5.00pm

Place of Assembly (Function Centre) Use

It is proposed to also use the land and existing facilities for Place of Assembly (Function Centre) use for a set number of retreats and functions to be timetabled across the year that complement its current permitted use as a Medical Centre (Wellness Centre).

it is now proposed to also run wellness-based seminar / conference retreats which fit with the land use term Convention Centre. Most of these events would be limited to 30 or less guests but for flexibility a permit is sought for up to 50 guests. It is expected there might also be a large conference once a year for under 100 persons but for flexibility we seek a permit for up to 120 patrons. Also proposed is an annual Reception Centre event being an annual community fundraiser event for up to 120 patrons (though it will probably be less than 100 patrons). This event is expected to host a Macedon Ranges Rotary’s annual fundraiser or similar local charity organisation with proceeds being for the benefit of the local community.

COPYRIGHT AND DISCLAIMER INFORMATION

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.



Functions would be organised by owner and applicant Susan Dean who currently runs Dean Manor Wellbeing Centre and Dean Publishing with her two daughters. The primary focus of the functions would sit within the wellness sector and include business and life coaches and personal development trainers with expertise in proactive and preventive health, wealth and wellness practices, which have become a flourishing multi-modal and multi-dimensional health movement in the 21st century. A focus of the retreats will be on nurturing and maintaining healthy businesses, healthy minds, and healthy relationships.

The content offered via the Function Centre use will align with the established Dean Manor Wellbeing Centre brand and vision, which is guided by the following four pillars: Health, Wealth, Mindset, and Community where wellness is viewed holistically as having Physical, Mental, Emotional, Spiritual, Social and Environmental aspects.

Thus, most functions will resonate with the ethos of the existing permitted use as a wellness centre which will continue when the Place of Assembly events are not scheduled.

Hours of Operation and Patron Numbers

Scale & Frequency for the Place of Assembly use will occur as follows:

For the Place of Assembly (Function Centre) Use for three day events of up to 50 persons up to **ten (10) times a year** either weekdays or weekends:

1. Wednesdays 9.00am to 9.30pm
2. Thursdays 9.00am to 9.30pm
3. Fridays 9.00am to 5.00pm

or

4. Fridays 5.00pm to 9.30pm
5. Saturdays 9.00am to 9.30pm
6. Sundays 9.00am to 5.30pm

For the Place of Assembly (Function Centre) Use for events of up to 120 persons up to two **(2) times a year**:

1. Fridays 9.00am to 11.00pm

or

2. Saturdays 11.00am to 11.00pm

The initial events schedule for 2023 is only expecting to include three 3 day retreats in March, June and September and an end of year function. An events schedule for 2023 is provided with the application.

The smaller functions might include workshops and specialist gatherings with guest speakers and use the break-out rooms such as the library and other areas including an 18-seat theatre that can have a few additional chairs for extra persons as required. See facility below.

Some of the events might be for wellbeing focused writers' retreats while other function events might include a wellbeing focused book launch.

COPYRIGHT AND DISCLAIMER INFORMATION

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

Advertised



There are different rooms that can cater for groups of say 10, 10, 5 and 5 as well as larger rooms for bigger numbers such as the bar room, central dining room, library and theatre. Dispersing larger groups into break-out rooms allows for a deeper learning experience and tailored activities. The wellness centre consulting rooms can also be used as meeting rooms or private space for patrons between sessions, as well as the yoga space upstairs for relaxing exercise such as self-guided yoga or pilates or small classes as per the existing permit conditions. The current permit allows for a practitioner led class for up to 3 participants and this condition will continue to be relied upon.

Staff

The Function Centre will have three permanent staff, being the applicant Susan Dean and her two daughters, as well as three part-time and casual support staff employed, as needed.

Functions will be timetabled so as not to clash/overlap with Wellness Centre activities.

The existing wellness centre operations will continue to maintain no more than five (5) practitioners at any one time, the service offering for which is currently under review.

Catering & Alcohol

Functions involving food and drink would be cocktail-style rather than seated and be catered for using local businesses. The applicant will obtain the required temporary limited liquor license ahead of scheduled events. Most functions would not involve alcohol, being low-key wellness-focussed gatherings. It is anticipated that alcohol might be offered occasionally, such as a celebratory glass of champagne at a book launch or glass of wine at a fundraiser event, or evening drinks at the commencement of each three day retreat. Some functions would include food and drink at local restaurants, rather than using in-house catering, so patrons get to

COPYRIGHT AND DISCLAIMER INFORMATION

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

Advertised

explore the local Macedon region as part of their experience and to help further bolster the local economy.

The building has a fully-equipped kitchen, bar (see image below) and butler’s pantry to accommodate the hired caterer’s needs, if/as required. Use of the outdoors courtyard area (320sqm) would occur on lunch breaks. As shown on the floor plan, guests/clients would not extend further into the property, to have regard to amenity of neighbours, which are a good distance away given the size of the property and line of sight is obscured by established tree-lined boundaries.



Entertaining room with bar

Car Parking

Please refer to the site layout plans which shows existing and proposed access and car parking arrangements and an explanation of parking provision under Section 5.4.1 of this report which address the Clause 52.06 requirements for onsite car parking.

The proposed function centre requirement for 36 car parking spaces meets requirements under Clause 52.06 (car parking) for a place of assembly to provide 0.3 car parking spaces per patron. Accordingly, when the proposed Function Centre hosts up to 120 patrons two times a year it is required to provide a total of 36 car parking spaces which will be achieved. At other times when there are up to 50 patrons only 15 spaces are required which is notably less than the existing 27 spaces for onsite parking.

Disabled parking for two spaces is provided within easy distance to the various access ramps into the building from its western side as the building has been upgraded in recent years to accommodate wheelchairs.

Overall, the site has capacity (via lawn overflow parking – 13 spaces) to easily accommodate the 36 spaces required for Place of assembly under Clause 52.06, mindful of the rate of 0.3 spaces per patron. The overflow parking will require the removal of two small exotic, deciduous trees from the lawn area. These are shown in supporting documentation.

Local drivers will continue to be engaged to collect interstate patrons from the airport.

COPYRIGHT AND DISCLAIMER INFORMATION

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

AdvertisedSignage

The property already has parking, entry and exit signs and relies on a one-way driveway.

Emergency Management

The functions will be seamlessly managed and are supported by the following documents:

1. Bushfire Emergency Plan including response to a bushfire or extreme weather event. This document is currently being prepared by a consultant for lodgement to Council prior to the issue of a decision. CFA have confirmed verbally and by letter dated 7 November 2022 that they do not need it referred back to them for comment as it is a matter for Council.
2. First Aid Procedure Plan

The property already has an Emergency Assembly Point with maps for this to guide people in the event of an incident. See Appendix 1.

Any supporting document to manage patrons can be refined if needed as part of the planning assessment process should more detail be needed.

Buildings & Works

No buildings or works are proposed.

Onsite Wastewater Management

The land is not in an open potable water supply area with no ESO controls so the additional loading from the peak events will be accommodated for as part of an amendment to the existing Septic Permit (approved under the 2013 planning permit).

A domestic wastewater land capability assessment has been prepared by Dr Chris Day of Archaeo-Environments which recommends an additional effluent dispersal area on one of the large garden lawn areas to the south of the formal parking area. The LCA's findings and recommendations will be relied upon. This document would replace any previously endorsed document.

4 Planning Permit Triggers

Under the Rural Living Zone, a planning permit is required to use land for a Place of Assembly which includes Function Centre.

Under the Bushfire Management Overlay (BMO) no planning permit is required as there will be no carrying out of buildings and works in association with Place of Assembly.

The proposal does not seek to create a licensed premises under Clause 52.27. Functions will only require a Temporary Limited License based on advice from the Victorian Liquor Commission and limited licenses are exempt from the need for a planning permit under Clause 52.27.

As the land has capacity to provide for the 36 required car parking spaces onsite a planning permit is not required under Clause 52.06 (Car Parking).

COPYRIGHT AND DISCLAIMER INFORMATION

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. This document must not be used for any purpose which may breach any copyright.

Advertised

5 Macedon Ranges Planning Scheme

5.1 State Planning Policy Framework

This proposal relates to Clauses 11, 13, 14 and 17 of the State Planning Policy Framework.

Clause 11 (Settlement)

Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure. Planning is to recognise the need for, and as far as practicable contribute towards, (as relevant):

- *Diversity of choice.*
- *Economic viability.*
- *A high standard of urban design and amenity.*
- *Prevention of pollution to land, water and air.*
- *Protection of environmentally sensitive areas and natural resources.*
- *Accessibility.*
- *Land use and transport integration.*

Further to the above *planning is to:*

- *prevent environmental problems created by siting incompatible land uses close together.*
- *facilitate sustainable development that takes full advantage of existing settlement patterns, and investment in transport and communication, water and sewerage and social facilities.*

Response: It is submitted that the proposed additional use is in accordance with the above policy aspirations being an attractive and sought-after Function Centre within easy access of Melbourne, Kyneton and Woodend and providing a boutique health and wellness-focused business opportunity well-suited to a rural Shire whose tourism and community aspirations focus on health and wellbeing.

The proposal building on the existing Wellness Centre use, makes good use of existing infrastructure and facilities without any impact on the environment or land use conflict with adjoining properties. The proposal is of a high standard, will be economically viable, builds upon an existing complimentary business model and will contribute positively to the experience of patrons while not taking away from the role of the land for rural living.

Clause 13.02 (Bushfire)

Subclause 13.02-1S (Bushfire Planning) sets out the Objective *to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.*

The section of this Clause on uses in a bushfire prone area makes reference to place of assembly as one of a number of uses for which bushfire risk should be considered when assessing planning applications. Particular consideration is to be given to the following:

- *Consider the risk of bushfire to people, property and community infrastructure.*

COPYRIGHT AND DISCLAIMER INFORMATION

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. This document must not be used for any purpose which may breach any copyright.

Advertised

- *Require the implementation of appropriate bushfire protection measures to address the identified bushfire risk.*
- *Ensure new development can implement bushfire protection measures without unacceptable biodiversity impacts.*

This section of the report responds to CFA’s June 2022 request to provide a detailed response to the above for Council’s Consideration as it is a matter for Council as the responsible authority not for CFA. CFA have provided input to guide the below response.

Response:

Regarding *“Consider the risk of bushfire to people, property and community infrastructure”* the following response is provided:

It is understood by the applicants that Macedon and Mt Macedon are in a bushfire prone area and that appropriate protection measures are a necessity given the risk to people and property from a bushfire. These measures are detailed further below which ensures the required protection measures will be undertaken.

Regarding *“Require the implementation of appropriate bushfire protection measures to address the identified bushfire risk”* the following response is provided:

The building to be used for the proposed place of assembly is set in a large well maintained garden and benefited by open grassland to the east. The grass is always kept low during the bushfire season. The land is also bounded by two roads which provide a fire break and also allow for evacuation in more than one direction in a fire event depending on the location of an approaching fire. Being in the urban area of Macedon the road reserves are well maintained by Council to reduce wildfire risk and ensure safe access and egress from the land at all times.

A bushfire emergency plan has been prepared by the applicant / proposed venue operator which builds on the existing plan for the wellbeing centre which currently operates at the land. This report has been reviewed by CFA and updated with sufficient detail regarding sheltering in place or the coordinated implementation of evacuation procedures. It includes contact details for local emergency resources and relies on two emergency planned evacuation sites in case the local one is not safe. The Neighbourhood Safer Place at Waterfalls Road Macedon (Tony Clarke Recreation Reserve) is only a few minutes away and is noted in the emergency plan.

The emergency plan also confirms who the chief and deputy fire wardens are and they have been trained to understand their roles to ensure the plan is implemented correctly. The venue is already equipped with fire alarms and a designated assembly point to alert patrons in the event of an emergency and ensure a coordinated response.

The property includes a large water tank dedicated to firefighting water supply that was established under the current planning permit (issued Sept 2013 for previous owners) which is relied upon and the assembly area in an emergency is in the front garden on the lawn adjacent the car park area. The location for the assembly area is shown on the Site Plan. There are signs regarding emergency plan procedures in the butler’s pantry in easy access to staff responsible for managing a fire drill. The assembly area’s location provides for good vehicle access should patrons need to evacuate the site.

COPYRIGHT AND DISCLAIMER INFORMATION

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. This document must not be used for any purpose which may breach any copyright.

Advertised

All staff already involved in the running of Dean Manor are trained to initiate the emergency management plan and first aid response. The building is fitted with a monitored alarm system for use in an emergency or a fire.

Regarding “Ensure new development can implement bushfire protection measures without unacceptable biodiversity impacts” the following response is provided:

The proposal is not a development (buildings and works) application but relates to a use in an existing approved building. Accordingly, there is no additional obligation to create defendable space which might require the removal of native vegetation. The gardens surrounding the building are substantially modified landscape as established gardens. So there will be no impact on biodiversity. The property is well maintained to avoid fuel loads towards affording appropriate protection from any local bushfire in combination with other risk management strategies such as fire fighting capacity (water supply) against any potential ember attack and evacuation measures.

Clause 14.02 (Water)

Subclause 14.02-1S (Catchment planning and management) sets out the Objective *to assist the protection and restoration of catchments, water bodies, groundwater, and the marine environment.* Subclause 14.02-2S (Water Quality) seek *to protect water quality.*

Response: It is considered that given the size of the land and its soil characteristics and the likely wastewater loading that the onsite wastewater system will be properly designed and managed to ensure the protection of the catchment and water quality values.

It is expected that the wastewater generated by the proposal will be appropriately treated for onsite disposal in accordance with EPA and relevant permit requirements.

Clause 17 (Economic Development)

Under this Clause planning is to:

- *provide for a strong and innovative economy, where all sectors of the economy are critical to economic prosperity.*
- *contribute to the economic well-being of communities and the State as a whole by supporting and fostering economic growth and development by providing land, facilitating decisions, and resolving land use conflicts, so that each district may build on its strengths and achieve its economic potential.*

Response: It is submitted that the proposed Function centre will make a positive contribution to the local economy in terms of client health and wellbeing service offerings and health and wellness tourism opportunities where wellness is recognised as a burgeoning sector and strongly aligned to Tourism Victoria’s Daylesford Macedon Spa Country promotions. The facility will cater to the growing demand for professional development and training given its scale, proximity to Melbourne and attractive and picturesque setting.

Subclauses 17.04 (Tourism) and 17.04-1S (Facilitating tourism) sets out the following Objective: *To encourage tourism development to maximise the employment and long-term economic, social and cultural benefits of developing the State as a competitive domestic and international tourist destination.*

COPYRIGHT AND DISCLAIMER INFORMATION

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. This document must not be used for any purpose which may breach any copyright.

Advertised

Response: The proposal has an immediate and long-term capacity to leverage holistic wellness sector business and tourism opportunities, being a much sought-after ideal destination location that facilitates inspirational blue-sky team-building and invites personal reflection as well as creating overnight stays in the Shire to the benefit of the accommodation sector. It will therefore contribute positively to the local economy and associated employment opportunities.

There is scope for many collaborative opportunities to be developed between Dean Manor and other local businesses: i.e. entrepreneurs, restaurants, cafes, caterers, accommodations and gift hampers that showcase local produce to name a few.

5.2 Local Planning Policy Framework

This proposal primarily relates to Clauses 21.01, 21.10, 21.11 and 22.01 of the Local Planning Policy Framework.

Municipal Strategic Statement

Clause 21.01 (Municipal profile) acknowledges the region’s rural qualities for attracting visitors, as follows:

The Shire is renowned for its rural character, semi-rural lifestyle, landscapes and forests, and unique natural features such as Hanging Rock and Mount Macedon. These features have attracted residents and visitors since the early 1900s and continue to do so today.

Response: The proposed function centre builds on the Shire’s natural assets in a way that will contribute to the economic prosperity of the region.

Clause 21.10 (Economic Development and Tourism)

Clause 21.10-2 (Tourism) includes *Objective 1 which sets out to enhance the tourism potential of towns within the municipality.*

Response: As the subject land is located in the township of Macedon, its role will attract visitors to the Shire’s key towns for overnight stays, dining out, particularly Macedon, Woodend and nearby Kyneton. So, the proposal as a function centre will play a notable role in the wellness tourism economy. Relevant Strategies to achieve this Objective include:

- *1.1 Facilitate appropriate economic development in areas of the Shire that have tourism, recreation or environmental attractions.*
- **Response:** Dean Manor is set in an attractive established rural township setting that caters to the strong demand for health, wealth and wellness sector services. And, the Macedon Ranges is well-placed for attracting people from Melbourne and Bendigo given its close proximity. Health and wellness is a growing service area that is expected to continue given the positive experience that comes from proactive and preventive health, wealth and wellness activities.
- The ‘wellness economy’ is regarded as “one of the world’s fastest-growing and most resilient markets.” Ref: Johnston and Ophelia Yeung, Global Wellness Institute (GWI), a not-for-profit research leader. As a declared nature-based tourism and lifestyle region, the proposal and location of the existing facilities capitalise on the Shire’s environmental values in a sustainable manner.

COPYRIGHT AND DISCLAIMER INFORMATION

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

Advertised

- *1.6 Encourage development of a range of well-designed and sited tourist facilities including integrated resorts, motel accommodation and smaller scale operations such as host farm, bed and breakfast and retail opportunities which have regard for environmental and character constraints.*

Response:

The design and scale of the existing facility is perfectly suited to host quality functions and its location within Macedon’s beautiful surrounds is perfectly suited to functions related to the holistic wellness and events sector. Being located directly opposite an accommodation provider allows for integrated tourism between businesses.

- *1.7 Encourage tourism developments related to food and wine, holistic well-being, arts and crafts, viticulture and other agriculturally based tourism*

Response: Dean Manor’s function centre offerings are all about holistic wellbeing and events based business and tourism, where ‘holistic well-being’ means engaging proactively in activities that involve all areas of a person’s life for the betterment of their health, wealth, happiness; mind, body, spirituality, emotions, social, economic and environmental. Promoting and supporting ‘holistic well-being’ is one of the Shire’s primary identified aspirations.

Objective 2 of Clause 21.10 sets out *to encourage sustainable tourism growth compatible with the cultural and natural values of the Shire.*

Response: The proposal is of a scale and frequency suited to its setting and which will contribute to sustainable business and tourism growth for the Shire in a way that is compatible with relevant cultural and nature values of the Shire, being an attractive facility in a rural setting with a focus on holistic wellness and events. The proposal should therefore be supported given it aligns with what Objective 2 seeks to encourage. Strategies to achieve Objective 2 include:

Strategy 2.1 *Ensure tourism facilities are compatible with and build upon the assets and qualities of surrounding urban or rural activities and natural attractions. Achieved.*

Strategy 2.3 *Encourage accommodation, tourism developments tourist related industries that protect the natural environment, heritage and town character. Achieved through maximising the use of existing infrastructure.*

Strategy 2.4 *Enable accommodation and tourism developments outside settlement that enhance environmental values, protect significant landscapes and support the achievement of the visions for non-urban areas in Clause 21.03-3. The land is in the rural township of Macedon and this Strategy is achieved.*

Northern and southern catchments: *Protect water quality and quantity, agricultural productivity in the northern catchment and encourage rural residential only in the more fragmented southern catchment where detailed land capability studies demonstrate there is no negative impact on water quality or agricultural uses*

Response: the LCA report findings will ensure onsite wastewater is appropriately managed having regard to the values of the catchment.

The above strategies will be successfully achieved by the proposal.

COPYRIGHT AND DISCLAIMER INFORMATION

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

Advertised

Clause 21.11 (Infrastructure)

Subclause 21.11-1 (Integrated transport)

Objective 1 seeks to *integrate transport with land use and development in the Shire to facilitate efficient transport use. The relevant Strategy 1.2 seeks to ensure land use and development proposals have regard for the existing and planned transport network.*

Response: The subject land is well located off a main RDZ1 road and nearby regional freeway for efficient and safe use of the established road network as appropriate for a function centre.

Objective 2 seeks to *provide a safe and efficient road transport network* per the following relevant strategy:

Strategy 2.3 *Locate new development adjacent to major arterial roads in such a way as to minimise the impact on traffic movements on the adjoining road network and provide:*

- *Safe and efficient access.*
- *Adequate and well-located car parking areas.*

Response: Given the location of the subject land and established surrounding road network and the subject land’s existing gravelled on-site parking areas and proposed overflow parking this strategy will be achieved

It is submitted that the proposal is in accordance with relevant policy of the Local Planning Policy Framework.

5.3 Zone Provisions

5.3.1 Rural Living Zone

The Purpose of the Rural Living Zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for residential use in a rural environment.*
- *To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.*
- *To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.*
- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision*

Having regard to the proposed function centre use the following submissions are made:

1. The running of functions, retreats and conferences will be based on Dean Manor’s established business acumen and approach, which has operated smoothly without any issues.
2. The proposed use will not have a notable impact regarding traffic because it is capped at two (2) larger functions per year with sufficient onsite.
3. Patrons arriving by car can be accommodated on-site with the provision of up to 37 spaces including 13 overflow spaces, and 2 dedicated disabled spaces. When overflow parking is not required there will be 27 car parking spaces as per the current gravel car parking area adjacent the internal driveway.

COPYRIGHT AND DISCLAIMER INFORMATION

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

Advertised

4. The functions will have sufficient staff to manage the varying proposed numbers of patrons, which is well-suited to this large facility that has ample space to accommodate a group of up to 120. Only two (2) functions per year will be up to the maximum of 120 patrons, though less than 100 persons is more likely. It is expected that the majority of events will range from 10 to 50 patrons with 30 patrons being an indicative estimate.
5. The proposal does not require the land to become a Licensed Premises, so the capacity for onsite drinking is quite restricted and would only occur when an event is being catered for. Caterers are strictly trained in the responsible service of alcohol so inappropriate behaviour is unlikely to occur.

Clause 35.07-6 Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate...a specified range of:

- General Issues
- Agricultural issues and the impacts from non-agricultural uses
- Environmental Issues
- Design and Siting Issues

Response: It is submitted that the proposal is in accordance with relevant Clause 35.07-6 Decision Guidelines, as set out in various sections of this report and further, below:

General Issues

- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.* **Response:** as noted above.
- *Any Regional Catchment Strategy and associated plan applying to the land.* **Response:** N/A.
- *The capability of the land to accommodate the proposed use or development, including the disposal of effluent.* **Response:** The land is suited to the proposed use as expected to be demonstrated in the Land Capability Assessment being prepared by Dr Chris Day. The proposal will be serviced by the onsite effluent system.
- *How the use or development relates to sustainable land management.* **Response:** The current use of land includes responsible land management particularly regarding domestic gardens, driveway, facility and grounds maintenance. This will continue with the proposed additional use.
- *Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.* **Response:** The various submissions presented within this report confirm the site is suitable for the operation of a function centre, as it is compatible with and complimentary to the current use as a Medical Centre (Wellness Centre). The proposal will not encumber or be impacted by the continued operation of nearby grazing properties, including Bolobek which is a farm

MACEDON RANGES SHIRE COUNCIL
COPYRIGHT AND DISCLAIMER INFORMATION

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

Advertised

that holds events and offers accommodation. Rather, it offers a business and tourism synergy.

- *How the use and development makes use of existing infrastructure and services.*
Response: The proposal makes use of existing infrastructure with an established high-quality facility, existing access via a sealed road off a main road, has established gravel driveway and ample parking and established connection to power, it is also within Macedon for town services. It is suitably located in close proximity to the Calder Freeway.

Agricultural issues and the impacts from non-agricultural uses

- *Whether the use or development will support and enhance agricultural production.*
Response: N/A
- *Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.* **Response:** N/A as the area for the proposed function centre is within an established former home complex, which is sited on land not used for farming purposes.
- *The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.* **Response:** The singular adjoining property to the north is RLZ1 and surrounding properties are a mix of RLZ1 and LDRZ and thus the proposal does not pose risks to negatively impact agricultural uses. Nearby Bolobek is a farm that also holds events and offers accommodation; thus, this proposal is not considered out of character or at risk of imposing negative impact to the direct adjoining and nearby agricultural uses and amenity, particularly as the land is already established for a similar and complimentary use.

The context of the proposal is mindful of its frequency of occurrence and hours of operation and has regard to noise amenity expectations.

- *The capacity of the site to sustain the agricultural use.* **Response:** N/A
- *The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.* **Response:** N/A
- *Any integrated land management plan prepared for the site.* **Response:** Given the land is already permitted for use for a similar and complimentary use being Medical Centre (Wellness Centre) and it is a modest sized residential property a land management plan was not considered necessary given the site’s context and nature of the application.

Environmental Issues

- *The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.* **Response:** The proposed use and expected limited traffic levels will not impact on the natural environment.
- *The impact of the use or development on the flora and fauna on the site and its surrounds.* **Response:** N/A

COPYRIGHT AND DISCLAIMER INFORMATION

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. This document must not be used for any purpose which may breach any copyright.

Advertised

- *The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area. Response:* The proposal ensures environmental values will be protected and retained.
- *The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation. Response:* this will be set out in the wastewater LCA report.

Design and Siting Issues

- *The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land. Response:* No new buildings and works are proposed.
- *The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts. Response:* No new buildings and works are proposed. The existing function centre is screened from the public domain by both distance and established vegetation and the buffer of roads on three sides. The proposal is in harmony with the rural landscape.
- *The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance. Response:* No new buildings and works are proposed. The proposal complements the rural setting and tradition of stately former homes being utilised for community economic and wellbeing benefits and ensures the relevant values of Macedon will continue to be protected.
- *The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities. Response:* No new buildings and works are proposed. The property is already well serviced with good road access and onsite driveway, parking and manicure grounds.
- *Whether the use and development will require traffic management measures. Response:* Traffic management measures are unlikely to be required. Traffic volumes from visitors to the facility are expected to be modest and infrequent as previously detailed.

5.4 Particular Provisions

5.4.1 Clause 52.06 (Car Parking)

Under this clause, Place of Assembly requires 0.3 car parking spaces per patron. So, use as a Function Centre that caters up to 120 patrons will require 36 car parking spaces.

As detailed in Section 3 of this report, it has been demonstrated that the land can accommodate onsite parking. The site layout plans show existing capacity for 27 spaces plus additional capacity for 37 onsite car parking spaces when overflow parking is provided, including:

- 25 spaces in the main gravel car parking area either side of the internal driveway

COPYRIGHT AND DISCLAIMER INFORMATION

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

Advertised

- 2 dedicated disabled spaces adjacent the building close to the existing ramp access to the building on its western side, and
- 13 overflow spaces on the lawn for the four large events each year. This will require a loss of three car spaces from the main gravel car parking area as shown in the photo below.



Proposed access way commencement area for the four annual events requiring overflow parking on the lawn

There already exists an all-weather, gravel, one-way driveway with easy established access off Marshall Avenue. It is considered, therefore, that car parking requirements have been sufficiently provided in accordance with Clause 52.06.

6 Concluding Remarks

The proposal is in accordance with all relevant provisions of the Macedon Ranges Planning Scheme as it:

- has appropriate regard to State and Local Planning Policy regarding rural land, the environment, economic development & tourism, and the facilitation of the visitor economy.
- responds appropriately to the decision guidelines of the Rural Living Zone and justifies the appropriateness of the proposed function centre whilst ensuring the continued use of the land as a wellbeing centre without any land use amenity issues.
- will provide for an attractive, functional, and economically viable function centre for the benefit of patrons as well as the local tourism sector as it will result in overnight stays in the Shire which supports both the accommodation, events, and food and wine sectors of the local tourism economy.
- has excellent sealed road access from the Calder Freeway and ample provision for the required on site car parking spaces to ensure appropriate traffic management for weekly and annual events.
- Is a modest addition to the scope of the existing planning permit which has operated smoothly and without issue. This is expected to continue with the additional use in a way

COPYRIGHT AND DISCLAIMER INFORMATION

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. This document must not be used for any purpose which may breach any copyright.

Advertised

that ensures neighbourhood residential amenity expectations are maintained and protected.

It is therefore respectfully requested that the amendment to the current planning permit, as applied for, be issued.

Sharon Macaulay


Macaulay Town Planning
November 2022

COPYRIGHT AND DISCLAIMER INFORMATION

This copied document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright.

Advertised

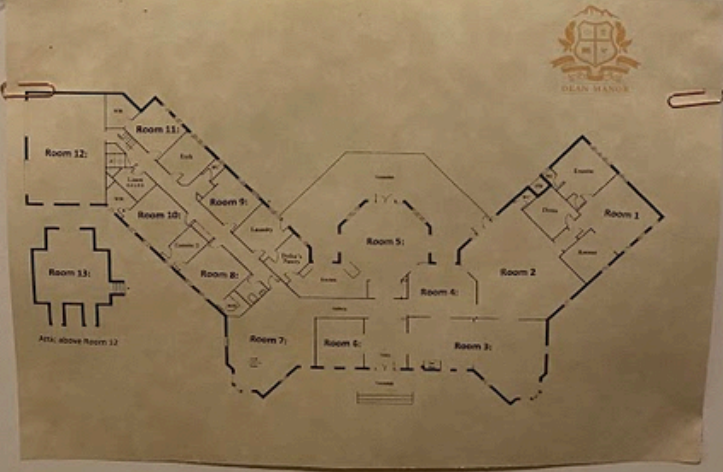
7 Appendix 1 Existing Emergency Assembly Point Plan



Emergency Assembly Point (EAP)
A place with Open space and minimal overhead hazards, such as Trees, allowing all those within the area at the time of emergency to assemble and await emergency services.

Local Emergency Services

- Victoria Emergency Services: Triple Zero 000
- Macedon Police: (03) 5426 1228
- State Emergency Services (SES)—floods or storms: 13 25 00
- Vic Emergency Hotline: 1800 226 226
- Council's Emergency After Hours number: 5422 0333 or 1300 656 577
- Snakes and Wasps—Department of Environment, Land, Water & Planning (DELWP): 13 61 86



9.3	PLN/2022/388 - MOUNT MACEDON WAR MEMORIAL CROSS RESERVE, 409 CAMERON DRIVE, MOUNT MACEDON 3441
Application Details:	PLN/2022/388 - Removal of vegetation within the Environmental Significance Overlay (ESO5) MOUNT MACEDON WAR MEMORIAL CROSS RESERVE, 409 CAMERON DRIVE MOUNT MACEDON 3441
Officer:	Evert Grobbelaar, Manager Statutory Planning
Council Plan relationship:	3. Improve the built environment
Attachments:	<ol style="list-style-type: none"> 1. Permit conditions ↓ 2. Site Plan ↓ 3. Options Plan ↓ 4. SOPP Response ↓
Triggers for a planning permit	Environment Significance Overlay (Schedule 5)- a permit is required to remove, destroy or lop any vegetation
Zones and Overlays	Public Conservation and Resource Zone Environment Significance Overlay (Schedule 5) Heritage Overlay Bushfire Management Overlay
No. of objectors	62 letters of objection 36 letters of support
Trigger for report to the Committee	Manager recommendation for Council
Key Considerations	Key consideration is whether the proposal is consistent with the environmental objectives of the Environmental Significance Overlay, Schedule 5 (Other Water Supply Catchments) as this is the only statutory control in the Macedon Ranges Planning Scheme that triggers a planning permit requirement
Conclusion	In summary, this proposal only requires a planning assessment due to the ESO5 which applies to the site and primarily relates to the water catchment. The applicant has adequately demonstrated that the proposal is unlikely to adversely impact the water catchment and this has been confirmed by the supportive referral responses from the water authorities. It is therefore recommended that a Notice of Decision to Issue a Planning Permit be issued.
Date of receipt of application:	20 September 2022

Recommendation

That the Committee determines to approve the Planning Permit Application PLN/2022/388 and to issue a Notice of Decision to Grant a Permit for the removal of vegetation within the Environmental Significance Overlay (ESO5) on the land at Crown Allotments 33 & 33A, Section 2 P/Macedon, Mount Macedon War Memorial Cross Reserve, 409 Cameron Drive MOUNT MACEDON VIC 3441, subject to the conditions outlined in Attachment 1.

Summary

The application is to remove vegetation within the Environmental Significance Overlay, Schedule 5 (ESO5).

The application is being made by Parks Victoria to reinstate the Mount Macedon Memorial Cross viewscape which has been lost due to significant vegetation regrowth and lack of maintenance.

Parks Victoria has decided to pursue 'Option 1', shown on the plans submitted with the application, to remove native vegetation from an area measuring 0.79 hectares, being smallest area of the three (3) options considered thus achieving a balance between competing heritage and environmental objectives.

The key issue to consider is whether the proposal is consistent with the environmental objectives of the Environmental Significance Overlay, Schedule 5 (Other Water Supply Catchments). The Environmental Significance Overlay, Schedule 5 is the only statutory control in the Macedon Ranges Planning Scheme that triggers a planning permit requirement.

Existing conditions and relevant history

Subject land

The subject site comprises two (2) Crown land allotments formerly identified as Crown Allotments 33 & 33A, Section 2 P/Macedon. The Crown allotments form part of the Macedon Regional Park which generally surrounds the Mount Macedon township to the north, east and west. The highest peak within the park is Mount Macedon which is an extinct volcano rising 1,010 metres above sea level. Very close to the summit of Mount Macedon is the Mount Macedon Memorial Cross (the Cross). The Cross was constructed in 1935 to commemorate the Australian service people who were killed in the First World War and is the second largest War Memorial in Victoria (second to the Shrine of Remembrance).

This application relates to an area directly to the south-east of the Cross. The subject area forms a triangular shape that extends outward from the landmark for approximately 150 metres and totals 0.79ha. The subject area is dominated by established and predominantly intact, native vegetation comprising Alpine Ash, Broad-leaf Peppermint Eucalyptus, Messmate Stringybark Eucalyptus, Snow Gums together with Blackwood and Bootlace Bush and a variety of other understorey and ground cover species. The vegetation exhibits affinities to Montane Grassy Woodland (EVC 37, Bioregional Conservation Status of Vulnerable) and Damp Forest (EVC 29, Bioregional Conservation Status of Least Concern) as identified in the Biodiversity Assessment prepared by Beacon Ecological submitted with the application. Notwithstanding, the vegetation is primarily regrowth following the Ash Wednesday fires and no remnant vegetation has been identified. The very northern section closest to the Cross has been regularly cleared to create a fuel break.

The subject area has a steep terrain and very limited accessibility. It is not traversed by any walking paths and the closest recognised waterway is approximately 148 metres to the west.

The subject area and Macedon Regional Park more broadly is managed by Parks Victoria.

Surrounds

The surrounding area is part of the Macedon Regional Park. The broader Park offers a wide variety of recreation and tourist experiences including a number of lookouts with substantial views including toward Melbourne CBD, walking trails, dining and informal picnicking and

historical and cultural information. Supporting infrastructure includes a loop road, main car park and overflow car park, public toilets, wastewater treatment plant, barbecue facilities, various signage, and walking paths.

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 involves the removal of vegetation to re-establish views to and from the Mount Macedon Memorial Cross, particularly views from the Memorial Cross to the Macedon township and the city of Melbourne. The vegetation proposed to be removed forms a triangular shape that extends outward from the landmark in a south-easterly direction and totals 0.79ha. An estimated total of 120 – 150 native canopy trees are proposed to be removed. The lower shrub / understorey and ground cover layer is to be retained.

Parks Victoria initially proposed three (3) options for vegetation clearing as follows:

- Option 1 which has an impact area of approximately 0.71 hectares;
- Option 2 which has an impact area of approximately 1.45 hectares; and
- Option 3 which has an impact area of approximately 2.30 hectares.

The various options are shown in Attachment 3 of this report. Option 1 is located within ESO5 and subject to Planning Permit.

The Site Plan below demonstrates the chosen Option 1 including the location, species and amounts of vegetation proposed to be removed.

The application material includes a Biodiversity Assessment prepared by Beacon Ecological dated September 2022 which identifies the species, health, amounts and value of the vegetation in the subject area. It characterises the vegetation in the subject area as relatively intact native vegetation except for the area 30 metres immediately south of the Memorial Cross which has been regularly slashed as a strategic fuel break, and a portion in the south-east where some canopy trees have previously been removed.

The report identifies three (3) different habitat zones that make up the subject area including Zone 1 – MGW1 (Montane Grassy Woodland), Zone 2 – MGW2 (Montane Grassy Woodland) and Zone 3 – DF1 (Damp Forest).

For background 'Montane Grassy Woodland' (EVC 37) is described as follows:

“Montane Grassy Woodland typically occurs in montane elevations on moderately fertile soils on all aspects. An open eucalypt woodland to ten metres tall, sometimes with a secondary tree layer. The understorey often consists of a sparse shrub layer which can be variable in height. The EVC is characterised by its grassy ground cover together with a variety of other graminoids and herbs”

'Damp Forest' (EVC 29) is described as follows:

“Damp Forest typically grows on a wide range of geologies on well-developed generally colluvial soils on a variety of aspects, from sea level to montane elevations. Dominated by a tall eucalypt tree layer to 30 metres tall over a medium to tall dense shrub layer of broad-leaved species typical of wet forest mixed with elements from dry forest types. The ground layer includes herbs and grasses as well as a variety of moisture-dependent ferns.”

The particular characteristics of the vegetation in each zone is summarised below.

Zone 1 – MGW1 (Montane Grassy Woodland)

- Located immediately south of the Memorial Cross.
- Measures approximately 0.03 hectares.
- Is managed as a strategic fuel break and canopy trees and shrubs are generally absent.
- Has a ground cover dominated by the native Weeping Grass, with scattered Common Tussock-grass, Bidgee-widgee, Austral Bracken and Prickly Starwort.
- Has a moderate cover of various introduced species.
- No tree removal is proposed within Zone 1.

Zone 2 – MGW2 (Montane Grassy Woodland)

- Located to the south-east of the Memorial Cross below Zone 1 - MGW1.
- Measures approximately 0.25 hectares.
- Has been modified previously to improve the view scape in this direction, however vegetation was found to be naturally recruiting strongly.
- Dominated by native species including some Snow Gums over a sometimes dense shrub layer comprising Blackwood, Snowy Daisy Bush, Elderberry, Bootlace Bush with a variety of native understorey plants.
- Introduced vegetation cover is low.
- Approximately 38 – 47 trees are proposed to be removed from Zone 2.

Zone 3 – DF1 (Damp Forest)

- Located at the very southern end of the subject area.
- Measures approximately 0.51 hectares.
- Comprises an overstorey of Alpine Ash, Broad-leaf Peppermint Eucalyptus and Messmate Stringybark Eucalyptus together with Blackwood and Bootlace Bush over an understorey of various primarily native species such as Common Tussock Grass, Spiny-headed Mat-rush and various other species.
- Introduced cover was identified as negligible.
- Many trees in this Zone were found to have fallen as a result of recent strong winds / storms.
- Approximately 77 – 97 trees are proposed to be removed from Zone 3.

No remnant native scattered trees were identified in the subject area.

As the proposal focuses on reducing the height of vegetation to create a view scape, Parks Victoria has submitted that there will be minimal impact to the lower shrub/understorey and groundcover layers. It has been advised that all stumps of felled trees will be retained and vegetation removal will be carried out by specific machinery that require minimal dragging of logs further minimising impact and ground disturbance. However, some clearing will be required for machinery access.

The applicant has advised that the machinery will be operated by trained personnel who will be made aware of the environmental sensitivities of the work.

The funding for this project stems from a commitment by the Minister for Energy, Environment and Climate Change. The funds are issued through the Distinctive Areas and Landscapes (DAL) Grant Program, issued by DEECA.

Relevant Macedon Ranges Planning Scheme controls

Section 46AZK of the Planning and Environment Act 1987

Section 46AZK of the Planning and Environment Act 1987 requires 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 4 contains the officer assessment against the SOPP. The assessment found that the proposal generally meets the objectives and strategies specified in the policy.

Planning Policy Framework

Clause no.	Clause name
12.01-1S	Protection of Biodiversity
12.01-2S	Native Vegetation Management
12.05-1S	Environmentally Sensitive Areas
14.02-1S	Catchment Planning and Management
14.02-2S	Water Quality
15.03-1S	Heritage Conservation

Local Planning Policy Framework

Clause no.	Clause name
21.01	Municipal Profile
21.02	Key Issues and Influences
21.05-1	Biodiversity and Native Vegetation Management
21.05-2	Significant Environments and Landscapes
21.07-3	Water
21.08-1	Heritage Conservation

Zoning

Clause no.	Clause name
36.03	Public Conservation and Resource Zone (PCRZ)

Overlay

Clause no.	Clause name
42.01	Environmental Significance Overlay, Schedule 5 (ESO5)
42.03	Significant Landscape Overlay, Schedule 1 (SLO1)
43.01	Heritage Overlay (HO)
44.06	Bushfire Management Overlay (BMO)

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

	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> ?	Yes (but not the activity area, and therefore not required)
2	Does the application proposal include significant ground disturbance as defined in Part 1 Regulation 5 of <i>Aboriginal Heritage Regulations 2018</i> ?	No
3	Is the application proposal an exempt activity as defined in Part 2 Division 2 of <i>Aboriginal Heritage Regulations 2018</i> ?	No
4	Is the application proposal a high impact activity as defined in Part 2 Division 5 of <i>Aboriginal Heritage Regulations 2018</i> ?	No

Parks Victoria has advised that no CHMP is required. This information was shared with the relevant traditional owner group.

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
Southern Rural Water	No objection
Greater Western Water	No objection, subject to one condition.

Authority (Section 52)	Response
Department of Transport and Planning	No objection. Requested three (3) conditions as follows: - Tree trimming operations must be undertaken using the three-cut method as described in Australian Standard for Pruning Amenity Trees (AS 4373—2007). Use of an excavator, backhoe, bulldozer blade or loader to trim branches of trees is not permitted. - Mitigation measures to prevent further land degradation must be implemented to the satisfaction of the Responsible Authority.

	- Pollution or litter traps must be provided on site to improve the quality of discharge from new developments prior to discharge to water courses and to minimise the amount of sediment and litter entering waterways from new development.
Melbourne Water	No objection.
MRSC Heritage	Relevant to this application, Council’s heritage adviser has noted: <i>There is no permit trigger under the Heritage Overlay as tree controls do not apply in the HO37 (and noting that a large portion of the site is outside the HO).</i>
MRSC Engineering	No objection, no conditions.
MRSC Environment	Council’s Environment team reviewed the proposal and raised issues with the proposal. The issues relate to the extent of vegetation loss (and the principles of avoid, minimise and off set), the impact of machinery on further vegetation and habitat, and potential longer term impact. <i>Planner comments: The application reviewed by the environment team included all three options (i.e. additional clearing than the 0.79ha in Option 1). The reduction in vegetation loss from the broader Options 1, 2 and 3, to the smaller Option 1 area attempts to strike a reasonable balance between the needs to the environment, tourism, and heritage.</i>
First Peoples - State Relations	Advised that the proposed activity occurs within the Registered Aboriginal Party boundary of Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation. <i>In response to this Parks Victoria (the applicant) has advised that: Parks Victoria employs a more detailed and sophisticated assessment of cultural heritage values and risks, which is beyond the simple checks employed through the standard tools. These assessments are undertaken by dedicated cultural heritage experts. In this case a site visit was completed, as well as a review of the Aboriginal Cultural Heritage Register and Information System (ACHRIS), which concluded that a CHMP would not be triggered for these works. Parks Victoria has shared this information with the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation, and also engaged them to deliver a site induction.</i>

Advertising

The application was advertised by displaying a sign on site and by letter as registered post to surrounding land owners and occupiers. Fifty-five (55) letters of objection have been received and seventeen (17) letters of support.

The grounds of objection are summarised as follows:

- The proposal is inconsistent with local planning policy which promotes the protection of native vegetation, biodiversity and water catchments.
- The proposal is inconsistent with the purpose of the zone being for conservation of the natural environment.
- The proposal is inconsistent with the Environmental Significance Overlay as the removal of vegetation will impact the distribution of groundwater affecting water health and quality and additionally will result in loss of habitat.
- The proposal is inconsistent with the Clause 51.07 (Statement of Planning Policy) which promotes sustainable tourism, and protection of biodiversity.
- The subalpine habitat is unique and should be protected.
- Destruction of vegetation will result in habitat loss in the area which would be harmful to native bird and animal species.
- The proposal will result in the destruction of Snow Gums which are a vulnerable species.
- Removal of canopy cover will inevitably result in negative impact to understory.
- Machinery proposed will unavoidably damage the understory and ground cover.
- Light spill will result from vegetation clearing.
- Reductions in inflows and groundwater due to this project will have a cascading impact on the flow and food web of the nearby Turitable Creek, a known home of the platypus.
- Protection of biodiversity and high value native vegetation should be prioritised over tourism.
- The proposal does not adequately demonstrate how it will achieve no net loss to biodiversity.
- Clearing of vegetation on a sloping topography would result in erosion, which would lead to further devastation to the local ecosystem.
- The proposal does not address climate change issues and is not reflective of a modern environmentally conscious viewpoint.
- Maintaining a view to and from the cross is no longer appropriate considering the growing emphasis on environmental protection and climate change.
- Macedon Ranges is a declared distinctive area and landscape under State planning policy in 2018, and MRSC's policy documents have a clear focus on sustainable tourism management.
- The proposal conflicts with Parks Victoria's responsibility under the Distinctive Areas and Landscapes section of the Planning and Environment Act 1987 which requires the protection of areas with unique environmental, cultural, or scenic values.
- Parks Victoria has failed to consider other options for obtaining a view that do not result in the amount of vegetation loss currently being proposed (including a viewing platform).
- The proposal would leave a scar on the mountain which does not align with the character and image of the Macedon Range.
- Views are not included as a contributory element to the Cross's significance in the Victorian Heritage Register's Statement of Significance.

- There are other panoramic viewpoints in the area including Major Mitchell Lookout, the 'Top of the Range' Tea Rooms, the Western Lookout, and the viewing platform on The Camel's Hump where visitors are able to enjoy views to and from the cross.
- The key feature of the memorial cross is commemoration of war participants, not for views to the city.
- The purpose of the memorial cross is to attract visitors to pay their respects to participants of war while experiencing the unique environment, not for views to the city.
- The proposal does not maintain an environmentally sustainable visitor economy.
- There is no evidence to support that reinstating the views of the cross would significantly enhance tourism in the area.
- Proposed removal of vegetation could set an unreasonable precedent for further removal of vegetation in the area, potentially leading to irreparable damage to the ecosystem.
- The proposal would set a bad precedent for landowners.
- The proposal would create negative publicity for the Shire and damage the Shire's reputation as a high profile, pro-environmental region.
- The proposal is not reflective of what the majority of the community want.
- There has been no meaningful community engagement.
- The memorial cross fails to be inclusive of all aspects of war and people who gave their lives to defend Australia.

The reasons put forward in support of the proposal are summarised as follows:

- The visibility of the Mount Macedon Cross is integral to its heritage and commemorative value.
- War memorials and cenotaphs often occupy prominent locations where they are highly visible to a broad population base facilitating commemoration, in this case of the sacrifice of life of more than 100,000 young Australians in service of our country at war.
- The Mount Macedon Cross was designed and constructed as a larger scale, national war memorial that would be illuminated so as to be visible from Melbourne.
- The removal of canopy trees would reinstate the spectacle of the rising sun described as a 'profoundly moving moment in this iconic dawn service" which is a fundamental part of commemoration.
- The proposal has come about due to lack of maintenance and simply reinstates the historic view line.
- If maintenance works are not undertaken now, the trees will eventually grow to a height that will completely obstruct sunlight on the Cross at the ANZAC dawn service.
- The Mount Macedon Cross has been an important icon in the region for nearly 90 years and its current obscurity by vegetation due to overgrown regrowth removes an important part of local identity.
- The dawn service attracts locals and tourists alike and the visibility of the Mount Macedon Cross will ensure the continued popularity of this commemorative event to the benefit of the Shire.

- Parks Victoria has chosen the option with the least impact to the environment (least restoration of views) which is a reasonable balance between heritage (commemorative/tourist) and environmental objectives.

Officer assessment

An application for removal of vegetation is required by the Environmental Significance Overlay, Schedule 5 (ESO5) that sits over this part of the broader Macedon Regional Park. The planning assessment can only take into account the relevant provisions of the Macedon Ranges Planning Scheme as directed by the *Planning and Environment Act 1987*. To this end, the ambit of discretion is limited to the requirements of the Environmental Significance Overlay, Schedule 5 (ESO5).

It is important to reiterate that whilst the site has various other planning controls including the PCRZ, HO37, SLO1 and BMO, there is no permit requirement under these provisions, nor is there a permit requirement under Clause 52.17 – Native Vegetation for reasons detailed earlier in the report. The Responsible Authority can only consider the proposal in the context of the planning permit trigger and this view has been confirmed on numerous occasions by the Victorian Civil and Administrative Tribunal (VCAT).

The scope of consideration of this planning assessment is therefore limited to the Environmental Significance Overlay (ESO5) which focuses on impacts to water catchments, and the relevant planning policy frameworks inasmuch as they relate to the considerations conveyed in the ESO5.

It is this particular control which will therefore be the focus of the following assessment.

Environmental Significance Overlay, Schedule 5 (ESO5)

Specifically the ESO is purposed to:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify areas where the development of land may be affected by environmental constraints.*
- *To ensure that development is compatible with identified environmental values.*

Before deciding on an application, the Responsible Authority is required to consider:

- *The Municipal Planning Strategy and Planning Policy Framework.*
- *The statement of environmental significance and the environmental objective contained in a schedule to this overlay.*
- *The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.*
- *Any other matters specified in a schedule to this overlay.*

The associated Schedule 5 relates to ‘Other Water Supply Catchments’. It contains the following Statement of Environmental Significance:

Regional water catchments are located throughout the Shire. The protection of catchments from inappropriate development and the protection of water quality is paramount to the health of the surrounding environment, habitat, vegetation and all urban and rural communities.

The following environmental objectives are relevant to this proposal:

- *To protect and utilise the resources of the area as a water catchment for urban and local supply.*

- *To ensure the protection and maintenance of water quality and water yield within the catchment areas.*
- *To ensure that land use activities and land management practices are consistent with the conservation of natural resources.*
- *To control land use and development adjacent to water courses and water storages.*
- *To maintain and enhance the quantity and quality of water produced within the catchment.*
- *To minimise the threat of pest plants and pest animals to agricultural land and to water catchment areas.*

Various decision guidelines are listed at Section 5 of the Schedule and these are responded to in turn below. The overarching decision guidelines conveyed at Clause 42.01-5 (detailed above) are also address in the following table.

ESO Decision Guideline	Response
<i>To implement the Municipal Planning Strategy and the Planning Policy Framework.</i>	See policy discussion below.
<i>The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.</i>	This not relevant to this application. The vegetation is not proposed or required to be removed to reduce bushfire risk.
<i>Any other matters specified in a schedule to this overlay.</i>	See response to matters in Schedule 5 below.
ESO5 Decision Guideline	Response
<i>The impact of the development on the water catchment.</i>	<p>The closest recognised waterbody is approximately 148 metres to the west of the proposed works. Given the distance, it is unlikely the works will impact this waterway.</p> <p>The works are limited to the removal of the tree canopy (including large shrubs) and all tree stumps, understorey and groundcover vegetation will be retained (except temporarily for access). This will further minimise the likelihood of adverse impacts to the water catchment.</p> <p>Whilst some clearing will be required to create temporary access for machinery, this will be short-term and is highly unlikely to have any implications for the longer term health of the water catchment. Notably, the relevant Water authorities including the Catchment Management Authority were notified of the proposal and have provided conditional consent. The works will also be carefully managed through strict permit conditions, including the access.</p>
<i>Whether the proposed development provides a net benefit to the stability and health of the waterway.</i>	The proposal is not expected to result in harm to a waterway. The works are removed from any recognised water body and the stability of the area will be preserved through the retention of canopy tree roots and understorey vegetation minimising the risk of erosion.

<p><i>The need to protect vegetation and habitat and the role these attributes play in improving and assisting in the maintenance of water quality. In particular, the need to maintain and revegetate land within 30 metres of a watercourse.</i></p>	<p>As detailed, the subject area is well over 30 metres from any identified watercourse, and the proposal does not involve removal of vegetation from any stream / watercourse embankment.</p> <p>The understorey and groundcover will be retained which is the essential vegetation component in terms of assisting to maintain water quality, and this retained vegetation will also serve to maintain habitat and soil stability.</p>
<p><i>The need to retain vegetation which prevents or limits adverse effects on ground water recharge.</i></p>	<p>The understorey and groundcover vegetation will be retained which will limit the likelihood of adverse impact to ground water recharge. Any impact to the understorey and groundcover as a result of clearing for temporary machinery access will be short-term and revegetation of these areas can be managed by permit condition as previously detailed.</p>
<p><i>The need to address any existing land degradation and prevent further land degradation as a result of the proposal.</i></p>	<p>It is recognised that the area has been subject to storm damage in recent times and a number of fallen trees are present in the subject area. However, the report prepared by Beacon Ecological states that no land degradation has been identified, noting the findings in this report have been informed by a field assessment.</p> <p>Parks Victoria will also be removing invasive species which will improve the quality of the land, and further improvements such as revegetation can be managed by permit condition.</p>
<p><i>Whether any proposed effluent and irrigation fields are within 100 metres of any watercourse.</i></p>	<p>The proposal does not involve any effluent or irrigation fields.</p>
<p><i>How any proposed septic tank or other form of wastewater treatment may impact the quality of water in the catchment.</i></p>	<p>The proposal does not involve the installation of a septic tank or any other wastewater treatment measure.</p>
<p><i>The need to include litter traps and artificial wetlands in development proposals to improve the quality of discharge from new developments prior to discharge to water courses and to minimise the amount of sediment and litter entering waterways from new development.</i></p>	<p>Not relevant. There will be no water discharge.</p>
<p><i>Any relevant land capability study or relevant Catchment and River Health Strategy for the area.</i></p>	<p>None relevant.</p>
<p><i>Any approved local land care policies and plans.</i></p>	<p>None relevant.</p>

On the basis of the assessment above, it is submitted that the proposal meets the provision of the Environmental Significance Overlay (ESO5) subject to a permit condition requiring the submission of an Environmental Management Plan. This Plan will require details of machinery access and measures to mitigate impacts; a plan of appropriate revegetation works to be carried out across the subject area; and details of future management and

maintenance practices, all of which will assist to limit risk and impact to the water catchment both in the short-term from the proposed works and into the future.

It is highlighted that the proposal has been referred to the relevant water management authorities who have raised no objection.

Planning and Local Policy Frameworks (PPF and LPPF)

Only the policies of particular relevance to this proposal are summarised below, bearing in mind the environmental objectives to be achieved under the ESO5 primarily relate to the protection of the water catchment and maintenance of water quality.

Water Catchment Policies

Clause 14.02-1S - Catchment Management and Planning of the PPF is of high relevance to this proposal. The objective of the policy is *“to assist the protection and restoration of catchments, waterways, estuaries, bays, water bodies, groundwater, and the marine environment.”* The most relevant strategies include to:

- *Ensure the continued availability of clean, high-quality drinking water by protecting water catchments and water supply facilities.*
- *Consider the impacts of catchment management on downstream water quality and freshwater, coastal and marine environments.*
- *Retain natural drainage corridors with vegetated buffer zones at least 30 metres wide along each side of a waterway.*

Clause 14.02-2S – Water Quality of the LPPF seeks to protect water quality from potential contamination, primarily from incompatible land uses and associated activities.

Clause 21.07-3 – Water of the LPPF provides the local content to the clauses above and highlights the importance of protecting water catchments and water quality from inappropriate development, largely as a result of the intensification of wastewater and septic discharges, and changing land management practices. It conveys the following relevant objectives and strategies:

- *To retain and improve water quality and yield in the Special Water Supply Catchments, waterways and groundwater.*
 - *Discourage uses and development in Special Water Supply Catchments and elevated areas that have the potential to reduce water quality.*

The proposal generally meets these policies for reasons detailed above in response to the ESO5 objectives. The area is not in close proximity to a recognised waterway; understorey and ground cover vegetation will be retained and rehabilitated which will be secured by permit condition; and no objection has been received from the relevant water authorities who are responsible for the management and protection of the water catchment.

Biodiversity and Native Vegetation policies

The proposal is exempt from the requirements of Clause 52.17 – Native Vegetation because it is works on Crown Land.

DELWP noted in a referral response:

Parks Victoria will be accessing the exemption for works on Crown land (as articulated in Clause 52.17 under the Macedon Ranges Planning Scheme) for the removal of native vegetation to meet the objectives of the Macedon Distinctive Areas and Landscapes Study. To rely on this exemption Parks Victoria will complete the works in accordance with the

Procedure for the removal, destruction or lopping of native vegetation on Crown land (DELWP, May 2018).

Notwithstanding this, a Biodiversity Assessment has been undertaken by Beacon Ecological, submitted by Parks Victoria, and in regard to biodiversity impact, it was concluded that:

“the proposed works will impact on relatively intact and partially modified native vegetation with affinities to Montane Grassy Woodland (EVC 37, Bioregional Conservation Status of Vulnerable) and Damp Forest (EVC 29, Bioregional Conservation Status of Least Concern. DELWP modelling indicates that the proposed works will not impact on greater than 0.005% of the modelled habitat value for any rare or threatened species.”

It was highlighted that vegetation removal cannot be avoided in order to achieve the project aim and that Parks Victoria has sought to minimise vegetation impacts by pursuing the option which encompasses the least removal thus attempting to balance memorial cross views and heritage and environmental objectives.

It was also stated that the loss of biodiversity through the removal of native vegetation on Crown land by Parks Victoria would be counterbalanced by corresponding improvements to native vegetation and biodiversity through other actions undertaken by Parks Victoria in the regional park.

It is important that the various recommendations related to native vegetation, sedimentation and pollution, and weed and biosecurity in the Biodiversity Assessment (Section 5.2, pages 24, 25) be included as permit conditions.

In addition to the above, it is highlighted that the vegetation is predominantly regrowth that has re-established since the Ash Wednesday fires in 1983 and the last known maintenance task in approximately 2007 when the Cross was refurbished (apart from maintenance of the fuel break). In this sense, the application does not involve the removal of remnant vegetation which is more highly valued from a biodiversity perspective, and the removal of vegetation is more akin to an overdue maintenance task managing regrowth.

Heritage policies

In a similar manner to the above, there is technically no statutory mechanism compelling the consideration of heritage policies as there is no permit requirement under the Heritage Overlay.

Notwithstanding, it is important to understand the context and purpose of this application in formulating a view. It is also noted that heritage policy extends to the consideration of development (or by extension ‘works’) outside an HO and its impact to any nearby heritage place. It is therefore not outside the remit of this assessment to consider how the works will impact the heritage place.

To this end, the proposal will obviously facilitate the heritage and cultural value of the Cross by reinstating view lines which are explicitly recognised in the VHR listing – specifically views from a distance.

Having regard to the heritage objectives of the PPF and LPPF, the primary objective for heritage conservation is to *“protect and enhance important heritage features and values for residents, visitors and future generations”* (Clause 21.08-1 – Heritage Conservation) and this includes to *“protect public views of heritage places”*. The proposal will clearly realise these objectives as it will not only protect, but also enhance, this heritage place and its associated values, to the benefit of residents, visitors and future generations alike.

One of the ways to enhance and facilitate the purpose of the VHR listing and maintain the heritage value of landmark, is to manage the surrounding vegetation.

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

In accordance with s 46AV(1)(c) of the Planning and Environment Act 1987, it is stated that the:

- *Objectives in this statement are binding on RPEs*
- *Strategies in this statement are in the nature of recommendations to which RPEs must have regard.*

The SOPP further states that “*Responsible public entities should endeavour to integrate the Objectives and Strategies relevant to the issues to be determined and balance conflicting considerations in favour of an outcome that best promotes the intent of this statement for the benefit of present and future generations*”.

In this instance, the proposal is consistent with the Statement of Planning Policy, noting that the various policy domains in the Statement have differing values and requires judgements. Importantly, under the Tourism and Recreation policy domain the Statement notes “*There are magnificent views of Melbourne and its hinterland from the Mt Macedon Memorial Cross and Camels Hump viewing areas.*”

Currently there are limited, if any, views of Melbourne from the Memorial Cross due to the extent of tree growth. This application seeks to provide those views, in line with Option 1 provided by Parks Victoria, with the removal of trees to provide a view corridor.

The relevant objective of the SOPP include:

- 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.

The impact on water catchments has been reviewed by the referral authorities, who do not object to the proposal.

Clause 65 – Decision Guidelines

Clause 65 – Decision Guidelines contains a raft of general considerations for applications. Most notably, it draws in consideration of Section 60 of the *Planning and Environment Act 1987*. Section 60 of the *Planning and Environment Act 1987* sets out the matters which the Responsible Authority must consider when deciding an application and this includes consideration of the objectives of planning in Victoria.

The most relevant overarching objectives of planning in Victoria include:

- *to provide for the fair, orderly, economic and sustainable use, and development of land;*
- *to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;*
- *to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;*

It is submitted that on balance, the proposal meets objectives to provide for ‘*fair and orderly planning*’ and clearly assists to conserve and enhance a place of significant historical interest and cultural value, to the benefit of the broader Victorian population. Whilst there will be some adverse impact to native vegetation / environmental resources in the short-term, this has been minimised and can be managed in such a way to reduce the likelihood of any longer term effect (i.e. through a revegetation program). It is considered that the significant heritage, cultural and social benefits derived from the proposal outweighs the environmental impact in this instance.

Response to objections

Given the breadth of issues raised in the letters of objection, a response to each individual concern has not been provided in this report. It is considered that the report as a whole provides the planning context and response to the matters raised.

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.



Attachment 1 - Conditions

COUNCIL MEETING – 28 JUNE 2023 APPLICATION FOR
PLANNING PERMIT PLN/2022/378 – REMOVAL OF VEGETATION
WITHIN THE ENVIRONMENTAL SIGNIFICANCE OVERLAY
(ESO5) – CROWN ALLOTMENTS 33 & 33A, SECTION 2
P/MACEDON, MOUNT MACEDON WAR MEMORIAL CROSS
RESERVE, 409 CAMERON DRIVE MOUNT MACEDON VIC

1. Before the development starts, 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) An amended Site Plan Map with dimensions that correctly notates the total area of vegetation affected by the proposal;
 - b) An Environmental Management Plan (EMP) in accordance with Condition 6 of the permit. The Environmental Management Plan must be implemented prior to any vegetation removal and during construction to protect retained trees.

When approved, these plans will be endorsed and will form part of this permit.
2. The vegetation removal hereby approved must be carried out in accordance with the plans endorsed under this permit and must not be altered unless with the prior written consent of the Responsible Authority.
3. Only the vegetation marked “vegetation to be removed” on the endorsed plans are permitted to be removed or destroyed, to the satisfaction of the Responsible Authority.
4. No other vegetation on site shall be removed, damaged, destroyed, felled, lopped or uprooted unless with the prior written consent of the Responsible Authority.
5. Within three (3) months of the felling of trees approved under this permit, all felled trees shall be mulched or removed from the site to the satisfaction of the Responsible Authority.
6. Prior to commencement of the works, an Environmental Management Plan (EMP) must be prepared and submitted to the Responsible Authority. When approved it will form part of the planning permit. The EMP must include:
 - a) A plan indicating the location of existing and proposed buildings and points of vehicle access to the site.





- b) An assessment of impacts to understorey vegetation as a result of machinery access and how this vegetation will be assisted to be re-established.
 - c) The means by which trees outside the affected area will be protected, particularly with respect to machinery access.
 - d) A plan for the long-term solutions for vegetation control, including details of how canopy tree regrowth will be managed into the future.
 - e) Details of a revegetation program of appropriate EVC/indigenous species that will enhance the biodiversity of the area whilst minimising intrusion into the desired 'view scape'.
 - f) Mitigation measures to be employed to prevent land degradation and minimise the risk of erosion, land slip and potential adverse impacts to the water quality and filtration of the catchments below.
7. Prior to development commencing (including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings), vegetation marked on the plan to be retained must have a Vegetation Protection Zone (VPZ) defined on a plan to the satisfaction of the Responsible Authority. Each VPZ must extend around all the vegetation to be retained and shall be approved to the satisfaction of the Responsible Authority. All the vegetation protection fencing required by this permit must be erected in accordance with the approved VPZ.
 8. Ensure any proposed works remain within the permitted construction footprint (i.e. do not disturb or remove areas of native vegetation outside this footprint).
 9. Inform contractors that drainage lines are areas of ecological value or pathways to areas of ecological values (e.g. rivers, oceans and wetlands).
 10. Ensure best practice sedimentation and pollution control measures, to the satisfaction of the Environment Protection Authority (EPA 2171), are undertaken at all times to prevent off-site impacts.
 11. Ensure waste stockpiles, skips and personnel rest areas are located away from drainage areas to prevent accidental movement of rubbish and construction materials within waterways.
 12. Any imported soil or gravel must be weed free to prevent importation of weed seed into the study area.
 13. Control the placement of any soil stockpiles and green waste outside areas of native vegetation.

DEECA (formerly DELWP) conditions

14. Tree trimming operations must be undertaken using the three-cut method as described in Australian Standard for Pruning Amenity Trees (AS 4373—2007). Use of an excavator, backhoe, bulldozer blade or loader to trim branches of trees is not permitted.
15. Mitigation measures to prevent further land degradation must be implemented to the satisfaction of the Responsible Authority.

Greater Western Water



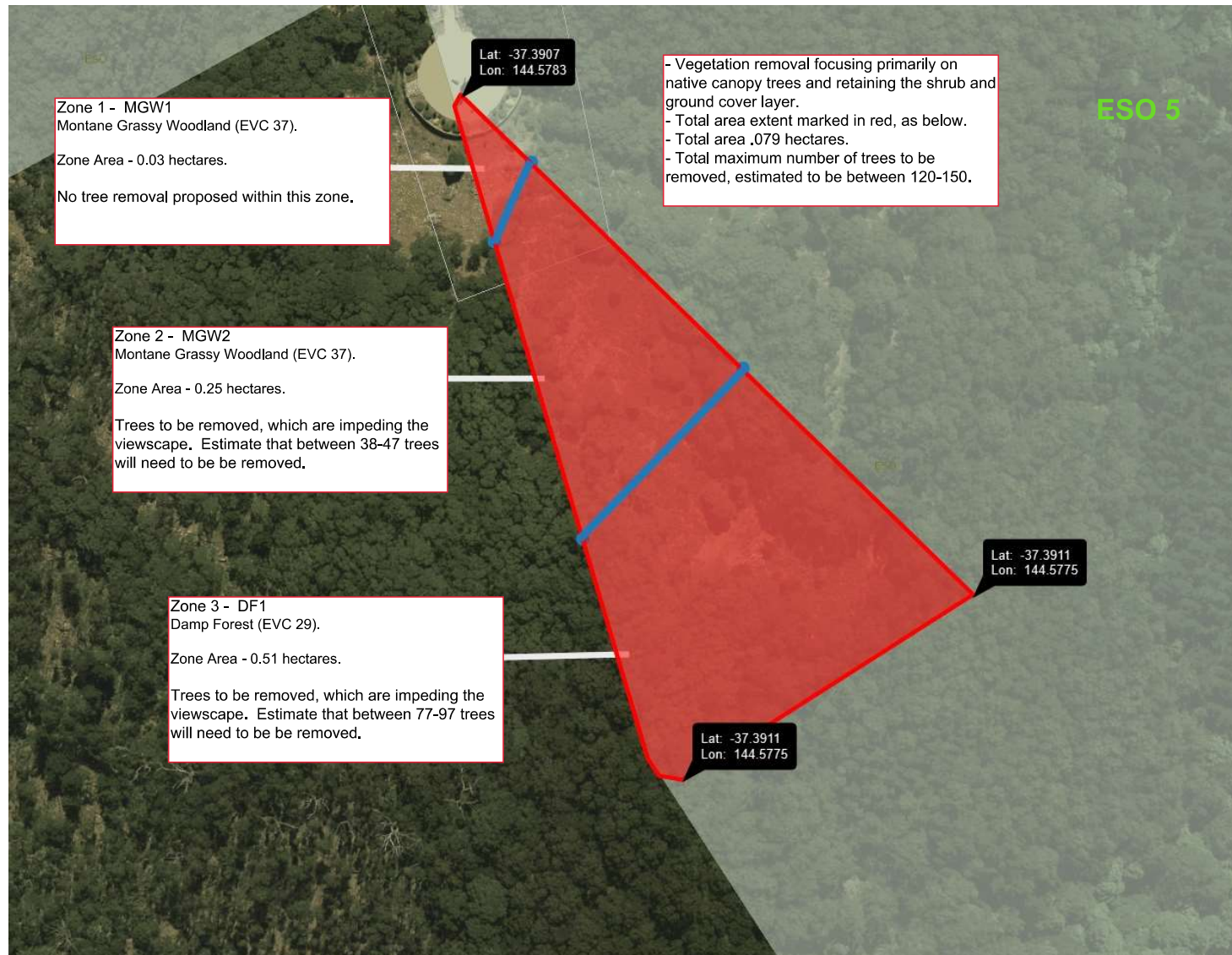


16. **Sediment Pollution Controls must be employed during and after removal of trees and maintained until the disturbed area has been regenerated.**

Permit Expiry

17. **This permit will expire if the vegetation hereby permitted to be removed under this permit is not removed within 24 months of the date of this permit. The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.**





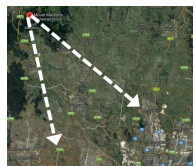
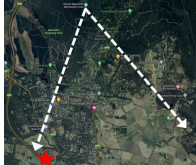
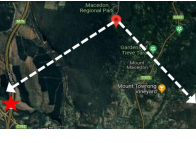
Disclaimer: Parks Victoria does not guarantee that this data is without flaw of any kind and therefore disclaims all liability which may arise from you relying on this information.



OFFICIAL

ATTACHMENT ONE: Options Assessment

Table 1: Desktop Analysis of Options

Strategy / Option		PROJECT COST < BUDGET	EXPERIENCE QUALITY	Biodiversity / Environment	Heritage Significance	PROS	CONS	Comments on Option
Description	Visual							
1. PV001 Viewing experience OUT to Melbourne ONLY (135-175 degree bearing)		Yes	High	Medium	ACCEPTABLE	<ul style="list-style-type: none"> Views to Melbourne CBD and from the viewing corridor re-instated No impact on Vulnerable EVC (Montane Grassy Woodland) Remote and natural feel of Macedon Ranges Walk Experience (setting) maintained and protected with 25m buffer. 	<ul style="list-style-type: none"> No change to views of Cross from Calder Freeway; Not the desired outcome of Memorial Cross Committee as expressed in the MMCR Master Plan 	Strikes a balance between conservation and providing a sustainable visitor experience. Complimented by Rural and Basalt Plains views from 3 other formal lookout vantage points facing West within the precinct'.
2. PV002 Viewing experience OUT and IN from Calder Hwy ViewPoint A (135 – 200 degree bearing)		Unsure	High	Significant	ACCEPTABLE	<ul style="list-style-type: none"> Views to Melbourne CBD and from the viewing corridor re-instated Long range views of the Memorial Cross from Calder Highway re-instated 	<ul style="list-style-type: none"> Significant additional clearing required to achieve and maintain sustainable views across ridgeline – change of vegetation structure. Tree lopping in Vulnerable EVC (Montane Grassy Woodland) Direct impact on Macedon Ranges Walk – remote and natural experience (setting) 	Initial costs unclear. Also unknown how critical long views to the Calder Highway are for the community. Biodiversity / environmental impact directly related to quantity of vegetation to be lopped and structure of vegetation community change.
3. PV003 Viewing experience OUT and IN from Calder Hwy ViewPoint B (135 – 235 degree bearing)		Unsure	High	High	ACCEPTABLE	<ul style="list-style-type: none"> Views to Melbourne CBD re-instated Medium and long range views of the Memorial Cross from Calder Highway re-instated 	<ul style="list-style-type: none"> Significant additional clearing required to achieve and maintain sustainable views across ridgeline – change of vegetation structure. Tree lopping in Vulnerable EVC (Montane Grassy Woodland) Direct impact on Macedon Ranges Walk – remote and natural experience (setting) 	As above.
4. STATUS QUO - Maintain in current state	No Change	Yes	Moderate	N/A	POOR	<ul style="list-style-type: none"> Vegetation structure maintained with Conservation outcomes the main priority. 	<ul style="list-style-type: none"> Views to Melbourne CBD and from the viewing corridor not provided. Heritage Significance Statement identifies the choice of materials (Wunderlich tiles) being conducive to viewing from long distances – by extension the value of the long range view can be inferred by some people. 	

Further Considerations

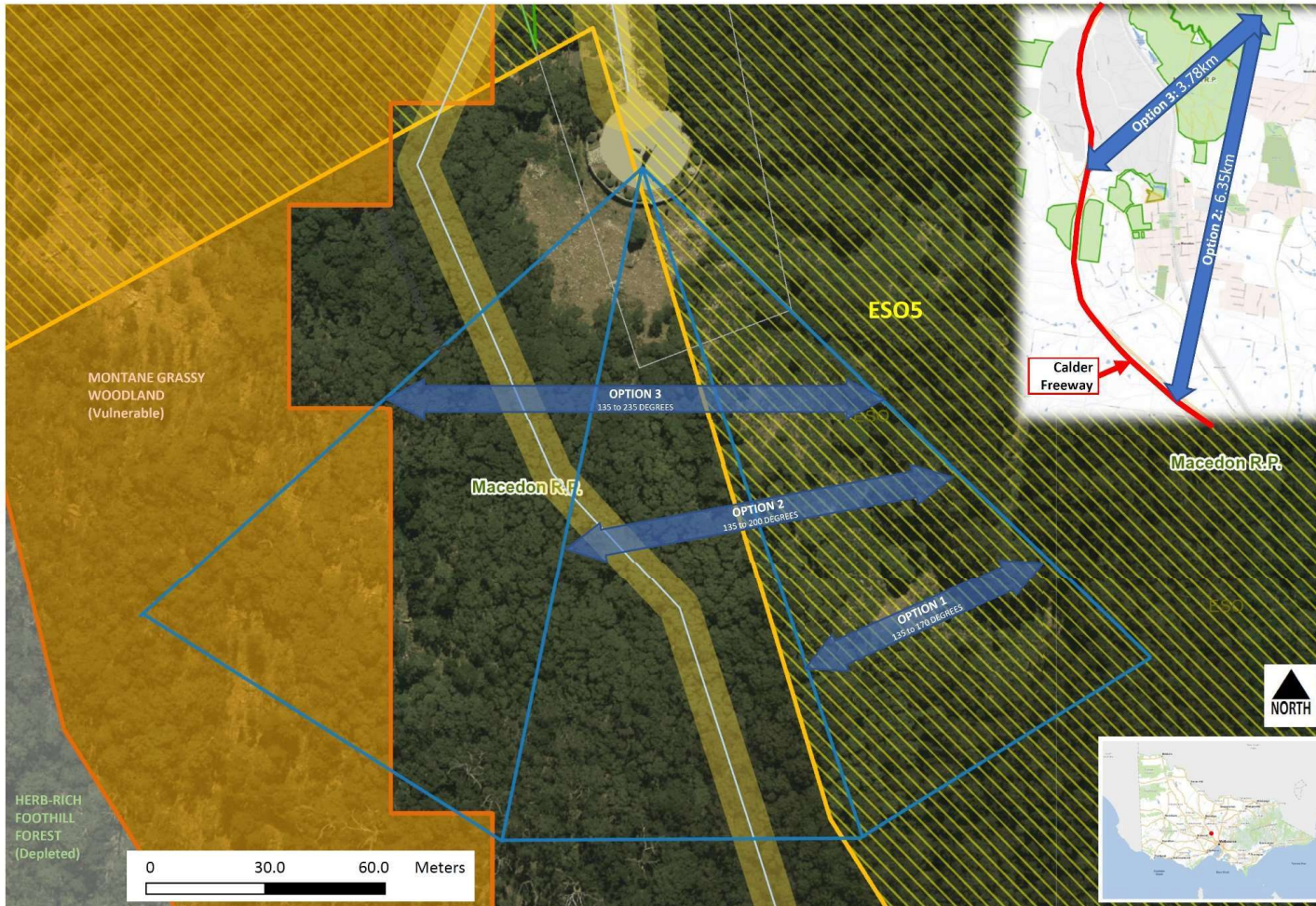
<ul style="list-style-type: none"> Fire and Emergency Management Bushfire prevention, consequence minimisation benefit is minimal and access / egress from the site in the event of other emergencies is not impacted by the proposed works. Aboriginal Cultural Heritage (Tangible) MCT check on ACHRIS - There are NO registered Aboriginal Cultural Heritage places within the activity area. Based on this assessment, "(you) are not required to apply for a Cultural Heritage Permit." MCT assesment link. 	<ul style="list-style-type: none"> Catchment Values Protection (ES05) All options include the same extent of incursion into the Environmental Significance Overlay (ES05) requiring planning approval. Planning and Regulatory Compliance These requirements are a process driven project planning and management step. The extent of clearing will not influence the Native Vegetation counterbalancing assessment. Ongoing maintenance cost Not considered (excluded) as part of this analysis. Will be considered by local team.
--	--

OFFICIAL

OFFICIAL

ATTACHMENT TWO: Options Overview Map

Macedon Regional Park
Memorial Cross Viewscape Options Overview



OFFICIAL

PLANNING DELEGATED COMMITTEE MEETING AGENDA

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

In accordance with s 46AV(1)(c) of the *Planning and Environment Act 1987*, it is stated that the:

- Objectives in this statement are binding on RPEs
- Strategies in this statement are in the nature of recommendations to which RPEs must have regard.

The SOPP further states that "Responsible public entities should endeavour to integrate the Objectives and Strategies relevant to the issues to be determined and balance conflicting considerations in favour of an outcome that best promotes the intent of this statement for the benefit of present and future generations." (Using the Statement, p. 11)
In this instance, the proposal presents a conflict between the achievement of environmental and heritage related objectives, both of which have equal weight. In this case, it is considered that the significant historical, social and cultural benefit derived from removing the vegetation and reinstating the viewscape associated with the Memorial Cross outweighs the relatively minor adverse environmental impact which can be suitably managed through permit conditions.

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 Mount Macedon Cross is an iconic structure that due to its age, appearance and meaning has become an integral part of the Macedon Ranges landscape. The proposal will reinstate important views to and from the Macedon Cross that have formed part of this landscape for nearly 90 years thus meeting the intent of this strategy.
		Encourage retention of native vegetation and revegetation that contributes to significant landscapes, particularly on escarpments and ridgelines and along riparian areas.		X		Whilst the proposal does not encourage the retention of native vegetation that forms part of a significant landscape, this outcome must ultimately be balanced with Objective 5 below. The vegetation is not remnant and through suitable management a reasonable environmental outcome can be achieved that would ultimately facilitate significant historic, cultural and social benefit to the local and broader Victorian communities.
		Manage development around significant landscapes of visual, scientific or education value, including along ridgelines and at vantage points.			N/A	The proposal does not technically involve development, however the proposed vegetation removal works have been kept to the minimum necessary to achieve heritage objectives.
		Manage development and infrastructure provision to ensure sequences of views from key road and rail corridors are maintained for current and future users.			N/A	The proposal does not involve development or infrastructure provision.

PLANNING DELEGATED COMMITTEE MEETING AGENDA

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
2	To ensure the significant biodiversity, ecological and environmental values of the declared area are conserved and enhanced		✓			
		Conserve and enhance high-value native vegetation and biodiversity and their ecological integrity by undertaking responsible environmental management, planning, procedures and practices.				Whilst the vegetation does present as high-value, intact vegetation, it is not remnant vegetation and should be considered in this context. The removal of vegetation will have other significant benefit to the local and broader community as discussed, and the issue of a permit will allow responsible environmental management in an ongoing manner that meets both environmental and heritage objectives.
		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	
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.		✓			The subject site is located with Special Water Supply Catchment Area. The application was referred to relevant water authorities and no objection has been raised. See response to the ESO5 objectives in the main report.
		Protect water quality and natural systems by discouraging development that contributes to the degradation of water quality and quantity.	✓			See response to the ESO5 objectives in the main report.
		Manage land use and development, including dams, in Declared Water Supply Catchments to retain and improve water quality and improve yield	✓			See response to the ESO5 objectives in the main report.

PLANNING DELEGATED COMMITTEE MEETING AGENDA

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
		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.			N/A	The subject area is not close to any recognised waterway.
		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 activity area is not located within a current area of Aboriginal cultural sensitivity.
		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 when planning and managing land use and development, water and other environmental resources.			N/A	
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,	✓			The proposal will reinstate important views to and from the Macedon Cross which is integral to the heritage significance of this recognised heritage place.

PLANNING DELEGATED COMMITTEE MEETING AGENDA

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
		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.			N/A	
6.	To support and encourage agricultural land uses that strengthen the declared area's economy and contribute to the rural landscape.				N/A	The proposal does not relate to agriculture.
		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	
		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.		✓			
		Support and facilitate sustainable and responsible tourism and recreation-related land uses and	✓			The proposal will support and facilitate tourism by reinstating views to and from the Memorial

PLANNING DELEGATED COMMITTEE MEETING AGENDA

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
		developments (such as agritourism) in keeping with the declared area's significant landscapes, environmental and cultural values.				Cross assisting to maintain the popularity of the Anzac day memorial service, which is ultimately of benefit to the local tourist economy.
		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.	✓			See main report for discussion.
		Protect the unique rural character of towns in the declared area.			N/A	
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 values, and consistent with the unique character, role and function of each settlement.				N/A	The proposal does not relate to the planning or growth of a settlement.
		Direct urban development to a hierarchy of settlements identified for growth, through clearly defining long-term settlement boundaries.			N/A	
		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.			N/A	
		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.			N/A	
		Encourage provision of an adequate supply of well-serviced employment land within settlement boundaries to support local and regional jobs and services.			N/A	

PLANNING DELEGATED COMMITTEE MEETING AGENDA

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
		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 resilience to climate change effects.				N/A	The proposal does not involve the provision of infrastructure.
		Provide timely infrastructure and services to meet community needs in sequence with development.			N/A	
		Maintain and enhance transport connections that provide links between and within regional communities and to major cities.			N/A	
		Reduce use of fossil fuels and reduce greenhouse gas emissions by prioritising active transport and public transport modes.			N/A	
		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.			N/A	
		Ensure equitable access to community infrastructure.			N/A	
		Encourage the use of active and public transport by planning infrastructure and facilities in accessible locations, and improve walking and cycling routes.			N/A	
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.				

PLANNING DELEGATED COMMITTEE MEETING AGENDA

Objective number	Objective in the SoPP (Direct quote)	Strategies to deliver the objective (Direct quote)	Meets	Does not meet	N/A	Planner's Comment
		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	