

# Agenda

**Council Meeting**  
**Wednesday 18 December 2024 at 7pm**  
**Gisborne Administration Centre**  
**40 Robertson Street, Gisborne**

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Nil

**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, present and emerging.

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 OF LIVE STREAMING OF THIS COUNCIL 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 PETITIONS**

<b>6.1</b>	<b>PETITION IN RELATION TO IMPROVED WILDLIFE SIGNAGE AND SPEED LIMIT REVIEW IN WILDLIFE CORRIDORS</b>
<b>Officer:</b>	<b>Lucy Olson, Senior Governance Officer - Council Business</b>
<b>Council Plan relationship:</b>	<b>4. Delivering strong and reliable government</b>

**Summary**

A petition has been received from Janine McDougall in Riddells Creek on behalf of 59 residents stating:

*“Mayor and Councillors of the Macedon Ranges Shire Council, we the undersigned, petition Macedon Ranges Shire Council from September 22nd 2024, to allocate more funding in the 2024-2025 Council - managed roads audit to improved wildlife warning signage, speed limit review with a view to speed reduction in wildlife prone areas, and wildlife corridor feasibility studies.”*

**Recommendation****That Council:**

- 1. Notes the petition from Janine McDougall on the matter of improved wildlife signage and speed limit review in wildlife corridors with 59 signatories;**
- 2. Notes that the petition has been circulated to all Councillors confidentially as it contains personal information; and**
- 3. Requests the Chief Executive Officer to prepare a report in response to this petition to be presented at the March Council Meeting 2025.**

**7 DEPUTATIONS AND PRESENTATIONS TO COUNCIL**

**8 ADOPTION OF MINUTES**

**Recommendation**

**That Council confirms the minutes of the Unscheduled Council Meeting of Macedon Ranges Shire Council held on 22 November 2024 and the Scheduled Council Meeting of Macedon Ranges Shire Council held on 27 November 2024, as circulated.**

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## 9 MAYOR'S REPORT

9.1	MAYOR'S REPORT - NOVEMBER-DECEMBER 2024
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### Summary

This report provides an update from the Mayor on recent Council activities and initiatives of a Shire wide nature.

### Recommendation

**That Council receives and notes the Mayor's report.**

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### Mayor's report

Summer is upon us, and I hope you all enjoy the wonderful weather in our beautiful part of the world. It is also a timely reminder that the Fire Danger Period for the Macedon Ranges Shire is now in force. During this time, no fire may be lit in the open air without a permit. Find out more about what you can and can't do during this time on our [website](#).

I would like to take this opportunity to highlight some of the most recent happenings around the shire.

### Events

Councillors were pleased to be invited to events/meetings since the last Scheduled Council Meeting, some of which included:

- LEAD Loddon Murray 2024 Graduation Event in Bendigo - congratulations to our very own Macedon Ranges community members, Luke Wilson, Joe Dunbar, Rebecca Thorpe, and Fiona Lawford as graduates of the Community Leadership Program
- 16 Days of activism events across the shire, 'Free to be Me' photography competition, StoryWalk in Kyneton. Council is committed to building a community that is respectful and where women can live free from violence, and the fear of violence
- Mountain Festival that included many speakers and an Ash Wednesday Play
- Fire Readiness Expo at St Ambrose Primary School
- Gisborne Community Christmas Carols at Dixon Field
- Riddells Creek Men's Shed Christmas BBQ
- The Deputy Mayor and I attended Mayoral training run by the Municipal Association of Victoria
- I attended the Gisborne Festival but not in my mayoral capacity, rather as Paddy the Platypus, the mascot for our Gisborne SES Unit

### Planning Delegated Committee Meeting

An online Planning Delegated Committee meeting was held on 11 December 2024. This forum provided an opportunity for Councillors to hear from applicants/landowners and objectors/submitters on statutory planning applications.

### Current Community Consultation

- [Budget 2025-26](#) – Community funding submissions are invited for strategically aligned infrastructure or initiatives that could be considered for delivery in Council’s Budget 2026-26. *Submissions closed on Sunday 1 December but as always, if you think of something after the fact, do not hesitate to submit for future consideration.*
- [Draft Kyneton Urban Design Framework](#) – This high-level, strategic document aims to establish a future vision in and around Kyneton’s main commercial areas of High Street, Mollison Street and Piper Street. *Submissions close 20 December.*
- [Targeted Conversations](#) – Empowering communities to share their voices and actively contribute to shaping key documents such as the Community vision or Municipal Health & Wellbeing Plan. Feedback closes Friday 20 December 2024.

Lastly, I wish you all a very Merry Christmas and a Happy New Year, and for people in our community who do not celebrate Christmas, happy holidays!

Thank you.

**Mayor Bonanno**  
**Macedon Ranges Shire Council**



**10 RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF****10.1 RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF - NOVEMBER-DECEMBER 2024****Summary**

Rule 66 of Council's Governance Rules requires a written record of matters discussed at specified meetings of Councillors and Council staff to be reported to the next practicable scheduled Council Meeting and recorded in the minutes of that meeting. This report provides a summary of meetings of Councillors and Council staff held since the last Council Meeting.

**Recommendation**

**That Council receives and notes the record of meetings of Councillors and Council staff, as outlined in this report.**

**Record of meetings**

Type of meeting	Councillor Induction Workshop
Date and time	Monday 25 November 2024 9:00am – 5:00pm
Venue	Glen Erin at Lancefield, 200 Rochford Road Lancefield, Victoria 3435
Present - Councillors	<ul style="list-style-type: none"> <li>• Cr Jennifer Anderson</li> <li>• Cr Dominic Bonanno</li> <li>• Cr Cassy Borthwick</li> <li>• Cr Alison Joseph</li> <li>• Cr Kate Kendall</li> <li>• Cr Janet Pearce</li> <li>• Cr Andrew Scanlon</li> <li>• Cr Christine Walker</li> <li>• Cr Daniel Young</li> </ul>
Apologies - Councillors	NIL
Present – officers	<ul style="list-style-type: none"> <li>• Bernie O'Sullivan (Chief Executive Officer)</li> <li>• Jessica Clarke-Hong (Manager Governance and Performance)</li> <li>• Travis Fitzgibbon (Manager Communications and Advocacy)</li> </ul>
Apologies officers	NIL
Presenters	Christine Kotur AM
Items discussed	<ul style="list-style-type: none"> <li>• Current State</li> <li>• 21st Century Councillor and the many roles of a Councillor</li> </ul>

	<ul style="list-style-type: none"> <li>• Macedon Ranges Shire – Partnerships, relationships, advocacy and engagement</li> <li>• Rounding up session</li> </ul>
Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed	NIL Did they leave the meeting? N/A
Conflicts of interest declared by officers	NIL Did they leave the meeting? N/A

Type of meeting	Councillor Induction Workshop
Date and time	Tuesday 26 November 2025 9:00am – 5:00pm
Venue	Glen Erin at Lancefield, 200 Rochford Road Lancefield, Victoria 3435
Present - Councillors	<ul style="list-style-type: none"> <li>• Cr Jennifer Anderson</li> <li>• Cr Dominic Bonanno</li> <li>• Cr Cassy Borthwick</li> <li>• Cr Alison Joseph</li> <li>• Cr Kate Kendall</li> <li>• Cr Janet Pearce</li> <li>• Cr Andrew Scanlon</li> <li>• Cr Christine Walker</li> </ul>
Apologies - Councillors	<ul style="list-style-type: none"> <li>• Cr Daniel Young</li> </ul>
Present – officers	<ul style="list-style-type: none"> <li>• Bernie O’Sullivan (Chief Executive Officer)</li> <li>• Rebecca Stockfeld (Interim Director Assets and Operations)</li> <li>• Rob Ball (Acting Director Planning and Environment)</li> <li>• Maria Weiss (Director Community)</li> <li>• Adele Drago-Stevens (Director Corporate)</li> <li>• Jessica Clarke-Hong (Manager Governance and Performance)</li> <li>• Lucy Olson (Senior Governance Officer)</li> </ul>
Apologies officers	NIL
Presenters	Christine Kotur AM
Items discussed	<ul style="list-style-type: none"> <li>• Review and recap</li> <li>• Councillors and ELT as a Team</li> <li>• The Council Meeting (including Mock Council Meeting)</li> </ul>

	<ul style="list-style-type: none"> <li>• Rounding up session</li> </ul>
Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed	<p>NIL</p> <p>Did they leave the meeting? N/A</p>
Conflicts of interest declared by officers	<p>NIL</p> <p>Did they leave the meeting? N/A</p>

Type of meeting	Council Briefing
Date and time	Tuesday 3 December 2025 9:00am – 1:30pm
Venue	Gisborne Administration Centre 40 Robertson Street, Gisborne
Present - Councillors	<ul style="list-style-type: none"> <li>• Cr Jennifer Anderson</li> <li>• Cr Dominic Bonanno</li> <li>• Cr Cassy Borthwick</li> <li>• Cr Alison Joseph</li> <li>• Cr Kate Kendall</li> <li>• Cr Janet Pearce</li> <li>• Cr Andrew Scanlon</li> <li>• Cr Christine Walker</li> <li>• Cr Daniel Young</li> </ul>
Apologies - Councillors	<ul style="list-style-type: none"> <li>• NIL</li> </ul>
Present – officers	<ul style="list-style-type: none"> <li>• Bernie O’Sullivan (Chief Executive Officer)</li> <li>• Rebecca Stockfeld (Interim Director Assets and Operations)</li> <li>• Rob Ball (Acting Director Planning and Environment)</li> <li>• Maria Weiss (Director Community)</li> <li>• Adele Drago-Stevens (Director Corporate)</li> <li>• Jessica Clarke-Hong (Manager Governance and Performance)</li> <li>• Simon Finlay (Interim Manager Civil Services and Resource Recovery)</li> <li>• Leanne Khan (Acting Manager Parks and Recreation)</li> <li>• Adele Hayes (Manager Statutory Planning)</li> <li>• Rees May (Coordinator Statutory Planning and Compliance)</li> <li>• Isobel Maginn (Acting Coordinator Strategic Planning)</li> </ul>

	<ul style="list-style-type: none"> <li>• Lucy Olson (Senior Governance Officer)</li> <li>• Katelyn Caruana (Open Space &amp; Recreation Planner)</li> <li>• Daniel Hall (Graduate Strategic Planner)</li> <li>• Emily Hardy (Principal Planning Officer)</li> </ul>
Apologies officers	NIL
Presenters	Michael Graham (Leisure Consultant)
Items discussed	<ul style="list-style-type: none"> <li>• Councillor and CEO session</li> <li>• Councillor Appointments to Committees &amp; Organisations</li> <li>• Draft Macedon Ranges Community Equestrian Facilities Plan</li> <li>• Consideration of Planning Panel Report for Amendment C154macr and Permit PLN/2022/198</li> <li>• Planning Matters</li> <li>• December Council Meeting Agenda Review</li> <li>• Other Business</li> </ul>
Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed	<p>Cr Bonanno declared a general conflict of interest with 104 Melton Road Gisborne, during Planning Matters, due to a historic familial connection with the site</p> <p>Did they leave the meeting? Yes from 11:04am to 11:24am</p>
Conflicts of interest declared by officers	<p>NIL</p> <p>Did they leave the meeting? N/A</p>

Type of meeting	Council Briefing
Date and time	Tuesday 10 December 2025 9:00am – 1:30pm
Venue	Gisborne Administration Centre 40 Robertson Street, Gisborne
Present - Councillors	<ul style="list-style-type: none"> <li>• Cr Jennifer Anderson</li> <li>• Cr Dominic Bonanno</li> <li>• Cr Cassy Borthwick</li> <li>• Cr Alison Joseph</li> <li>• Cr Kate Kendall</li> <li>• Cr Janet Pearce</li> <li>• Cr Andrew Scanlon</li> <li>• Cr Daniel Young</li> </ul>
Apologies - Councillors	<ul style="list-style-type: none"> <li>• Cr Christine Walker</li> </ul>

<p>Present – officers</p>	<ul style="list-style-type: none"> <li>• Adele Drago-Stevens (Acting Chief Executive Officer)</li> <li>• Rebecca Stockfeld (Interim Director Assets and Operations)</li> <li>• Rob Ball (Acting Director Planning and Environment)</li> <li>• Maria Weiss (Director Community)</li> <li>• Jessica Clarke-Hong (Manager Governance and Performance)</li> <li>• Adele Hayes (Manager Statutory Planning)</li> <li>• Travis Fitzgibbon (Manager Communications and Advocacy)</li> <li>• Stephen Pykett (Manager Economic Development and Visitor Economy)</li> <li>• Amy Holmes (Manager Community Strengthening)</li> <li>• Tania MacLeod (Acting Manager Strategic Planning and Environment)</li> <li>• Bodey Dittloff (Coordinator Communications)</li> <li>• Caitlin Royce (Coordinator Creative and Connected Communities)</li> <li>• Margaux McKenzie (Coordinator Performance and Assurance)</li> <li>• Jayde McBurnie (Coordinator Community and Social Planning)</li> <li>• Isobel Maginn (Acting Coordinator Strategic Planning)</li> <li>• Justin Walsh (Acting Coordinator Environment)</li> <li>• Lucy Olson (Senior Governance Officer)</li> <li>• Kimberly Cook (Environmental Programs and Engagement Officer)</li> <li>• Seane Bawden (Business Development Officer)</li> </ul>
<p>Apologies officers</p>	<ul style="list-style-type: none"> <li>• Bernie O’Sullivan (Chief Executive Officer)</li> </ul>
<p>Presenters</p>	<ul style="list-style-type: none"> <li>• Andrew Towner (Tourism Macedon Ranges Inc)</li> <li>• Jenny Stillman (Tourism Macedon Ranges Inc)</li> <li>• Nikki Barker (Tourism Macedon Ranges Inc)</li> </ul>
<p>Items discussed</p>	<ul style="list-style-type: none"> <li>• Councillor only session</li> <li>• Councillor Appointments to Committees &amp; Organisations</li> <li>• Environment Group Support Grants &amp; Climate Action Grants – Funding Recommendation</li> <li>• Gisborne Future Urban Design Framework</li> <li>• Gisborne Neighbourhood Character Study</li> <li>• Federal Election Advocacy</li> <li>• Thriving Villages &amp; Town Action Plans</li> </ul>

	<ul style="list-style-type: none"> <li>• Reconciliation Plan</li> <li>• Integrated Strategic Planning – Overview &amp; Update</li> <li>• Planning Matters</li> <li>• December Planning Delegated Committee Meeting Agenda Review</li> <li>• Other Business</li> </ul>
<p>Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed</p>	<p>NIL Did they leave the meeting? N/A</p>
<p>Conflicts of interest declared by officers</p>	<p>NIL Did they leave the meeting? N/A</p>

## 11 DIRECTOR PLANNING AND ENVIRONMENT REPORTS

<b>PE.1</b>	<b>CONSIDERATION OF PLANNING PANEL AND ADOPTION OF AMENDMENT C154MACR</b>
<b>Officer:</b>	<b>Daniel Hall, Strategic Planner</b>
<b>Council Plan relationship:</b>	<b>1. Connecting communities</b>
<b>Attachments:</b>	<b>1. C154macr Panel Report (under separate cover)</b> <b>2. Amendment C154macr and PLN/2022/198 - for adoption <a href="#">↓</a></b>

**Summary**

This report seeks Council's adoption of combined Planning Scheme Amendment C154macr (the Amendment) and planning permit application PLN/2022/198 (the Permit) following a review by Planning Panels Victoria.

The Amendment seeks to rezone land located at 1 Wills Street Malmsbury from the Farming Zone to the Neighbourhood Residential Zone – Schedule 13; and approval for a nine-lot subdivision with lots ranging in size from 2,000 to 2,182 square metres.

The Amendment was referred to an independent Planning Panel to consider unresolved submissions. The Panel found the Amendment has strong strategic basis and recommends that Council adopt the Amendment and approve the Permit subject to several changes outlined in the Panel Report found at **Attachment One** to this report.

Council officers support all but one of the recommendations outlined in the Panel Report. This recommendation relates to the Permit conditions for Coliban Water who, following consultation, have not supported the change recommended by the Panel.

**Recommendation****That Council:**

- 1. Adopts Amendment C154macr with changes outlined in this report and provided in Attachment Two.**
- 2. Submits Amendment C154macr to the Minister for Planning together with the prescribed information for approval, in accordance with Section 31 of the Planning and Environment Act 1987**
- 3. Request that the Minister for Planning grant planning permit application PLN/2022/198 in accordance with Section 96I of the Planning and Environment Act 1987.**
- 4. Notifies all submitters of Council's decision.**

**Background**

On 22 November 2019 Council received an application for a combined planning scheme amendment and planning permit under Section 96A of the *Planning and Environment Act 1987* for land at located for 1 Wills Street, Malmsbury.

On 12 October 2022 the Planning Delegated Committee resolved to seek authorisation from the Minister for Planning to prepare the Amendment.

The Amendment seeks to rezone some of the last remaining parcels of Farming Zone (FZ) land within the Malmsbury township boundary from FZ to the Neighbourhood Residential Zone – Schedule 13 (NRZ13). Concurrently to the rezoning, there is a planning permit application that seeks approval for a nine-lot subdivision with lots ranging in size from 2,000 to 2,182 square metres.

Authorisation was received from the Minister for Planning on 16 June 2023 to prepare the Amendment subject to five conditions. Council met all conditions, and the Amendment was placed on public exhibited between 26 February and 1 April 2024.

A total of six submissions were received in response to the public exhibition of the Amendment, with one submission in support and five opposed to the Amendment or parts thereof. A Planning Delegated Committee meeting was held on 8 May 2024 to hear from submitters. Following further consultation with a number of submitters several issues remained unresolved and at the 12 June 2024 Planning Delegated Committee it was resolved to refer submissions to an independent Planning Panel (Panel) for review.

The main issues contained in submissions related to:

- strategic justification for the Amendment including:
  - concerns over the loss of agricultural land
  - claims that there is a lack of justification for the rezoning based on land supply
- the proposed removal of Heritage Overlay 148 (HO148) and concerns that this would negatively impact the heritage assets of Malmsbury
- impacts on cultural and rural landscapes and on community cohesion and quality of life
- impacts on neighbourhood character, including concerns with the proposed development standards that would apply under the proposed NRZ13 (see Condition 1b)
- stormwater management, including concerns that the proposed permit conditions would not be sufficient to appropriately manage stormwater runoff
- traffic levels and safety
- challenges in servicing the land.

The Panel conducted a single-day hearing on Monday 12 August 2024. The Panel submitted its report which outlined Panel's findings and recommendations to Council on 2 September 2024.

## **Discussion**

The Panel report concluded that the Amendment is well founded and strategically justified. It recommended that Council retain the current heritage overlay HO148 on the site and adopt the Amendment.

Panel sees no impediment to granting the Permit, it was not convinced that the inclusion of condition 1b was necessary to achieve Council's desired character outcomes for the site and agreed with the applicants point that the condition should be removed. Panel also recommended minor changes to permit conditions to provide greater clarity, avoid unnecessary repetition, remove references that are not relevant and provide greater consistency with state permit drafting guidelines.



More details on these issues are provided below. Overall, the Panel recommended:

1. *Adopt Amendment C154 to the Macedon Ranges Planning Scheme as exhibited, subject to the specific recommendations of the Panel Report.*
2. *Grant permit application PLN/2022/198 for the subdivision of the land into nine lots subject to the Panel's recommended conditions in Appendix C of the Panel Report.*
3. *Retain the Heritage Overlay on the site.*
4. *Delete condition 1(b) from draft Permit PLN/2022/198 as shown in Panel's recommended conditions in Appendix C of the Panel Report.*

### Heritage Overlay 148

Panel accepted Council's advice that, based on current heritage planning practice, the site contains no heritage value on its own that would support the continued application of HO148, and the proposed development is highly unlikely to impact on the heritage values of the Malmsbury precinct. Further, Panel accepted Council's point that HO148, specifically in relation to the site, acts more as an informal character control, which is neither the purpose of HO148 nor consistent with state planning practice regarding character controls.

Panel found that removing HO148 in this case *'does not represent orderly planning to remove or "punch holes" in the overlay on a piecemeal basis...'*. As such, Panel recommended retaining HO148 until such time that a more comprehensive review of the whole precinct has been undertaken.

Retaining HO148 on the site as recommended by the Panel will create additional planning permit requirements for the nine lots however Officers accept the Panel's recommendation to retain HO148 for the site until a broader review of HO148 is completed. It is noted that no review of HO148 is currently scheduled and should a review of HO148 or any other heritage asset in Malmsbury occur, it will be done so in alignment with the actions of the Macedon Ranges Heritage Strategy 2024-34.

### Panel Recommendations – Condition 1b

Condition 1(b) represented the only point of disagreement between Council and the proponent to the Amendment. The condition requires the application plan to be amended to provide building envelopes for each lot that include:

- (b)(i) A minimum street setback of 12 metres from any street that a lot abuts to the front, side or rear.
- (b)(ii) A minimum side and rear setback of 5 metres to any adjoining lots.
- (b)(iii) Variable front setbacks of between 12 and 15 metres for each lot to avoid a continuous building line.

The proponent submitted that permit condition 1(b), specifically 1(b)(i) and 1(b)(ii) are *'...redundant and not required to avoid uniform-built form along the street frontages and that condition 1(b)(iii) '...threatens to introduce inconsistency with the NRZ13, which is undesirable and without proper basis'*.

Panel acknowledged Council's position that the omission of condition 1(b)(iii) reduced certainty regarding the staggering of front setbacks. Panel was satisfied that the setback requirements in NRZ13, in addition to the landscaping requirements of conditions 3 to 6, meant that the removal of condition 1(b) represented a very low risk in producing character outcomes that Council seeks to avoid. Panel also agreed with the proponent that conditions

1(b)(i) and 1(b)(ii) are redundant as the site plan already submitted and exhibited already align with the requirements of these conditions.

Council officers acknowledge that while condition (b)(iii) offers added certainty in achieving non-uniform front setbacks, the Panel's conclusion that condition (b)(iii) is not essential to achieving the character objectives is reasonable.

### Coliban Water conditions

Panel recommended that several permit conditions be reworded to provide clarity, avoid unnecessary repetition, remove references that are not relevant, and provide greater consistency with state drafting guidelines. A number of these changes relate to conditions provided by referral authority Coliban Water and are outlined in greater detail in Attachment One. Coliban Water objects to the Panel recommended changes and requests that Council retain the original wording to ensure that the wording aligns with Coliban Water's 'frameworks' and to ensure that obligations for notification under Sections 145(3), 268 and/or 269 of the *Water Act 1989* can be met. On this advice, council officers do not seek to include the Panel's recommended changes and will retain the original permit conditions submitted by Coliban Water.

### **Consultation and engagement**

The Amendment was publicly exhibited for a period of six weeks between 26 February and 1 April 2024 and notice was given in accordance with Section 96C of the *Planning and Environment Act 1987*. this included:

- publication on Council's website
- publication in the Victorian Government Gazette
- publication in the local newspaper – Midland Express
- installation of two signs containing notice information on site
- direct notice to all owners and occupiers that may be materially affected
- notice to all relevant referral authorities
- notice to the Dja Dja Wurrung Clans Aboriginal Corporation
- notice to all prescribed Ministers.

At the 8 May 2024 Planning Delegated Committee submitters were provided the opportunity to present their submission. Submitters are also invited by Planning Panels Victoria to address the Panel.

### **Collaboration**

A range of external government and statutory bodies were notified of Amendment C154macr and PLN/2022/198 including relevant Ministers, referral bodies and other stakeholders in accordance with the *Planning and Environment Act 1987*.

### **Innovation and continuous improvement**

Not applicable to the contents of this report.

### **Relevant law**

The requirements for planning scheme amendments are set out in the *Planning and Environment Act 1987* and its regulations.

This report does not have any direct or indirect human rights implications under the Charter of *Human Rights and Responsibilities Act 2006*.

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report.

### **Relevant regional, state and national plans and policies**

The Amendment gives effect to the Macedon Ranges Statement Planning-Policy (SoPP)

Objective 3 in the SoPP, which seeks to protect water quality and natural systems by discouraging development that contributes to the degradation of water quality and quantity.

Objective 8 in the SoPP, which seeks to facilitate development within the township boundary that respects the township's character, surrounding rural landscapes and defined settlement hierarchy.

### **Relevant Council plans and policies**

All relevant council plans and policies are outlined in the Amendment's explanatory report contained in Attachment Two. For the purposes of this report, the most relevant local policy, Council Plans and Strategies are the following:

#### Council Plan 2021-2031

Strategic Objective 1 – Connecting Communities – Integrate land-use planning and revitalise and protect the identity and character of the shire.

#### Macedon Ranges Planning Scheme

Clause 11.01-1L (Malmsbury) seeks to restrict development to within the town boundary while facilitating residential development on the periphery of the town within the township boundary, featuring larger lots, significant landscaping and generous setbacks.

Clauses 11.02-1S and 16.01-1S seeks to encourage a 15-year supply of residential land, and to encourage a supply of appropriate housing in appropriate locations, including within township boundaries in rural and regional areas.

### **Climate Impact Assessment**

How will the recommendation impact on Council's energy usage and greenhouse emissions profile?

The Amendment and Permit is unlikely to have any significant effect on Council's energy usage and greenhouse emissions. Council already engages a contractor for the Wills Street Road Reserve as part of Council's Township Hazard Reduction program.

How will the recommendations mitigate risks posed by climate change to Council operations and services?

The Amendment and Permit will not pose any added risks to Council operations and services. More broadly, bushfire risk has been appropriately managed through the inclusion of defendable space and management permit conditions.

How will the recommendation help to prepare the community for future climate scenarios? In response to a changing climate which includes decreased annual rainfall and hotter than average temperatures, the proposed zone includes variations to Rescode requirements to require landscaping, a canopy tree and the amount of built form on the site.

**Financial viability**

No additional resource, IT or asset management implications are anticipated because of this Amendment. Currently Council manages the Walsh and Mitchell Street road reserves, that surround the site, as a part of Council's Township Hazard Reduction Program. It is not anticipated that this will change due to this proposal.

**Sustainability implications**

No adverse environmental impacts are anticipated with the proposed Amendment. An ecological report undertaken for the Amendment identifies that the land displays little ecological value and that no threatened or endangered species of flora or fauna have been recorded or are likely to be present.

Further, the Amendment provides an increase in street tree planting and landscaping associated with future residential development. NRZ13 provides site coverage and permeability controls and lots are to be connected to reticulated sewer to ensure that no additional effluent has the potential to impact upon the Eppalock Declared Special Water Supply Catchment area.

**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.

*Planning and Environment Act 1987*

## **Planning Scheme**

## **Amendment C154macr**

## **Planning Permit Application PLN/2022/198**

## **Explanatory Report**

### **Overview**

Amendment C154macr is a combined planning scheme amendment and planning permit application PLN/2022/198 that affects land located at 1 Willis Street and parts of the road reserves of Willis, Mitchell and Walsh Street, Malmsbury. The amendment seeks to rezone the land from the Farming Zone (FZ) to the Neighbourhood Residential Zone – Schedule 13 (NRZ13). The planning permit application seeks approval to subdivide the land into 9 lots ranging in size from 2,000 to 2,182 square metres in accordance with NRZ13.



Figure 1: The location of land at 1 Willis Street, Malmsbury

## Where you may inspect this amendment

The amendment can be inspected free of charge at the Macedon Ranges Shire Council website at <https://www.mrsc.vic.gov.au/Build-Plan/Planning-For-Our-Future/Planning-Scheme-and-Amendments>

The amendment is available for public inspection, free of charge, during office hours at the following places:

Macedon Ranges Shire Council Offices and Service Centres at:

- Gisborne Council Office, 40 Robertson Street, Gisborne
- Kyneton Council Office, 129 Mollison Street, Kyneton

The amendment can also be inspected free of charge at the Department Transport and Planning website at <http://www.planning.vic.gov.au/public-inspection> or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

## Details of the amendment

### Who is the planning authority?

This amendment has been prepared by the Macedon Ranges Shire Council and is the planning authority for this amendment. The amendment has been made at the request of Deborah Barton and Steven Waldron.

### Land affected by the amendment

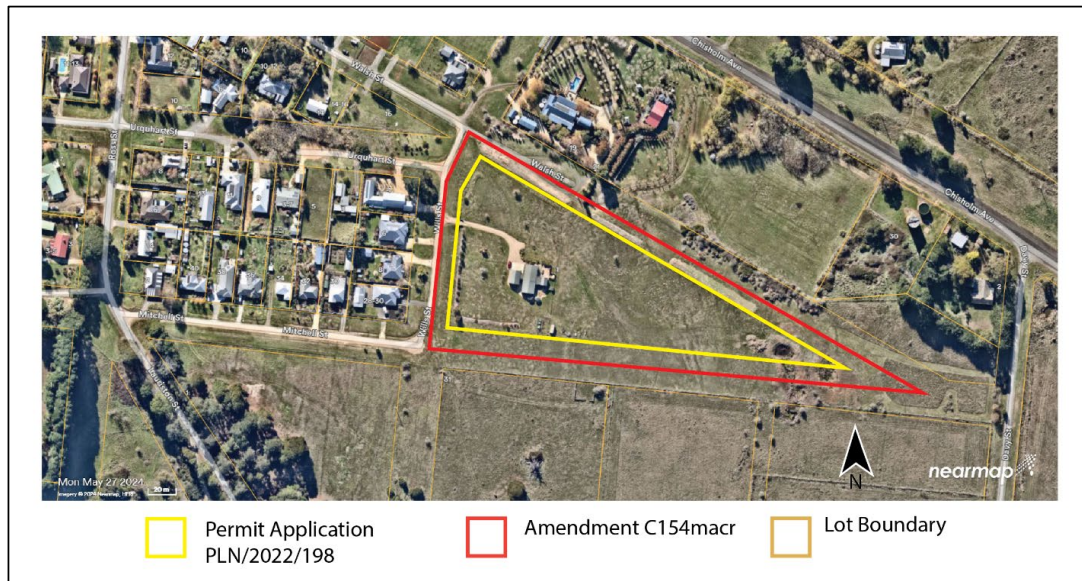
The amendment applies to land located within the identified Malmsbury township boundary at 1 Wills Street as well as parts of the road reserves of Wills Street, Walsh Street and Mitchell Street in Malmsbury. The triangular shaped site is approximately 1.9-hectares in size and is bounded by Wills Street (west), Walsh Street (north) and Mitchell Street (south) road reserves.

The amendment is a combined planning permit application and planning scheme amendment under section 96A of the Act.

The planning permit application applies to land at 1 Wills Street, Malmsbury.

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Figure 2 Land affected by Amendment C154macr and Permit PLN/2022/198



**What the amendment does**

The amendment proposes to:

- Rezone approximately 1.9 hectares of land at 1 Wills Street, Malmsbury and parts of the road reserves of Wills Street, Walsh Street and Mitchell Street in Malmsbury from the Farming Zone (FZ) to the Neighbourhood Residential Zone, Schedule 13 (NRZ13) as shown on Planning Scheme Map No. 5.
- Insert a new Schedule 13 to Clause 32.09 (NRZ13 – Malmsbury Township East) into the Macedon Ranges Planning Scheme that introduces new neighbourhood character objectives, a minimum subdivision area of 2,000 square metres and variations to the requirements of Clause 54 and Clause 55.

The combined planning permit application seeks approval for:

- The subdivision of land at 1 Wills Street, Malmsbury into nine lots ranging in size from 2,000 to 2,182 square metres in accordance with NRZ13. The planning permit is attached as a separate document to this explanatory report.

**Strategic assessment of the amendment**

**Why is the amendment required?**

The combined amendment/permit facilitates a modest residential subdivision on the eastern edge of Malmsbury that seeks to rezone some of the last remaining land parcels zoned FZ within the township boundary. The amendment will help facilitate growth in line with Clause 11.01-1L of the Macedon Ranges Planning Scheme, which seeks to contain development within the township boundary and facilitate development of the periphery of the town that feature larger lots, significant landscaping and generous setbacks.

The land is located near the town centre and has good access to a range community facilities and services. Malmsbury is estimated to have a population of 905 residents within 416 dwellings (Area Code SAL21585, ABS 2021 Census). Macedon Ranges Settlement Strategy, 2011 outlines that the existing land supply in Malmsbury may have the potential to accommodate as many as 1,200 people within the township boundary and surrounding area.

The *Macedon Ranges Shire Settlement Strategy* (July 2012) estimated that there were theoretically 230 vacant lots in Malmsbury, but a more recent land supply figure is unknown. While this strategy did not anticipate further rezoning until 2036, it is considered that the addition of nine residential lots is not excessive and provides a limited increase in the amount of available residential land in Malmsbury. Further, this limited increase in residential lots will not change the designation of Malmsbury as a small town as outlined in Clause 02.03-1 (Strategic directions – Settlement) of the Municipal Planning Strategy.

The new Schedule 13 to Clause 32.09 (NRZ13) inserts new neighbourhood character objectives, a minimum subdivision area and variations relating to the minimum street setback, site coverage, permeability, landscaping and side setbacks to reflect that the land is in a transition area between more traditional residential areas of Malmsbury and the rural living areas to the east and south.

The neighbourhood character objectives seek to provide a lower density built-form with larger lots, significant landscaping, including the planting of canopy trees, and generous setbacks normally associated with residential development on the edge of a township. The NRZ13 seeks to insert:

- A 12-metre minimum street setback to provide a generous setback to recognise that the land is located on the fringe of the urban area of the township and provide a level of spaciousness and transition from residential areas to a rural living/rural setting.
- A 20 per cent site coverage to ensure that buildings do not dominate the spacious landscape setting and that the landscape elements (i.e., openness, trees and green space) are the dominate feature of any development.
- A 50 per cent permeability to ensure development of the lots provide an open, green, transitional landscape that is appropriate for residential development at the edge of a small town.
- A landscaping requirement to plant at least two canopy trees in the front setback to ensure residential development is consistent with the Malmsbury township's existing character of large canopy trees in both the road verges and within the front setbacks of residential properties.

The amendment is consistent with Clause 02.03-1 (Malmsbury) of the MSS and supports the 'small town and rural village' setting. The NRZ13 is preferred rather than the Low-Density Residential Zone because NRZ13 enables specific variations to Clauses 54 and 55.

The combined amendment/permit also allows for the subdivision of the land into nine lots to facilitate a modest increase in housing that responds to the character of the area in accordance with the neighbourhood objectives contained in NRZ13.



## **How does the amendment implement the objectives of planning in Victoria?**

The amendment will implement the following objectives of planning in Victoria under section 4(1) of the P&E Act:

*(a) to provide for the fair, orderly, economic, and sustainable use, and development of land.*

*(b) to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity,*

*(c) to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*

*(f) to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e).*

*(g) to balance the present and future interests of all Victorians.*

The amendment proposes to implement these objectives by providing for the orderly and balanced growth of Malmsbury within the existing Malmsbury township boundary. The land consists of a relatively small area of land zoned FZ within the township boundary that contains no significant environmental values and has limited productive farming capability.

The land has minimal agricultural value due to its location in close proximity to existing residential development, and its shape and size, which limits the range of agricultural activities or primary production that can occur on the land.

The amendment facilitates a small residential subdivision with canopy tree planting and future gardens associated with residential development, which will provide a pleasant working, living and recreational environment for residents and visitors. Additionally, the residential subdivision will be connected to all relevant services inclusive of reticulated sewer that will ensure the protection of the water quality within the Eppalock Declared Special Water Supply Catchment.

Additional flora via street tree planting, canopy tree and garden planting may assist with improving the biodiversity values and presence of native fauna species within the area.

## **How does the amendment address any environmental, social and economic effects?**

The amendment will have positive environmental, social, and economic effects and result in net community benefit.

### *Environmental effects*

The amendment does not result in any significant environmental effects. An ecological report undertaken for the amendment identifies that there is little of ecological importance on the land, and no threatened or endangered species of flora or fauna have been recorded or are likely to be present.

The primarily grassed site is relatively small, and farming capability is severely limited. Previous history of the land indicates that the site was used for grazing and

contained little vegetation and no intensive agricultural use. The amendment provides an opportunity to increase street tree planting and landscaping associated with future residential development to assist in improving biodiversity values within the area. The setbacks within the NRZ13 assist in encouraging tree planting in the private realm.

The affected land is located within the Eppalock Declared Special Water Supply Catchment. The combined amendment/permit ensures that all created lots, inclusive of the lot to accommodate the existing dwelling, are connected to reticulated sewer to ensure that no additional effluent has the potential to impact upon the catchment.

Additionally, street trees and gardens associated with future residential development may assist in capturing and retaining natural water to reduce water flow traversing properties. The views of Coliban Water have been obtained and no concerns were raised about impacts to the catchment and Coliban Water has provided support for the combined amendment/permit subject to the inclusion of a number permit conditions relating to infrastructure upgrades. These conditions have been included in the PLN2022/198 Permit Conditions document. In short, no waterways or the wider catchment will be adversely impacted, and all lots will be serviced appropriately with no requirement for septic tank systems or similar.

Research undertaken into the historical use of the land, specifically historical mining and farming operations concluded that the land is suitable for residential use and is not considered contaminated or potentially contaminated in accordance with Clause 13.04-1S (Contaminated and potentially contaminated land) and *Planning Practice Note 30 Potentially Contaminated Land (July 2021)*. Further, the amendment was referred to the Environmental Protection Agency and it concluded that due to Ministerial Direction 19 not being triggered, further action on the matter was not required.

#### Social and Economic effects

The amendment also has positive social and economic effects by facilitating a modest increase in residential land supply, which will provide additional population growth and housing opportunities within a small town.

The amendment ensures that any future development is respectful of the preferred neighbourhood character of the area reflecting the location of the affected land on the edge of Malmsbury.

The amendment also supports existing businesses and community services and facilities available within the town and makes better utilisation of the existing transport system, including the road network and railway line, as well as existing service infrastructure.

#### **Does the amendment address relevant bushfire risk?**

The amendment has addressed bushfire risk by seeking advice from Phoenix Wildfire Management on whether the combined amendment and permit complies with the objectives and strategies of Clause 13.02-1S (Bushfire planning). Further, the Country Fire Authority (CFA) supports the proposal subject to the inclusion of five CFA conditions in permit PLN2022/198.

The assessment context

The land is within a designated bushfire prone area but is not subject to a Bushfire Management Overlay. Land in a designated bushfire prone area may be subject to bushfires.

The bushfire landscape in proximity to the affected land is at a medium landscape risk where the landscape risk is from grasslands (broader landscape type 2) as described in *Planning Permit Applications Bushfire Management Overlay Technical Guide* (DELWP, 2017). The vegetation beyond 150 metres of the site is predominantly unmanaged or grazed grasslands and shrubland primarily gorse and mixed woody weeds including hawthorn (apart from Fryers Ranges, 4 kilometres due west from the site). It is considered possible that extreme bushfire behaviour is possible to the south although the landscape is fragmented by the railway line.

The amendment prioritises the protection of human life over all other policy considerations by directing development to a low-risk location on the eastern boundary of Malmsbury. Victoria's dominant bushfire weather usually occurs from the north-west and the south-west. Directing growth to the east of a settlement avoids the highest risk aspect. This site is considered preferable compared to rezoning rural living zoned land to the north-west and south-west of Malmsbury.

The permit facilitates a modest residential subdivision with a minimum subdivision area of 2,000 square metres. While 800-1,200 square metres is the optimal range as outlined in the *Design guidelines for the settlement planning at the bushfire interface* (DELWP, 2020) the larger lots are considered appropriate for this area given that the land provides a transition from the township to rural living/rural areas. The permit also includes conditions to upgrade the road network, which will provide safer access to and from the land in the event of a potential fire affecting the settlement edge. The nearest place of last resort is at the Malmsbury Botanic Gardens approximately 1 kilometre to the west.

A key matter for planning is ensuring an adequate separation distance between dwellings and the bushfire hazard and to prevent a bushfire front from continuing into the settlement.

A condition has been included on the planning permit for a section 173 agreement including building envelopes to ensure that each lot maintains a 19-metre defensible space separation distance to unmanaged or grazed grasslands to ensure that the development achieves a radiant heat flux of less than 12.5 kilowatts per square metre under the AS3959-2018 *Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2018). Conditions have also been included for the provision of fire hydrants to the satisfaction of the Country Fire Authority and street trees, which tie in with the surrounding character and are predominantly deciduous.

The road reserves will be appropriately managed under the Council's Township Hazard Reduction Program. As a part of this program grass within the road reserve is managed to a height of 75 millimetres over the entire area prior to the fire danger period.

### **Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?**

The amendment complies with the requirements of the *Ministerial Direction – The Form and Content of Planning Schemes* under Section 7(5) of the Act. The Schedule 13 to Clause 32.09 is consistent with the template in the ministerial direction.

The amendment is also consistent with the *Ministerial Direction No. 11 - Strategic Assessment of Amendments*. The explanatory report has discussed and evaluated how the amendment addresses the relevant strategic considerations outlined in the ministerial direction.

No other ministerial directions apply to the amendment, with the exception of *Ministerial Direction No 15 – The Planning Scheme Amendment Process*. The panel hearing dates are set below.

### **How does the amendment support or implement the Planning Policy Framework and any adopted State policy?**

The amendment supports and implements the Planning Policy Framework as follows:

- *Clause 11.01-1S (Settlement) and Clause 11.01-1R (Settlement - Loddon Mallee South)* by facilitating a small-scale residential subdivision and limited population growth within the Malmsbury township boundary consistent with Malmsbury's role in the settlement hierarchy as a small town.
- *Clause 11.01-1L (Malmsbury) - by rezoning land that Facilitates residential development within the township boundary that feature larger lots and generous setbacks.*
- *Clause 11.02-1S (Supply of urban land)* by providing a sufficient supply of land within Malmsbury for residential uses and to support existing infrastructure.
- *Clause 11.03-3S (Peri-urban areas)* by managing growth within the township boundary of Malmsbury and protecting and enhancing Malmsbury's identified values attributes via the NRZ13.
- *Clause 11.03-5S (Distinctive Areas and Landscapes)* by recognising the importance of the Macedon Ranges distinctive areas and landscapes and protecting valued attributes via the NRZ13.

The amendment affects land within the Macedon Ranges declared distinctive area and landscape. The overarching settlement objective of the Macedon Ranges Statement of Planning Policy (VC185, April 2021) is *to plan and manage growth of settlements consistent with protection of the area's significant landscapes, protection of catchments, biodiversity, ecological or environmental values consistent with the role and function of each settlement.*

Strategies to implement the objective include:

- Direct urban development to a hierarchy of settlements identified for growth etc. Malmsbury is identified as a small town with minimal change and limited growth within the township boundaries.
- Encourage infill development that respects the townships' character. The affected land is within the town boundaries. The NRZ13 provides guidance

- for new development that respects the identified character of the area and Malmsbury.
- Limit expansion of settlements in high-risk locations etc. The affected land is not located in a high bushfire risk location and bushfire risk is managed via the subdivision design. The amendment also ensures no waterway or catchment are impacted.
  - Encourage a range of housing types within settlement boundaries etc. The combined amendment/permit facilitates a small residential subdivision to be fully serviced that will provide additional housing choice in Malmsbury.
  - *Clause 12.01-2S (Native Vegetation Management)* by avoiding the removal of any native vegetation.
  - *Clause 12.03-1S (River and riparian corridors, waterways, lakes, wetlands and billabongs)* by avoiding development of the existing dam on the land and its ecological values via a building envelope, protecting and restoring the designated water catchment via conditions on the permit to connect to reticulated services and encouraging landscaping of future residential lots.
  - *Clause 12.05-1S (Environmentally sensitive areas)* by protecting a sensitive area with Macedon Ranges from development that would diminish the identified values of Malmsbury via the use of NRZ13.
  - *Clause 13.02-1S (Bushfire planning)* by strengthening the resilience of Malmsbury and its community to bushfire through risk-based planning that prioritises the protection of human life as discussed above.
  - *Clause 13.04-1S (Contaminated and potentially contaminated land)* by considering previous land uses on the site, which has included limited grazing and rural living. Further research was undertaken in line with Planning Practice Note 30 Potentially Contaminated Land (July 2021) and it was considered no further action on the matter is required.
  - *Clause 14.01-1S (Agriculture)* by rezoning land within the township boundary that has limited capability for farmland due to its location, size and shape.
  - *Clause 15.01-3S (Subdivision design)* by ensuring the design of the subdivision achieves an attractive, safe, accessible neighbourhood. The subdivision design results in appropriate lot dimensions and sizes that allow for generous building envelopes that provide spaciousness between dwellings and landscaping opportunities. The design allows for an attractive future neighbourhood, that provides visual continuation of established residential areas to the west.
  - *Clause 16.01-1S (Housing supply)* by facilitating a residential rezoning and subdivision, which is well-located and provides a diversity of housing opportunities in Malmsbury.
  - *Clause 16.01-3L (Rural residential development)* by supporting development that, through the application of NRZ13, reflects the rural character of the area and limits the visual prominence of buildings on the landscape.
  - *Clause 18.02-4S (Roads)* by facilitating a subdivision that supports an efficient and safe road network. A traffic and transport assessment report prepared for the combined amendment/permit identifies that the subdivision will not

adversely affect the existing road network, which is capable of accommodating a minor increase in vehicular traffic; whilst the extensions to Walsh and Mitchell Streets will be designed and constructed in accordance with conditions on the permit.

- *Clause 19.03-2S (Infrastructure design and provision)* by providing development infrastructure and services to the new subdivision via conditions on the permit.
- *Clause 19.03-3S (Integrated water management)* by managing wastewater, drainage and stormwater so that the catchment is protected by providing large lots with limited site coverage and greater permeability via the NRZ13 and ensuring the subdivision is fully serviced and meets the requirements of relevant authorities via conditions on the permit.
- *Clause 19.03-4S (Telecommunications)* by facilitating orderly development of telecommunications via conditions on the permit.

### **How does the amendment support or implement the Municipal Planning Strategy?**

The amendment supports and implements the Municipal Planning Strategy as follows:

- *Clause 02.02 (Vision)* and *Clause 02.03-1 (Strategic directions – Settlement)* by rezoning land that provides for the orderly development of Malmsbury and does not influence the designated settlement hierarchy of Malmsbury as a small town.
- *Clause 02.03-2 (Environmental and landscape values - Significant environments and landscapes)* By encouraging development that responds to Malmsbury's provides addition canopy tree plantings of native vegetation and exotic species.
- *Clause 02.03-4 (Natural resource management - Catchment management and water quality)* by rezoning land that locates new development within the town boundary and the township sewerage district.
- *Clause 02.03-5 (Built environment and heritage – Urban design, built form and neighbourhood character)* by supporting development and the application of the NRZ13 schedule ensures the rural character of Malmsbury is maintained and that there is an orderly and appropriately transitions of development to the Rural Living Zone 2 to the south.

### **Does the amendment make proper use of the Victoria Planning Provisions?**

The amendment makes proper use of the Victoria Planning Provisions by applying the NRZ13 to ensure that development of the land is consistent with the identified neighbourhood character of Malmsbury. Malmsbury contains predominantly single and double storey dwellings with a 'small country town' atmosphere, historic bluestone buildings and streetscapes and sweeping views of the surrounding landscape.

The application of the NRZ13 is also consistent with *Planning Practice Note -91 – Using the Residential Zones* (PPN91). PPN91 says that the NRZ should be applied to areas where there is no anticipated change to the predominantly single and double storey character and the NRZ can be applied to areas that have been

identified as having specific neighbourhood, heritage, environmental or landscape character values that distinguish the land from other parts of the municipality or surrounding area. The use of NRZ13 is also more consistent with the settlement objective of the Macedon Ranges Statement of Planning Policy given the NRZ13 supports low scale development on larger lots with generous setbacks and landscaping consistent with Malmsbury's character.

While a minimum subdivision area of 2,000 square metres is proposed, the application of the NRZ is more appropriate than the Low-Density Residential Zone because the NRZ provides the ability to vary standards relating to site coverage, permeability, setbacks and landscapes. The variations to these standards will ensure all future development on the land will be consistent with character of the Malmsbury township and provides a transition area between the urban area to the surrounding rural living areas. The Low-Density Residential Zone does not provide the ability to vary any standards and ensure that any future development responds to the existing and preferred neighbourhood character for the area.

### **How does the amendment address the views of any relevant agency?**

Prior to exhibition, the relevant referral authorities under Clauses 66.01, 66.03 and 66.02-5 of the Macedon Ranges Planning Scheme were notified of and responded to the combined amendment and planning permit. Coliban Water provided recommended water and sewerage conditions, which have been included in the planning permit.

The views of other agencies and referral authorities were sought prior to, and during the public exhibition period. All advice received by referral authorities were actioned and supplied permit conditions were included in the planning permit.

The planning permit is attached as a separate document to this explanatory report.

### **Does the amendment address relevant requirements of the *Transport Integration Act 2010*?**

The amendment will not have any significant impact on the transport system as:

- The amendment does not impact existing public transport networks.
- The amendment will enable limited additional residential land supply that is supported by the existing road infrastructure and network.

## **Resource and administrative costs**

### **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The amendment has a low, future administrative cost and burden on the responsible authority given that a combined amendment/permit process is being used to streamline planning approvals. The land is covered by the existing Environmental

Significance Overlay, Schedule 4 that already triggers the need for permits for a dwelling on the land.

It is considered that any additional planning permit applications as a result of this amendment can be accommodated by the existing available resources of the responsible authority, and no specific miscellaneous costs would be incurred. The relevant planning permit application fees will assist and support the responsible authority in decision making.

As the residential development is modest in nature, it is not expected to put any significant burden on the services of the responsible authority.

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*Planning and Environment Act 1987*

## **Macedon Ranges Planning Scheme**

### **Amendment C154macr**

#### **Instruction sheet**

The planning authority for this amendment is the Macedon Ranges Shire Council.

The Macedon Ranges Planning Scheme is amended as follows:

#### **Planning Scheme Map**

The Planning Scheme Map is amended by a total of 1 attached map sheet.

#### **Zoning Maps**

1. Amend Planning Scheme Map No. 5 in the manner shown on the 1 attached map marked "Macedon Ranges Planning Scheme, Amendment C154macr".

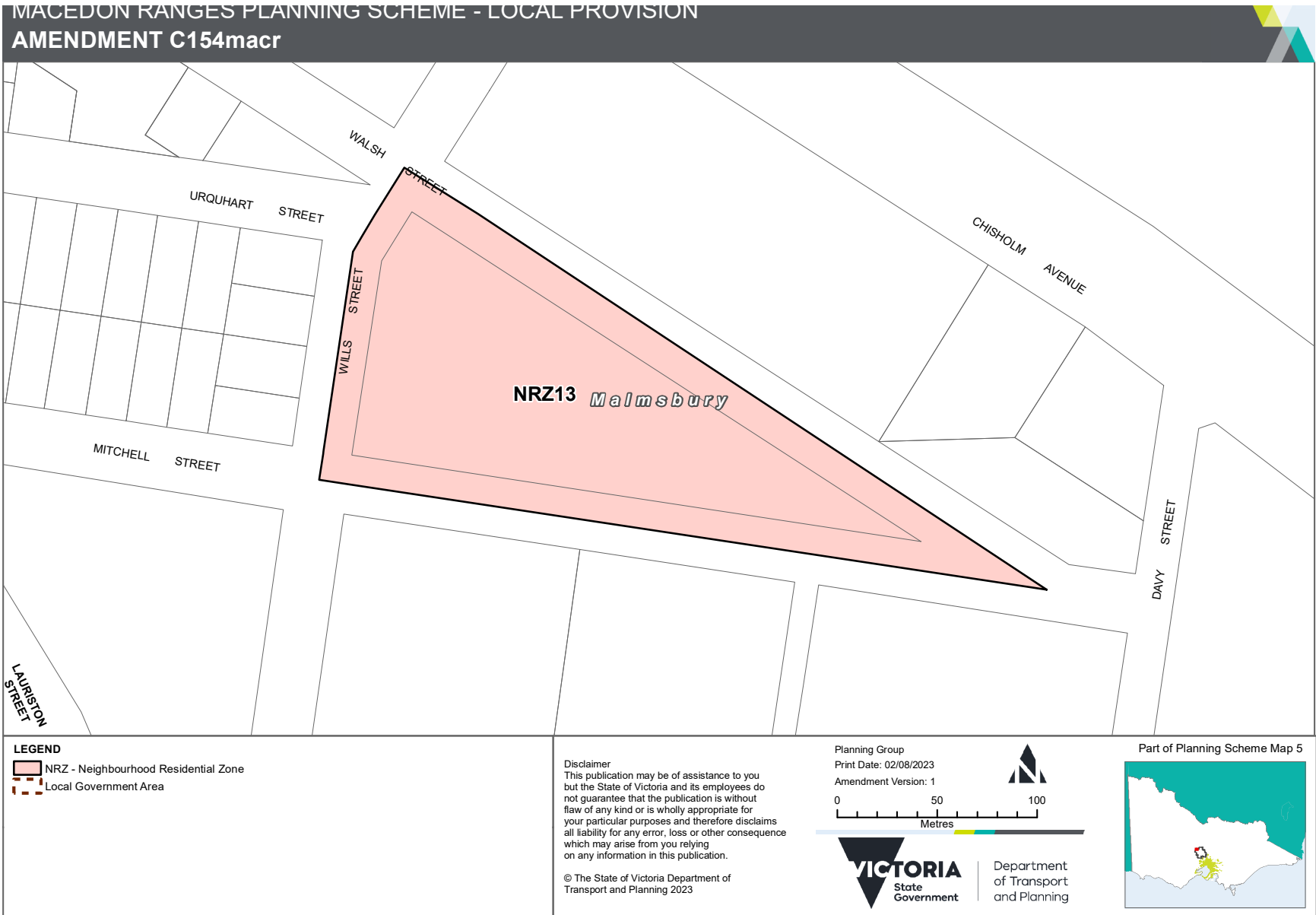
#### **Planning Scheme Ordinance**

The Planning Scheme Ordinance is amended as follows:

2. In **Zones** – Clause 32.09, insert a new Schedule 13 in the form of the attached document.

**End of document**

Unofficial



MACEDON RANGES PLANNING SCHEME

--/---  
Proposed C154macr

**SCHEDULE 13 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE**

Shown on the planning scheme map as NRZ13.

**MALMSBURY TOWNSHIP EAST**

**1.0 Neighbourhood character objectives**

--/---  
Proposed C154macr

To support residential development that respects the characteristics of the township fringe, comprising of larger lots, landscaping and generous street setbacks.

To support residential development that provides visual breaks between dwellings to promote visual permeability and the rural village character of the town.

To provide canopy trees in front, side and rear setbacks as a feature of residential development.

**2.0 Minimum subdivision area**

--/---  
Proposed C154macr

The minimum lot size for subdivision is 2000 square metres.

**3.0 Requirements of Clause 54 and Clause 55**

--/---  
Proposed C154macr

	Standard	Requirement
<b>Minimum street setback</b>	A3 and B6	Walls of buildings should be set back from streets 12 metres, including lots abutting multiple streets
<b>Site coverage</b>	A5 and B8	The site area covered by buildings should not exceed 20 per cent
<b>Permeability</b>	A6 and B9	The site area covered by pervious surfaces should be at least 50 per cent
<b>Landscaping</b>	B13	In addition to the requirements of B13, development should provide for at least two canopy trees within the front setback  Where the site is a corner or abuts multiple streets, at least one canopy tree should be provided within the secondary street setback
<b>Side and rear setbacks</b>	A10 and B17	A new building not on or within 200mm of a boundary should be set back from side or rear boundaries at least 5 metres plus 0.3 metres 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  For any lot abutting multiple streets, the minimum street setback provision applies
<b>Walls on boundaries</b>	A11 and B18	A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of any side or rear boundary of a lot should not abut the boundary for a length of no more than 0 metres
<b>Private open space</b>	A17	None specified
	B28	None specified
<b>Front fence height</b>	A20 and B32	None specified

**4.0 Maximum building height requirement for a dwelling, small second dwelling or residential building**

--/---  
Proposed C154macr

None specified.

**5.0 Application requirements**

--/---  
Proposed C154macr

None specified.

## MACEDON RANGES PLANNING SCHEME

**6.0 Decision guidelines**

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Proposed C154macr

The following decision guidelines apply to an application for a permit under Clause 32.09, in addition to those specified in Clause 32.09 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether generous street setbacks have been provided.
- Whether visual breaks between dwellings promote visual permeability.
- Whether canopy trees have been provided within the street setbacks that contribute to the character of the area.



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Shire Council

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## FORM 9

## Section 96J

## PLANNING PERMIT GRANTED UNDER SECTION 96I OF THE PLANNING AND ENVIRONMENT ACT 1987

<b>PERMIT NUMBER:</b>	PLN/2022/198
<b>PLANNING SCHEME:</b>	Macedon Ranges Planning Scheme
<b>RESPONSIBLE AUTHORITY:</b>	Macedon Ranges Shire Council
<b>ADDRESS OF THE LAND:</b>	Crown Allotment 1, Section 24A, Parish of Lauriston, 1 Wills Street, Malmsbury
<b>THE PERMIT ALLOWS:</b>	Subdivision of the land into nine (9) lots

### THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

#### Amended plans

- 1 Before the plan of subdivision is certified under the *Subdivision Act 1988*, amended plans must be approved and endorsed by the responsible authority. The plans must be generally in accordance with the plans submitted with the application, but modified to show:
  - a) A typical cross-section of all road reserves, plans showing all road reserve dimensions and a court bowl as per the CFA design requirements.
  - b) All changes required by the Country Fire Authority condition 34.
- 2 The layout of the subdivision must not be altered from the layout shown on the approved and endorsed plans without the prior written consent of the responsible authority.

#### Landscape masterplan

- 3 Before the plan of subdivision is certified under the *Subdivision Act 1988*, a digital copy of a landscape masterplan must be approved and endorsed by the responsible authority. The landscape masterplan must be developed in conjunction with the functional layout plan required under condition 12 and prepared by a suitably qualified and experienced landscape designer. The plan must be drawn to scale and show:
  - a) The provision of locally indigenous canopy trees within the lots including a minimum of two (2) trees within front setback of each lot and one (1) canopy tree within the secondary street setback for Lots 1, 2, 5, 6 and 7 (all inclusive) to achieve semi-rural residential character.

Page 1 of 14

Date Issued:

Signature of the responsible authority: \_\_\_\_\_

OFFICIAL



## PLANNING PERMIT

PLN/2022/198 CONDITIONS CONTINUED:

- b) The location of all new street tree planting within all road reserves and new roads/streets associated with the subdivision. A minimum of one tree per lot or every 12 metres, whichever is the lesser must be provided.
- c) A street tree species selection that ties in with the existing surrounding character and includes tree species of a size at maturity suitable for the road reserve widths and a mix of native and exotic species to the satisfaction of the responsible authority.
- d) The topography and existing features, including contours of the subject land and road reserves.
- e) The location of any existing trees within the site or the adjacent road reserves, including any trees that overhang the site from adjoining land.
- f) Details of tree protection zones for all trees to be retained.
- g) An irrigation system.
- h) Any trees proposed for removal from the site clearly designated.

### Detailed landscape plan

- 4 Before the statement of compliance is issued for the subdivision under the *Subdivision Act 1988*, a digital copy of a detailed landscape plan must be approved and endorsed by the responsible authority. The detailed landscape plan must be prepared by a suitably qualified and experienced landscape designer, be generally in accordance with the endorsed landscape masterplan and show details of the streetscape plantings. The plan is to be overlaid on the approved engineering plans required under condition 13 to ensure coordination with services and other infrastructure. The plan must include:
- a) A plant schedule for proposed tree species showing minimum supply size of 45 litres and a height of 1.6 metres.
  - b) An advanced tree planting detail for proposed tree species showing a minimum of 26 litre Greenwell water saver and three (3) hardwood stakes or Tree Coach® system.
  - c) A maintenance schedule and projected costs in addition to the landscape plan.
  - d) The following notations:
    - i Tree planting is to occur between April and September to maximise establishment and survival.
    - ii Tree locations shown on the plan are a guide only and may require adjustment to coordinate with final service locations, Powercor requirements, and 'as constructed' infrastructure.
    - iii Street tree locations are to be set out and approved on the site by the responsible authority before installation.

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Date Issued:

Signature of the responsible authority: \_\_\_\_\_

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## PLANNING PERMIT

PLN/2022/198 CONDITIONS CONTINUED:

- iv It is the responsibility of the contractor to confirm the location of all underground services before any excavation works start.

### Landscape completion

- 5 The landscaping works within the road reserve shown on the endorsed landscape plan must be completed to the satisfaction of the responsible authority before the issue of the statement of compliance under the *Subdivision Act 1988* or any other time agreed in writing by the responsible authority.

### Landscape maintenance

- 6 At all times the landscaping shown on the endorsed landscape plan must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of the responsible authority.

### Section 173 agreement

- 7 Before the plan of subdivision is certified under the *Subdivision Act 1988*, the owner/s of the lots must enter into an agreement with the responsible authority in accordance with section 173 of the *Planning and Environment Act 1987*. The agreement must provide for the following:
- a) All buildings (dwellings, outbuildings) and must be located entirely within the building envelopes shown on the endorsed plans forming part of Planning Permit PLN/2022/198. This does not apply for fences.
  - b) The boundaries of each lot must only be fenced with post and wire rural style or similar visually permeable fencing to the satisfaction of the responsible authority.
  - c) A minimum 3,000 litre rainwater tank must be provided on each lot with a connection to supply water for toilet flushing and outdoor usage to the satisfaction of the responsible authority.
- 8 Before the statement of compliance is issued under the *Subdivision Act 1988*:
- a) An application must be made to the Registrar of Titles to register the section 173 agreement on the title to the land under section 181 of the *Planning and Environment Act 1987*.
  - b) The owner/s must pay all costs (including the responsible authority's costs) associated with the preparation, execution, registration and cancellation of the section 173 agreement.

### Open space contribution

- 9 Before the statement of compliance is issued for the subdivision under the *Subdivision Act 1988*, the owner must pay to the responsible authority a 5 per cent open space contribution in

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## PLANNING PERMIT

PLN/2022/198 CONDITIONS CONTINUED:

respect to all of the land in the subdivision in accordance with the Schedule to Clause 53.01 of the Macedon Ranges Planning Scheme.

### Amenity

- 10 Measures must be undertaken to minimise any loss of amenity to the neighbourhood associated with subdivision works caused by dust, noise, the transport of material to and from the land, and the deposit of mud and debris on public roads and the road reserve adjacent to the subject land, to the satisfaction of the responsible authority.

### Mandatory subdivision conditions

- 11 Before the statement of compliance is issued for the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:
- A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
  - A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

### Functional layout plan

- 12 Before the plan of subdivision is certified under the Subdivision Act 1988, a functional layout plan of the subdivision must be approved and endorsed by the responsible authority. The plan must be drawn at a scale of 1:500 and an electronic copy (pdf) must also be provided. The plan must include the following:
- A fully dimensioned subdivision layout, including lot areas, lot numbers, open space areas, and the dimensions of road reserves both proposed and existing.
  - The topography and existing features, including contours of the subject land to the Australian Height Datum and any affected adjacent land.
  - Typical cross-sections for each street, dimensioning individual elements and services offsets.
  - Road intersections with interim and/or ultimate treatments.
  - A table of offsets for all utility services and street trees.
  - The location and alignment of kerbs and footpaths.
  - The proposed drainage network and any land required for maintenance access.
  - The drainage system, including the piped elements showing preliminary sizing.

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## PLANNING PERMIT

PLN/2022/198 CONDITIONS CONTINUED:

- i) Overland flow paths (1 per cent annual exceedance probability) to indicate how excess runoff will safely be conveyed to its destination.
- j) A drainage outfall system indicating legal point of discharge and any access requirements for construction and maintenance.
- k) The preliminary location of reserves for electrical kiosks.
- l) Works external to the subdivision, including both interim and ultimate access requirements.
- m) Road splays on all corner lots.

### Engineering plans

13 Before the subdivision works begin, engineering plans must be approved and endorsed by the responsible authority. The engineering plans will not be considered until:

- o The functional layout plan and landscape masterplan have been approved by the responsible authority
- o The plan of subdivision has been lodged for certification with the responsible authority
- o The locations of services have been provided to the satisfaction of the responsible authority.

The plans must include:

- a) All necessary computations and supporting design documentation for any structure, civil and drainage infrastructure, and a geotechnical investigation report.
- b) Details of works consistent with the approved functional layout plan, submitted landscape masterplan and lodged plan of subdivision.
- c) Details of any cut and fill earthworks including retaining walls.
- d) Pavements with kerb and channel, to dimensions generally in accordance with the approved functional layout plan.
- e) Underground stormwater drainage to each lot in the subdivision within each lot's own boundaries.
- f) Water-sensitive urban design measures.
- g) Maintenance plan for all water sensitive urban design infrastructure.
- h) Provision for all services and conduits (underground) including alignments and offsets.
- i) Provision of public street lighting and underground electricity supply within all streets and reserves.

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## PLANNING PERMIT

PLN/2022/198 CONDITIONS CONTINUED:

- j) A new crossover for each lot. Each crossover must be a minimum of 10 metres from any intersection, 1 metre from any power pole, sign or service pit and a minimum of 3 metres from any street tree.
  - k) Temporary turnaround areas for waste collection vehicles and CFA trucks at the dead end of any road.
  - l) Street name signs.
  - m) Survey details of the trunk location and size of canopy trees to be retained and associated tree protection zones.
  - n) Permanent survey marks, levelled to the Australian Height Datum and coordinated to the Australian Map Grid.
  - o) Splays at all intersections, to suit the road functions.
- 14 Before the statement of compliance is issued under the *Subdivision Act 1988*, all works shown on the approved engineering plans must be constructed or carried out to the satisfaction of the responsible authority.
- 15 Before any works start, engineering plans detailing the stormwater drainage system must be approved and endorsed by the responsible authority. The drainage system design must meet the following requirements to the satisfaction of the responsible authority:
- a) A legal point of discharge must be provided for the whole subdivision approved by the responsible authority and any other statutory authority from which approval must be received for the discharge of drainage.
  - b) The plans must detail the legal point of discharge for every proposed lot.
  - c) Details of the pipe alignment from the proposed development to the designated outfall must be provided.
  - d) An onsite, underground stormwater detention system must be provided to reduce the post-developed 10 per cent annual exceedance probability discharge to the pre-developed 20 per cent annual exceedance probability discharge.
  - e) Stormwater runoff from all buildings, tanks and paved areas must drain to a legal point of discharge.
  - f) All drainage courses or outfall drainage lines to the legal point of discharge which pass through land other than the proposed lots must be constructed at no cost to the responsible authority.
  - g) All drainage courses located within lots must be contained within expressed drainage easements.
  - h) The flow paths of a 1 per cent annual exceedance probability storm event must be determined and the subdivision must be designed such that no adjoining property is inundated.

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## PLANNING PERMIT

PLN/2022/198 CONDITIONS CONTINUED:

- i) The drainage system must provide for runoff from the upstream catchments and include any downstream works necessary to manage flows from the subdivision to meet the requirements of this condition.
- j) The design of the drainage system must satisfy the objectives of the *Urban Stormwater – Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).

### Site management plan

- 16 At least 14 days before works start, a site management plan must be approved and endorsed by the responsible authority. The plan must contain the following:
- a) Name and contact details of the appointed civil contractor and superintendent.
  - b) An existing condition survey of all existing assets including assets on private properties.
  - c) A construction management plan.
  - d) A traffic management plan.
  - e) An environmental management plan.
  - f) Occupational health & safety and job safety analysis plans.
  - g) A copy of the issued asset protection permit.
  - h) A copy of the 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.

- 17 Before the statement of compliance is issued under the *Subdivision Act 1988*, land on each lot to be used for a dwelling must be filled and compacted in accordance with Australian Standard AS3798:2007. The results of the soil tests must be submitted to and be to the satisfaction of the responsible authority.
- 18 Before the statement of compliance is issued under the *Subdivision Act 1988*, the following 'as-constructed' documentation for road and drainage assets must be approved by the responsible authority:
- a) As-constructed drawings in hardcopy A3 format that include all alterations made during construction.
  - b) As-constructed drawings in AutoCAD and Acrobat pdf formats that include all alterations made during construction.
  - c) Asset information in digital format and in the form of a schedule of quantities.
- 19 Polluted and/or sediment laden runoff must not be discharged directly or indirectly into drains or watercourses. Soil erosion control measures must be employed throughout the subdivision works to the satisfaction of the responsible authority.

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## PLANNING PERMIT

PLN/2022/198 CONDITIONS CONTINUED:

### Construction management plan

- 20 Before works start, a construction management plan must be approved and endorsed by the responsible authority. The plan must show:
- a) Measures to control erosion and sediment and sediment laden water runoff including the design details of structures.
  - b) Dust control measures.
  - c) Where any construction wastes, equipment, machinery and/or earth is to be stored/stockpiled during construction.
  - d) Where access to the site for construction vehicle traffic will occur.
  - e) The location and details of a sign to be erected at the entrance(s) of the site advising contractors that they are entering a 'sensitive site' with prescribed tree protection zones and fences.
  - f) The location of any temporary buildings or yards.
  - g) The construction operating hours.
  - h) The name and contact details of the site supervisor.
- 21 Control measures in accordance with the approved construction management plan must be employed throughout the construction of the works to the satisfaction of the responsible authority. The responsible authority must be kept informed in writing of any departures from the construction management plan. If in the opinion of the responsible authority the departure from the approved plan is significant then an amended plan must be submitted to and approved by the responsible authority. The approved measures must be carried out continually and completed to the satisfaction of the responsible authority.
- 22 Polluted stormwater runoff generated during construction must be treated and/or absorbed on the lot from which it emanates to the satisfaction of the responsible authority. Polluted drainage must not be discharged beyond the boundaries of the lot from which it emanates or into a watercourse or easement drain.

### Decommissioning the existing septic system

- 23 Before the statement of compliance is issued under the *Subdivision Act 1988*, a licenced plumber must decommission the existing septic tank on the property in a safe manner and remove the effluent absorption trenches. Remediation works must be undertaken to ensure the land is safe to build on.

### Referral authority conditions – Coliban Water

- 24 The owner must provide reticulated water and sewerage services to each of the lots within the subdivision and comply with any requirements arising from any effect of the proposed development on Coliban Water assets. Services are to be provided in accordance with Coliban Water specifications.

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## PLANNING PERMIT

PLN/2022/198 CONDITIONS CONTINUED:

- 25 Reticulated sewer and water mains extensions must be provided in accordance with Coliban Water's developer installed works process to service the lots within the subdivision.
- 26 Water main linkups on Walsh Street and at the intersection of Wills-Urquhart Street must be provided under the developer installed works process to secure the supply to the development.
- 27 All Coliban Water assets within the subdivision, both existing and proposed, must be protected by an easement in favour of the Coliban Region Water Corporation.
- 28 If sewer servicing of each of the lots created is to be by pressure sewer rather than provision of traditional gravity sewer, then new customer contributions for pressure sewer must be provided for each lot connected to the reticulated infrastructure. The contributions are to be provided by developer funding for the supply, installation, and ongoing maintenance requirements by Coliban Water for the property assets on each lot including tank, pump, and control box. The contributions may be higher for larger lots where additional works are required. The supply and installation must be completed by Coliban Water approved contractors after an application to connect is received.
- 29 Before the issue of a statement of compliance is issued under the *Subdivision Act 1988* for any stage of the subdivision, the owner of the land must make payment to Coliban Water of the New Customer Contributions (NCCs). These contributions are based upon the number of additional allotments connected (or to be connected) to Coliban Water's water, sewer or recycled water networks. A quote will be supplied to the owner on the referral of the Certified plan of subdivision.

### Referral authority conditions – Goulburn - Murray Water

- 30 Any Plan of Subdivision lodged for certification must be referred to Goulburn-Murray Rural Water Corporation pursuant to Section 8(1)(a) of the *Subdivision Act 1988*.
- 31 All works within the subdivision must be done in accordance with EPA Publication 1834 Civil Construction, Building and Demolition Guide (November 2020).
- 32 Before the Statement of Compliance being issued *under the Subdivision Act 1988*, the existing dwelling on proposed Lot 3 must be connected to the reticulated sewerage system and any existing onsite wastewater systems must be decommissioned in accordance with condition 23 to the satisfaction of council's Environmental Health Department.
- 33 All stormwater discharged from the site must meet the urban run-off objectives and Standard C25 as specified in Clause 56.07-4 of the Victorian Planning Provisions.

### Referral authority conditions – Country Fire Authority

- 34 Before the plan of subdivision is certified under the *Subdivision Act 1988*, the plan must be amended to show:
  - a) The identification of 19 metre setbacks at all aspects for the purposes of defensible space, to ensure future development is exposed to radiant heat exposure of no greater than 12.5 kilowatts per square metre.

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## PLANNING PERMIT

PLN/2022/198 CONDITIONS CONTINUED:

- b) The location of building envelopes on all lots that require vegetation to be managed for the purposes of defensible space.
- 35 Before the statement of compliance is issued under the *Subdivision Act 1988*, the owner must enter into an agreement with the responsible authority under section 173 of the *Planning and Environment Act 1987*. The agreement must show the vegetation contained within the areas identified as defensible space in condition 34(a), which are to be managed as follows:
- a) Grass must be short cropped and maintained during the declared fire danger period.
  - b) All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
  - c) Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
  - d) Plants greater than 10 centimetres in height must not be placed within 3 metres of a window or glass feature of the building.
  - e) Shrubs must not be located under the canopy of trees.
  - f) Individual and clumps of shrubs must not exceed 5 square metres in area and must be separated by at least 5 metres.
  - g) Trees must not overhang or touch any elements of the building.
  - h) The canopy of trees must be separated by at least 2 metres.
  - i) There must be a clearance of at least 2 metres between the lowest tree branches and ground level.
- 36 Before the statement of compliance is issued under the *Subdivision Act 1988*, above or below ground operable hydrants must be provided to the satisfaction of the Country Fire Authority. The hydrants must be:
- a) A maximum distance of 120 metres from the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) and no more than 200 metres apart. These distances must be measured around the lot boundaries.
  - b) Identified with marker posts and road reflectors to the satisfaction of the Country Fire Authority.
- 37 Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width. The roads must have:
- a) An average grade of no more than 1 in 7 (14.4 per cent - 8.1 degrees) with a maximum of no more than 1 in 5 (20 per cent - 11.3 degrees) for no more than 50 metres. Dips must have no more than a 1 in 8 (12 per cent - 7.1 degree) entry and exit angle.
  - b) Curves with a minimum inner radius of 10 metres.

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## PLANNING PERMIT

PLN/2022/198 CONDITIONS CONTINUED:

- c) A minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metre on each side and 4 metres above the access way.
- 38 If roads are more than 60 metres in length from the nearest intersection, then the roads must have a turning circle with a minimum radius of 8 metres (including roll-over kerbs if they are provided). T or Y head roads of dimensions to the satisfaction of the Country Fire Authority may be used as alternatives.

### Referral authority conditions – Powercor

- 39 The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the distributor in accordance with Section 8 of that Act.
- 40 The applicant must provide an electricity supply to all lots in the subdivision in accordance with the distributor's requirements and standards.
- 41 The applicant must ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules.
- 42 The applicant must establish easements on the subdivision, for all existing distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements.

### Expiry of permit

- 43 This permit will expire if one of the following circumstances applies:
  - a) The plan of subdivision is not certified within two years of the date of this permit.
  - b) The plan of subdivision is not registered at Land Registry Services within five years of the certification of the subdivision.

The responsible authority may extend the time if a request is made in writing before the permit expires or within six months afterwards.

### USEFUL INFORMATION:

#### Engineering Notes

- 1. In accordance with section 17 of the *Subdivision Act 1988*, works required to be undertaken as part of the subdivision must not start until the plan of subdivision has been certified and the engineering plans approved by the responsible authority.

#### Powercor Notes

- 2. Extension, augmentation or rearrangement of the distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant (see condition 39).

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**PLANNING PERMIT**  
 PLN/2022/198 CONDITIONS CONTINUED:

- 3. Where electrical works are required to achieve Victorian Service and Installation Rules compliance, a registered electrical contractor must be engaged to undertake such works (see condition 40).
- 4. Existing easements may need to be amended to meet the distributor’s requirements (see condition 41).
- 5. Easements required by the distributor are to be specified on the subdivision and show the purpose, origin and the ‘in favour of party’ (see condition 41) as follows:

Easement reference	Purpose	Width (metres)	Origin	Land benefited / in favour of party
	Power line		Section 88 - <i>Electricity Industry Act 2000</i>	Powercor Australia Ltd

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**WHAT HAS BEEN DECIDED?**

The responsible authority has issued a permit.

**WHEN DOES A PERMIT BEGIN?**

A permit operates:

- from the date specified in the permit, or
- if no date is specified, from:
  - (i) the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the tribunal, or
  - (ii) the date on which it was issued, in any other case.

**WHEN DOES A PERMIT EXPIRE?**

1. A permit for the development of land expires if:
  - the development or any stage of it does not start within the time specified in the permit, or
  - the development requires the certification of a plan of subdivision or consolidation under the *Subdivision Act 1988* and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
  - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the *Subdivision Act 1988*.
2. A permit for the use of land expires if:
  - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit, or
  - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if:
  - the development or any stage of it does not start within the time specified in the permit; or
  - the development or any stage of it is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
  - the use does not start within the time specified in the permit, or if no time is specified, within two years after the completion of the development, or
  - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in Section 6A(2) of the *Planning and Environment Act 1987*, or to any combination of use, development or any of those circumstances requires the certification of a plan under the *Subdivision Act 1988*, unless the permit contains a different provision:
  - the use or development of any stage is to be taken to have started when the plan is certified; and
  - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

**WHAT ABOUT APPEALS?**

- The person who applied for the permit may appeal against any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal where, in such case, no right of appeal exists.
- An appeal must be lodged within 60 days after the permit was issued, unless a Notice of Decision to grant a permit has been issued previously, in which case the appeal must be lodged within 60 days after the giving of that notice.
- An appeal is lodged with the Victorian Civil and Administrative Tribunal.
- An appeal must be made on a Notice of Appeal form which can be obtained from the Victorian Civil and Administrative Tribunal and be accompanied by the prescribed fee.
- An appeal must state the grounds upon which it is based.
- An appeal must also be served on the Responsible Authority.

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- Details about appeals and fees payable can be obtained from the Victorian Civil and Administrative Tribunal. The address of the Victorian Civil and Administrative Tribunal is 55 King Street, Melbourne, 3000. The telephone number is (03) 9628 9777. Internet [www.vcat.vic.gov.au](http://www.vcat.vic.gov.au).

***Planning and Environment Regulations 1987***

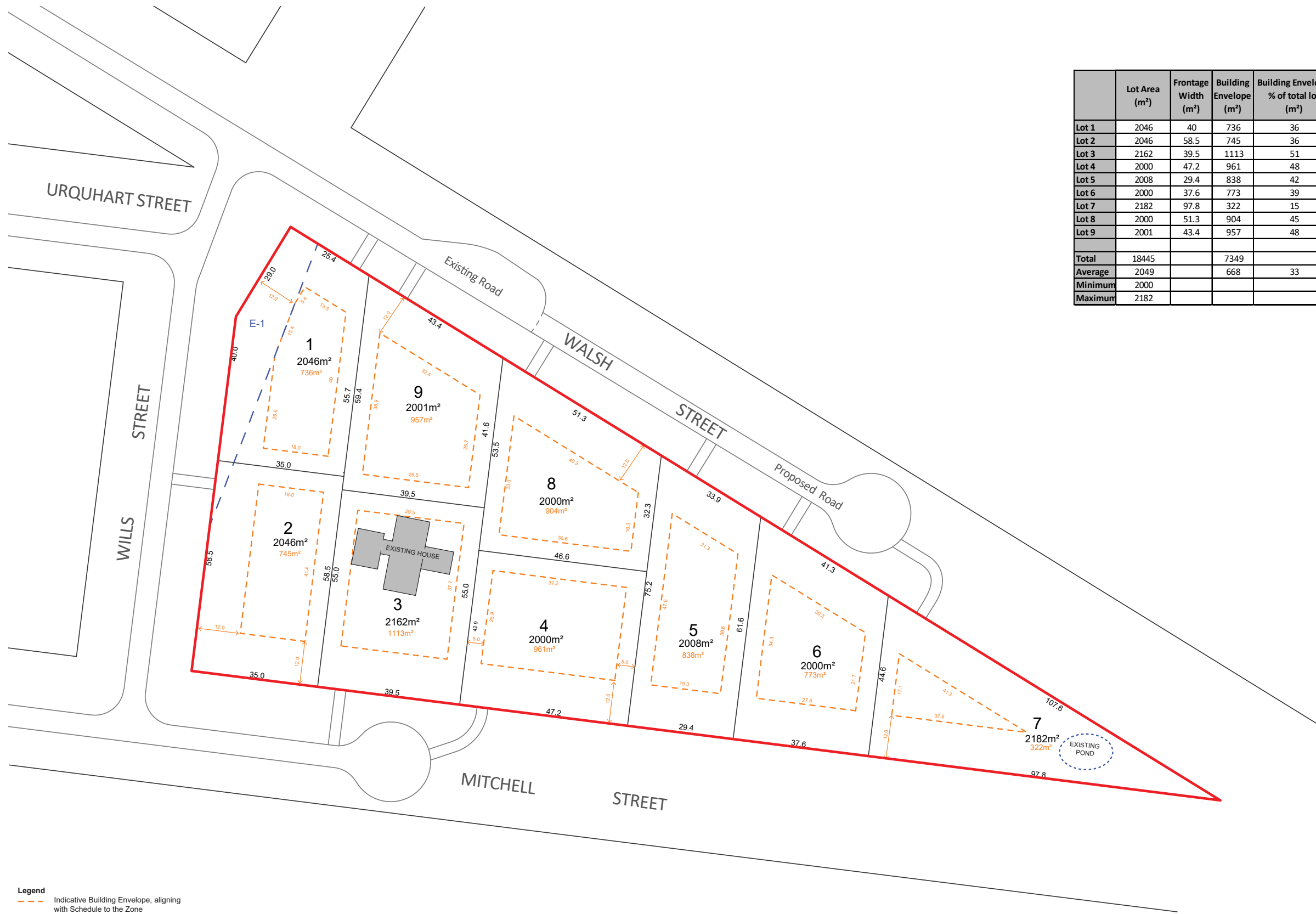
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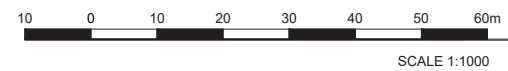


	Lot Area (m <sup>2</sup> )	Frontage Width (m <sup>2</sup> )	Building Envelope (m <sup>2</sup> )	Building Envelope % of total lot (m <sup>2</sup> )
Lot 1	2046	40	736	36
Lot 2	2046	58.5	745	36
Lot 3	2162	39.5	1113	51
Lot 4	2000	47.2	961	48
Lot 5	2008	29.4	838	42
Lot 6	2000	37.6	773	39
Lot 7	2182	97.8	322	15
Lot 8	2000	51.3	904	45
Lot 9	2001	43.4	957	48
Total	18445		7349	
Average	2049		668	33
Minimum	2000			
Maximum	2182			

**Legend**  
 - - - Indicative Building Envelope, aligning with Schedule to the Zone



**DRAFT**



1 Wills Street, Malsbury  
 Concept Plan of Subdivision  
 102-21  
 01.10.2023  
 Ver 05



<b>PE.2</b>	<b>ENVIRONMENT GROUP SUPPORT GRANT &amp; COMMUNITY CLIMATE ACTION GRANT 2024-25: RECOMMENDATIONS</b>	<b>OFFICER</b>
<b>Officer:</b>	<b>Justin Walsh, Sustainability Officer</b>	
<b>Council Plan relationship:</b>	<b>2. Healthy environment, healthy people</b>	
<b>Attachments:</b>	<b>1. <a href="#">EGSG 2024-25 - Summary Table</a></b> <b>2. <a href="#">CCA 24-25 - Summary Table</a></b>	

## Summary

This report seeks to gain endorsement from the Councillors of the Assessment Panel's recommendations for successful recipients of the Environment Group Support Grant Program and Community Climate Action Grants 2024-2025.

This report also seeks to provide an overview of the auspice arrangements challenges experienced by Landcare and Friends group to meet eligibility requirements of the 2024-2025 Environment Group Support Grant Program and requests a waiver to a particular guideline requirement.

## Recommendation

### That Council:

- 1. Endorses a waiver to the auspice limitation requirement included in the Environment Group Support Grant 2024-2025 guidelines that states an incorporated auspice organisation can submit a maximum of two applications.**
- 2. Endorses the funding recommendations for successful recipients for the Environment Group Support Grant Program and Community Climate Action Grants 2024-2025 as found in Attachment 1 and Attachment 2.**

## Background

Council has long been committed to providing ongoing support and resources to the Landcare, environment groups, networks and community groups engaging in both biodiversity and climate action across the Macedon Ranges Shire. These groups play an important role in engaging the community, protecting significant native plants and animals on both public and private land and progressing community solutions to the Climate Emergency.

The Environment Unit regularly supports these community groups by attending and presenting at meetings, providing information and resources, and collaborating on joint projects and events, as well as providing financially support to Landcare and environmental groups via an annual grant program for many years.

The introduction of a new Community Climate Action Grant looks to expand this historic financial support and enacts a commitment to the Climate Emergency Plan 2023-2030 (CRC10: Pilot a Climate Action Grant program that provides financial assistance to community groups engaging in grassroots climate action). As well as enabling practical outcomes for two principles of the Climate Emergency Plan (i.e. 'mobilisation' and 'collaboration and partnership'), the grant program widens to type of community groups that

can access funding for climate action to include schools, faith groups, Community Houses, Men's Sheds and other community groups.

Both grants align to the Community Grants Policy, introduced in 2023, with respective guidelines adopted at the 24 July 2024 Scheduled Council Meeting.

## **Discussion**

### Environment Group Support Grants

The 2024-25 Environment Group Support Grant round offered three grant streams to Landcare, Friends and environment groups across three categories of funding.

- Category 1: Landcare, Friends Groups and Network Support Funding (up to \$800).
- Category 2: Strategic Weed Partnership Program (up to \$1500).
- Category 3: Biolink Boost Grant (up to \$5000).

Council's Environment Group Support Grant budget for 2024-2025 is a total of \$50,000.

In addition, Council has partnered with Macedon Ranges Community Enterprises Limited (MRCE) and Bendigo Bank to co-fund the Category 3 Biolink Boost Grant. The MRCE have agreed to match Council's funding to the amount of \$20,000, boosting the funding available for the Biolink Boost grant to \$40,000.

The total funding available across all three categories of the Environment Group Support Grants is \$70,000.

### Community Climate Action Grants

This new grant program aims to support groups to develop, implement and evaluate climate action projects that work towards reducing community greenhouse gas emissions and/or enables greater community resilience to adapt to climate change.

The intended outcomes of the fund are to promote community mobilisation and participation in local climate action through:

- (1) Strengthening community groups' knowledge, skills and capacity to enable actions and intentions in their township 'Cool Changes' Community Climate Action Plan and 'community' allocated actions in the Climate Emergency Plan.
- (2) Enacting the priorities of the Climate Emergency Plan.
- (3) Enacting the principles of the Climate Emergency Plan.
- (4) Enabling community groups to play an active role in driving climate solutions throughout the wider community.
- (5) Enhancing the wider community's resilience and ability to adapt to climate change through increased awareness, knowledge and skills.

Applicants could apply for funding up to \$5,000 per project. Council's Community Climate Action budget for 2024-2025 is a total of \$20,000.

Like the above agreement regarding the Category 3: Biolink Boost Grant, community partners, MRCE and Bendigo Bank have matched council's funding to the amount of \$20,000.

The total funding available for the Community Climate Action Grant program is \$40,000.

## **Assessment process and panel**

Assessment of applications was conducted in alignment to the *Environment Group Support and Community Climate Action Grants Terms of Reference for Assessment Panels* that was adopted at the 24 July 2024 Scheduled Council Meeting.

Applications for both programs closed on 30 September 2024 and, following individual assessments conducted by the panel members named below, an additional panel assessment was completed on 8 October 2024.

The assessment panel comprised of:

- Tania MacLeod, Coordinator Environment
- Kimberley Cook, Programs and Engagement Officer
- Justin Walsh, Sustainability Officer

Upon initial assessment, it become apparent that many of the applications to the Environment Group Support Grants were either ineligible due to applicants not being incorporated and/or not having arranged an appropriate auspice agreement or did not provide relevant project details (i.e. site maps, quoted budgets, landholder permission letter) to adequately assess the application. Council officers received the support of senior management to re-open applications till 15 November, 2024, during which time Council officers worked with groups to meet the eligibility criteria outlined in the Community Grants Policy and 2024-2025 Environment Group Support Grant Guidelines and update applications with the relevant documentation.

Landcare Victoria Incorporated (LVI) offers an auspice service to their member groups and, currently, eight groups have entered into an auspice agreement with LVI to receive funding in the 2024-2025 round of the Environment Group Support Grant.

In order for environment groups to receive the support funding they have applied for, Council officers request that the requirement in the Environment Group Support Grant guidelines that limits a maximum two successful applications per auspice organisation to be waived in the 2024-2025 round and ultimately removed in future years.

**Officer recommendations**

Environment Group Support Grant

The Environment Group Support Grant program received a total of 34 applications from 21 different Landcare, friends and/or network groups, requesting a total of \$70,521.00.

Table 1 provides an overview of the number of applications per funding category and officers recommendation to fund – with the aforementioned auspice requirement waiver applied.

<b>Category 1 - Landcare, Friends Groups and Network Support Funding</b>		
Application received	Application recommended	Total funding
22	17	\$13,600
<b>Category 2 - Strategic Weed Partnership Program</b>		
Application received	Application recommended	Total funding
6	6	\$9,000
<b>Category 3 - Biolink Boost</b>		
Application received	Application recommended	Total funding
10	10	\$47,121.33
<b>Total recommended funding</b>		<b>\$69,721.33</b>

Table 1: overview of applications and total funding recommended by Council officers

**Attachment 1** provides a detailed summary and Panel Assessment note for each application.

### Community Climate Action Grant

In its inaugural year, the Community Climate Action Grant program received a total of ten applications, requesting a total of \$41,838.00.

In general, applications to this funding stream are well-considered and well-written.

Of the ten applications, the panel are recommending that eight applicants be funded which would result in a total expenditure of \$33,838.00 to the successful applicants.

The auspice/incorporated limitation included in the Environment Group Support Grant program was not applied to the Community Climate Action Grants to allow incorporated community groups with multiple action groups (i.e. – Macedon Ranges Sustainability Group) to submit multiple applications. For the Community Climate Action grant stream, there is no limit to the approved applications that one group may submit, and applications are assessed on merit according to the assessment criteria.

**Attachment 2** provides a detailed summary and Panel Assessment note for each application.

### **Consultation and engagement**

When assessing applications, the Assessment Panel enlisted the Roadside Conservation Officer as a Subject Matter Expert to review Category 2: Strategic Weed Partnerships applications to the Environment Group Support Grant Program. This ensure applications that include weed removal are in alignment with Council's weed program.

The Assessment Panel held sufficient expertise the adequately assess all other applications across both grant programs.

### **Collaboration**

As outlined above, Council officers successfully negotiated financial partnership with MRCE and Bendigo Bank to co-fund the Environment Group Support Grant's Category 3: Biolink Boost and the Community Climate Action Grants to the amount of \$20,000 respectively.

### **Innovation and continuous improvement**

Both grants show a commitment to trialling new approaches to support community groups to participate and mobilise in a Climate Emergency. The 2023-24 introduction, and now return, of the Biolink Boost grants shows that Council is able to be targeted in its approach to achieving biodiversity outcomes in the shire's six key biolinks, whilst still supporting the Landcare and Friends groups to play their vital role in engaging the wider community in conserving the biodiversity values in the Macedon Ranges.

The introduction of the Community Climate Action Grants provides the financial mechanism for local climate action groups to shape what climate solutions look like in the Macedon Ranges. It provides them with the independence to host their own projects, whilst still ensuring Council provides key enabling support. The introduction of this grant stream was pursued in consultation with community groups and acts as a successor to the Cool Changes program to further support local climate projects identified in the Community Climate Action Plans to roll out across the shire.

**Relevant law**

The introduction of the Community Climate Action Grants shows commitment to Councils legislative duties under the Local Government Act 2020, in Part 2 Section 1, which requires councils to give effect to the stated overarching governance principles, one of which is *“the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks”*.

Both the Environment Group Support Grants and the Community Climate Action Grants empower the community to participate in mitigating and planning for climate risks and provides the opportunity for Council to play an active role alongside the community in enabling local climate solutions and climate resilience.

In accordance with the Gender Equality Act 2020, a Gender Impact Assessment was conducted in relation to the development of the Community Grants Policy, in which both these grant operate in accordance with. In the interest of delivering more inclusive and accessible funded community projects for the Macedon Ranges, the following measures are required under Council’s grants programs:

- all funding applications covered by this policy will request information about which diverse groups in the community would benefit from the project, how these groups would be supported to participate in funded programs, and the estimated reach across men, women and gender diverse groups;
- addressing gender equity and inclusion will strengthen an application and will be reflected in the scoring matrix;
- the composition of all assessment panels will include mixed gender representation;
- any in-person promoting of the grants programs will be held at a time and in a central location so as not to disadvantage those with caring responsibilities and/or work commitments

**Relevant regional, state and national plans and policies**

- Victorian Government’s Climate Change Strategy
- Central Victorian Regional Zero Emissions Roadmap
- ADAPT Loddon Mallee

**Relevant Council plans and policies**

- Council Plan 2024-31
- Environment Strategy (refreshed 2021)
- Biodiversity Strategy 2018
- Climate Emergency Plan 2023-30

**Climate Impact Assessment**

How will the recommendation impact on Council’s energy usage and greenhouse emissions profile? Not applicable

How will the recommendations mitigate risks posed by climate change to Council operations and services? Not applicable

How will the recommendation help to prepare the community for future climate scenarios?



Both funds provide an opportunity for community groups to lead the way in supporting the wider community to adapt to future climate scenarios through increasing knowledge, skills and awareness of climate change in the local context. Furthermore, projects and programs arising from these grants provide an opportunity for residents to be a part of solutions to mitigate the impacts of climate change. These funds allow the community to be empowered to enable local solutions to the Climate Emergency and the intended outcomes clearly outline these funds intentions to promote community mobilisation and participation in climate solutions. These funds allow for both nature-based and technical solutions to the Biodiversity Crisis and the Climate Emergency to be explored and enabled in the Macedon Ranges.

Community Climate Action Grant is a key action in the Council's Climate Emergency Plan 2023-2030 (CRC10: Pilot a Climate Action Grant program that provides financial assistance to community groups engaging in grassroots climate action).

**Financial viability**

The available funds for both the Community Climate Action grants and the Environment Group Support grants are within the ongoing operating budget of the Environment Unit. The new Community Climate Action grants uses the funds allocated to the roll out of the Cool Changes program, aptly, reinvesting these funds into community climate action.

**Sustainability implications**

These grants offer the community the opportunity to be active participants in enabling solutions to local environmental issues such as the Biodiversity Crisis and the Climate Emergency

In prioritising grant applications that enact the Climate Emergency Plan principles, Council is also addressing the social issues that intersect with climate change, such as equity and embedding First Nations perspectives, as well as, actively promoting community mobilisation, participation and regeneration throughout the community.

Additionally, also prioritising applications that align with the Climate Emergency Plan priorities, Council is able to influence local climate projects that align with state, national and global climate solutions. Ensuring the Macedon Ranges community are acting locally but with a global perspective.

**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.

**Snapshot Category 1: Landcare, Friends Groups and Networks Support Funding Officer  
Recommendations Summary**

App ID	Amount Requested	Organisation	Final Panel Score	Recommended amount by Panel	Funding conditions
ENV-24-2500001	\$800.00	Macedon Ranges Field Naturalists	10	\$800.00	
ENV-24-2500003	\$800.00	Pipers Creek & District Landcare Group	7	\$800.00	
ENV-24-2500004	\$800.00	Upper Deep Creek Landcare Network	9	\$800.00	
ENV-24-2500005	0	[REDACTED]	0	0	Incomplete application
ENV-24-2500006	\$800.00	Newham & District Landcare Group	8	\$800.00	
ENV-24-2500007	\$800.00	Woodend Landcare Inc.	10	\$800.00	
ENV-24-2500008	\$800.00	Friends of Daly Nature Reserve	8	\$800.00	
ENV-24-2500009	\$800.00	Macedon Ranges Indian Myna Action Group	8	\$800.00	
ENV-24-2500010	0	[REDACTED]	0	0	Incomplete application
ENV-24-2500011	0	[REDACTED]	0	0	Incomplete application
ENV-24-2500013	\$800.00	Campaspe Valley Landcare Group	10	\$800.00	
ENV-24-2500015	\$800.00	Bullengarook Landcare group	8	\$800.00	
ENV-24-2500016	\$800.00	Friends of the Kyneton Botanic Gardens	10	\$800.00	
ENV-24-2500019	\$800.00	Macedon Ranges Wildlife Network	10	\$800.00	
ENV-24-2500021	0	[REDACTED]	0	0	Incomplete application
ENV-24-2500023	\$800.00	Campaspe River & Land Management Group	10	\$800.00	
ENV-24-2500024	\$800.00	Tylden Landcare group	7	\$800.00	
ENV-24-2500026	\$800.00	Macedon and Mount Macedon Landcare	6	\$800.00	
ENV-24-2500028	\$800.00	Deep Creek Landcare Group	10	\$800.00	
ENV-24-2500030	\$800.00	Baynton Sidonia Landcare Group	8	\$800.00	
ENV-24-2500032	\$800.00	Upper Maribymong Catchment Group	7	\$800.00	
ENV-24-2500034	\$800.00	[REDACTED]	0	\$0	Not recommended/ Did not meet eligibility criteria
	<b>\$14,400.00</b>			<b>\$13,600.00</b>	

**Snapshot Category 2: Strategic Weeds Partnerships Officer Recommendations Summary**

App ID	Requested amount	Applicant	Final Panel Score	Recommended amount by Panel	Funding Conditions
ENV-24-2500006	\$1,500.00	Newham and District Landcare Group	6	\$1,500.00	
ENV-24-2500007	\$1,500.00	Woodend Landcare	8	\$1,500.00	
ENV-24-2500015	\$1,500.00	Bullengarook Landcare Group	6	\$1,500.00	Consult with Roadside Conservation Officer prior to undertaking roadside works
ENV-24-2500020	\$1,500.00	Macedon and Mount Macedon Landcare Group	6	\$1,500.00	
ENV-24-2500023	\$1,500.00	Campaspe River & Land Management Group	6	\$1,500.00	
ENV-24-2500029	\$1,500.00	Tylden Landcare Group	6	\$1,500.00	
	<b>\$9,000.00</b>			<b>\$9,000.00</b>	

**Snapshot Category 3: Biolink Boost Officer Recommendations Summary**

App ID	Requested amount	Applicant & Project title	Final Panel Score	Recommended amount by Panel	Funding Conditions
ENV-24-2500004	\$5,000	Upper Deep Creek Landcare Network <b>Project title:</b> Mount William Range Biolink Boost Project	9	\$5,000	
ENV-24-2500006	\$5,000	Newham & District Landcare Group <b>Project title:</b> Enhancing biodiversity within the Cobaw Biolink	7	\$5,000	
ENV-24-2500007	\$5,000	Woodend Landcare Inc. <b>Project title:</b> Five Mile Creek Black Gum Biolink Enhancement Project	8	\$5,000	
ENV-24-2500013	\$5,000	Campaspe Valley Landcare Group Inc <b>Project title:</b> Blackwells Paddock seed planting and revegetation 2025	7	\$5,000	
ENV-24-2500014	\$4726.33	Friends of Black Hill Reserve Kyneton <b>Project title:</b> Black Hill Reserve Understory Revegetation Biolink for Woodland Birds project	8	\$4,726.33	
ENV-24-2500022	\$5,000	Baynton Sidonia Landcare Group <b>Project title:</b> Baynton Sidonia Tree Project	7	\$5,000	
ENV-24-2500023	\$5,000	Campaspe River Land Management Group <b>Project title:</b> Consolidating Campaspe River Rehabilitation	6	\$5,000	
ENV-24-2500025	\$5,000	Macedon and Mt Macedon Landcare Group <b>Project title:</b> Riddells Creek/ Bruce St. Revegetation	8	\$5,000	
ENV-24-2500027	\$2,800	Greening of Riddell <b>Project title:</b> Riddells Creek excessive reed burden cull	7	\$2,800	
ENV-24-2500028	\$4,595.00	Deep Creek Landcare Group <b>Project title:</b> Enhancing Deep Creek's Biodiversity	7	\$4,595	
	<b>\$47,121.33</b>			<b>\$47,121.33</b>	

### Community Climate Action Grants - Snapshot of Officer recommendations

Application ID	Total Amount Requested	Applicant	Project Title	Final Panel Score	Amount Recommended by Panel	Funding Conditions
CCA-24-2500001	\$5,000.00	MRSO: Wash Against Waste Trailer	Transitioning the Wash Against Waste Trailer to Net Zero Clean Energy Production and Consumption	7	\$5,000.00	
CCA-24-2500002	\$3,000.00	[REDACTED]	[REDACTED]	3	\$0.00	
CCA-24-2500003	\$5,000.00	MRSO: Riddells Creek Cool Changes	Riddells Creek Cool Changes Enviro-Expo	9	\$5,000.00	Req. MRSC Risk and Event Management Form
CCA-24-2500007	\$5,000.00	MRSO: Sustainable Malmshury	Malmshury Neighbourhood Battery-Community engagement and planning	9	\$5,000.00	
CCA-24-2500008	\$4,900.00	MRSO: Electrify3442	Electrify 3442 Household Electrification Planner	9	\$4,900.00	
CCA-24-2500009	\$278.00	Friends of Daly Nature Reserve	Printed material to support nature walks	6	\$278.00	
CCA-24-2500010	\$5,000.00	Macedon and Mt Macedon Landcare Group	Weather and the Macedon mountains - building community knowledge	6	\$5,000.00	Applicants to provide consultant quotes/proposals and present to Council officers before releasing funds
CCA-24-2500011	\$5,000.00	[REDACTED]	[REDACTED]	3	\$0.00	
CCA-24-2500012	\$3,660.00	Permies @ The House	Nature Connection & Village Building Workshops	9	\$3,660.00	
CCA-24-2500013	\$5,000.00	MRSO: Committee	Mastering our Messaging	9	\$5,000.00	
<b>\$41,838.00</b>					<b>\$33,838.00</b>	

\*Abbreviation: MRSO – Macedon Ranges Sustainability Group

<b>PE.3</b>	<b>PLN/2023/462 - 104 MELTON ROAD, GISBORNE</b>
<b>Application Details:</b>	<b>Subdivision of the land into seventeen (17) lots adjacent to a road in a Transport Zone 2, removal of native vegetation and creation of reserves</b>
<b>Officer:</b>	<b>Rees May, Coordinator Statutory Planning and Compliance</b>
<b>Council Plan relationship:</b>	<b>3. Improve the built environment</b>
<b>Attachments:</b>	<ol style="list-style-type: none"> <li><b>1. Proposed Conditions</b> <a href="#">↓</a></li> <li><b>2. Proposed Plan of Subdivision</b> <a href="#">↓</a></li> <li><b>3. Stormwater Strategy Plan</b> <a href="#">↓</a></li> <li><b>4. Native Vegetation Removal Report</b> <a href="#">↓</a></li> <li><b>5. Vegetation Impact Assessment Report (under separate cover)</b></li> <li><b>6. Stormwater Management Plan</b> <a href="#">↓</a></li> <li><b>7. Traffic Impact Assessment</b> <a href="#">↓</a></li> </ol>
<b>Triggers for a planning permit</b>	<p>Clause 32.03-3 (Low Density Residential Zone) – a permit is required to subdivide land.</p> <p>Clause 52.02 (Easements, restrictions and reserves) – a permit is required before a person proceeds under Section 24A of the Subdivision Act 1988.</p> <p>Clause 52.17-1 (Native vegetation) – a permit is required to remove, destroy or lop native vegetation, including dead native vegetation.</p> <p>Clause 52.29-2 (Land adjacent to the Principal Road Network) – a permit is required to subdivide land adjacent to a road in a Transport Zone 2</p>
<b>Zones and Overlays</b>	<p>Low Density Residential Zone</p> <p>Development Contributions Plan Overlay – Schedule 2</p> <p>Vegetation Protection Overlay – Schedule 2</p>
<b>No. of objectors</b>	10
<b>Trigger for report to Council</b>	Councillor Call-in
<b>Key Considerations</b>	<p>Whether the broader planning policy framework supports a subdivision of this design in this location.</p> <p>Whether the proposal is consistent with the purpose and decision guidelines of the Low Density Residential Zone.</p> <p>Whether the extent of native vegetation removal is acceptable.</p> <p>Whether the proposed vehicle access arrangement is appropriate.</p>
<b>Conclusion</b>	Issue a Notice of Decision to Grant a Planning Permit

Date of receipt of application:	4 December 2023
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## Summary

This application seeks approval for the subdivision of the land into seventeen (17) lots adjacent to a road in a Transport Zone 2, removal of native vegetation and creation of reserves.

The matter is before Council as the application was advertised and objections to the proposal were received. The application was added to the Council Call in List in accordance with required delegations and the application has been called in by Councillors for their determination.

## Recommendation

**That Council support the Planning Permit Application PLN/2023/462 and a Notice of Decision to Grant a Permit be issued for the subdivision of the land into seventeen (17) lots adjacent to a road in a Transport Zone 2, removal of native vegetation and creation of reserves at 104 Melton Road, Gisborne subject to the conditions outlined in Attachment 1.**

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## Existing conditions and relevant history

### Subject land

The subject site is on the north-west side of Melton Road approximately 200 metres south of its junction with Willowbank Road, in the southern residential outskirts of Gisborne approximately 1.5km from the town centre.

The site has an irregular (roughly triangular) shape with a south-eastern frontage to Melton Road of 80.4 metres and a depth of 324.71 metres along the south-west boundary. The total site area is 5.002 hectares.

Topographically the land is undulating throughout with various small rises and troughs. The highest point is at the southern corner of the site adjacent to Melton Road and there is an overall fall tending to the north boundary where two dams are present.

The site currently contains a 1970s brick dwelling situated toward the rear of the site together with various outbuildings/sheds and water tanks associated with the former agricultural use (Mushroom farm). The balance of the land contains paddocks, and two large dams located centrally to the northern boundary.

The site contains various tracts of significant vegetation, particularly within the north-eastern and southern parts of the site, with the application material (Tree Assessment, prepared by Tree Wishes, dated 18 June 2024) identifying a total of 166 native trees on the subject site, most of which are indigenous to Victoria (primarily Messmate and Narrow Leaved Peppermint, with some understorey Blackwood). Various exotic trees are also present

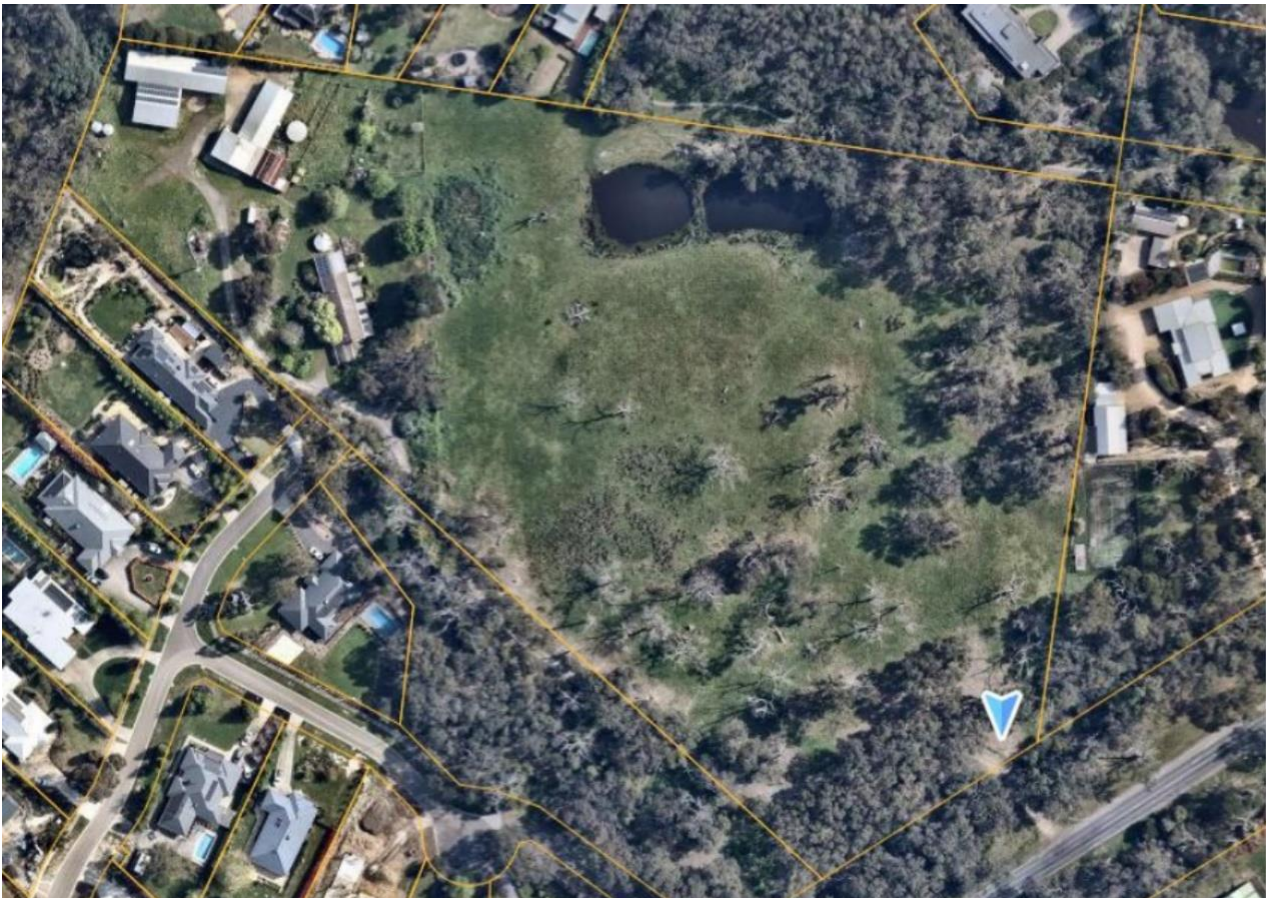
intermittently across the site but generally in the established domestic footprint around the dwelling.

Vehicle access to the site is via a single crossover onto Melton Road, with an internal gravel driveway extending to the dwelling and agricultural sheds. It is noted that part of the existing driveway along the south-west boundary crosses the boundary and extends through the neighbouring reserve. It is noted that the site also adjoins Fairway Drive to the south-west.

The site is connected to reticulated water, electricity and telecommunication facilities, however, is not currently connected to the reticulated sewerage network.

The site is located within the Low Density Residential Zone and is affected by a Development Contributions Plan Overlay – Schedule 2. The site is located within an established residential area and is surrounded by land located within the General Residential Zone, Low Density Residential Zone and Rural Conservation Zones.

Melton Road (C705) is the main north-south arterial road connecting Gisborne and New Gisborne to Toolern Vale and Melton to the south. Melton Road is identified as forming part of the Principal Road network (being zoned as a Transport Zone 2 road) and is under the management of the Department of Transport and Planning.



**Figure 1: Aerial View of Subject Site.**





**Figure 2: View of subject site from the Melton Road frontage.**



**Figure 3: View of the subject site from the Fairway Drive frontage.**

### Surrounds

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

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

#### Previous planning permit history

A search of Council's Electronic Record Management System indicates that no previous planning permit applications have been lodged on the site.

### **Proposal**

The application seeks approval for a 17 lot subdivision adjacent to a road in the Transport Zone 2, the removal of native vegetation and creation of three reserves (two of the reserves will adjoin existing reserves and a third reserve for drainage retention) as outlined below.

#### Subdivision layout

A total of 17 lots are proposed, ranging in size from 2001 square metres to 2504 square metres.

The lots would be formulated around a new road which would be a continuation of Fairway Drive and would terminate in a cul-de-sac in the eastern portion of the site. All lots would have frontage and access provided via the new road. No vehicle access to the site is proposed from Melton Road.

Reserves

*Reserve 1*

Reserve 1 would be located in the south-eastern portion of the site with an overall area of 2025 square metres. This area would form a conservation reserve and contain a large patch of native vegetation which is proposed to be retained.

*Reserve 2*

Reserve 2 would be located in the northern portion of the site with an overall area of 2842 square metres. This reserve will be used for drainage retention as part of the drainage strategy for the subdivision.

*Reserve 3*

Reserve 3 would be located in the north-eastern portion of the site with an overall area of 5016 square metres. This area would form a conservation reserve, adjoining the existing Dalton Street Reserve to the north, and would contain a large patch of native vegetation that is proposed to be retained.

Figure 4 below shows the proposed subdivision layout.



**Figure 4: Proposed Plan of Subdivision**

Vegetation removal

The application proposes to remove a total of 1.903 hectares of native vegetation in order to facilitate the subdivision. This native vegetation removal would include 43 large trees and 5 patches of native vegetation, which falls within a detailed assessment pathway.

Figures 5 and 6 below show the extent of native vegetation proposed to be removed.



**Figure 5: Proposed Plan of Subdivision Showing Tree Removal**



**Figure 6: Proposed vegetation removal plan showing the canopies of each tree to be lost (marked green) and the patches of vegetation to be lost (marked blue)**

**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

<b>Clause no.</b>	<b>Clause name</b>
2.02	Vision
2.03-1	Settlement
2.03-2	Environmental and Landscape Values
2.03-5	Built Environment and Heritage
2.03-6	Housing
2.04	Strategic Framework Plans
11.01-1S	Settlement
11.01-1L	Settlement – Gisborne
11.01-1S	Supply of Urban Land
11.03-3S	Peri-Urban Areas
11.03-5S	Distinctive Areas and Landscapes
12.01-1S	Protection of Biodiversity
12.01-1L	Protection of Biodiversity – Macedon Ranges
12.01-2S	Native Vegetation Management
12.05-2L	Landscapes – Macedon Ranges
13.02-1S	Bushfire Planning
14.02	Water
15.01-3S	Subdivision Design
15.01-3L	Subdivision Design – Macedon Ranges
16.01-1S	Housing Supply
16.01-1L	Housing Supply – Macedon Ranges
18.01-2L	Transport System – Macedon Ranges
18.01-3S	Sustainable and Safe Transport
18.02-4S	Roads
19.02-6S	Open Space
19.03-3S	Integrated Water Management
19.03-3L	Integrated Water Management – Macedon Ranges

Zoning

Clause no.	Clause name
32.03	Low Density Residential Zone

Overlay

Clause no.	Clause name
45.06	Development Contributions Plan Overlay (DCPO2 – Gisborne Development Contributions Plan)

Particular provisions

Clause no.	Clause name
51.07	Macedon Ranges Statement of Planning Policy
52.02	Easement, restrictions and reserves
52.17	Native Vegetation
53.01	Public Open Space Contribution

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> ?	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**

The application was lodged 4 December 2023.

The application was referred to external authorities and internal council departments on 21 December 2023.

A Request for Further Information was sent to the permit applicant on 12 February 2024 which outlined concerns which were the result of referral comments from the Department of Environment, Energy and Climate Action and feedback from Council.

A response to the Request for Further Information was received on 19 June 2024 amending the application in response to the concerns raised. The application was re-referred to external authorities and internal council departments on 27 June 2024.

Further concerns were raised regarding some engineering elements of the proposal which were sent to the applicant on 8 August 2024. Further Information to address these concerns was provided by the permit applicant on 16 September 2024.

The application proceeded to public notice on 4 October 2024. A total of 10 objections were received to this application. It is noted that a number of objections were received prior to the application being advertised as a result of the applicant providing an earlier set of application plans to neighbours.

The application proceeded to the Council Call in List on 18 October 2024 and was ‘called in’ by Councillors.

Referral

<b>Authority (Section 55)</b>	<b>Response</b>
Greater Western Water	No objection subject to conditions requiring agreements with this authority for the provision of water supply and wastewater.
Powercor	No objection subject to standard conditions.
Department of Energy, Environment and Climate Action	No objection subject to conditions including requirements for the submission of a Wildlife Management Plan, tree protection conditions for retained vegetation, offset requirements and hollow replacement requirements.  DEECA advised that following a meeting with the applicant, the proposal had been suitably redesigned to retain the higher quality native vegetation in a proposed reserve in the northeast, adjoining Dalton Street Reserve. DEECA advised that these changes address their initial concerns relating to the need to better avoid and minimise impacts to native vegetation.

<b>Authority (Section 52)</b>	<b>Response</b>
APA Group	No objection. Advised that there are no APA VTS High Pressure Gas Transmission Pipelines (HPGTP) located within a 15.5km of the subject site.
CFA	No objection subject to standard conditions regarding fire hydrants and roads.
MRSC Engineering	Conditional consent
MRSC Environment	Provided the following comments:

	<ul style="list-style-type: none"> <li>• Supported the conditional requirements of DEECA regarding the reserves.</li> <li>• The need to determine an appropriate mechanism to protect the native trees proposed to be retained within individual lots.</li> <li>• The need for conservation reserves to be fitted with appropriate fencing and access points for ongoing MRSC management.</li> </ul>
<p>MRSC Strategic Planning</p>	<p>Proposal not supported for the following reasons:</p> <ul style="list-style-type: none"> <li>• Lack of connected open space network that adequately captures trees of high retention value in public land.</li> <li>• Design response and lack of certainty around provision of a low density character outcome.</li> </ul> <p>The referral response outlined a number of suggested improvements relating to:</p> <ul style="list-style-type: none"> <li>• Widening lot frontages (to 20-30m) to adequately achieve a low density residential outcome.</li> <li>• Increasing side setbacks to 5m to allow for privacy screening and enhancement of a vegetated character.</li> <li>• Staggered building envelopes that encourage more informal siting of dwellings</li> <li>• The provision of Landscape and residential design guidelines for the subdivision to further demonstrate how a low density character it to be achieved through siting and design, and material choice.</li> <li>• Amending the lot layout to provide a connected open space network that:             <ul style="list-style-type: none"> <li>- captures vegetation of high and medium to high retention value.</li> <li>- provides habitat/landscape connectivity via connections to existing conservation reserves.</li> <li>- enhances recreation values through provision of pathways that connect into the existing/proposed network.</li> </ul> </li> <li>• The potential for rezoning</li> </ul> <p><i>Response: The subdivision layout has been redesigned to respond to these concerns (see assessment below).</i></p>

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. A total of 10 objections were received to this application.

The following is a summary of the objections received:

- Subdivision presenting as an overdevelopment of the site that is not in keeping with the low density character of the area.
- Poor lot layout that does not respond to the topography of the land.
- The need to increase the size of reserve areas and wildlife corridors (including by removing Lot 6 on the amended plan) and connect these to Morningside Estate.
- Extent of native vegetation removal – and resultant impacts on local wildlife and neighbourhood character.
- High value vegetation retained within private allotments (rather than public reserves) where it will not be protected.
- Unnecessary and inappropriate removal of water catchment dams which are a scarce resource for local wildlife.
- Increased traffic on nearby arterial road (Melton Road).
- Increased pressure on already strained infrastructure.
- Lack of pedestrian paths and connectivity.
- Inadequate sustainable development outcomes (substandard when compared with the Morningside Estate which encompassed 50% parkland within its boundaries) for the following reasons:
  - Reserve located next to Melton Road (arterial road) is unsuitable for fauna.
  - The various green spaces are on private land and will inevitably be fenced detrimentally impacting wildlife.
  - Filling of the two dams will remove a vital water source for local fauna.
  - The adjustment of the land's topography for housing will cause a change in the water flow to the creek/dam set up in Morningside Estate.
  - Request for an amended subdivision layout with more publicly available green space to account for the diverse and important local fauna in the area.

### **Officer assessment**

Whether the broader planning policy framework supports a subdivision of this design in this location?

The Municipal Planning Strategy sets out the overarching strategic directions for the Macedon Ranges Shire, which are contained within Clause 2 of the Planning Scheme.

Clause 2.03-1 – Settlement establishes a hierarchy of settlements which directs growth in the Shire. Gisborne and Kyneton are identified as regional centres and are the focus for growth in the Shire. One of the strategic directions for Gisborne is to:

- *Manage urban growth and development in a co-ordinated and environmentally sustainable manner that respects the established semi-rural village character, natural setting, topography and view lines of the area.*



Clause 2.03-5 - Built Environment and Heritage seeks “*to protect and enhance the distinctive character and form of the Shire’s towns*”. It is recognised that there is a need to provide greater housing diversity and choice close to town services. It is also sought to “*encourage subdivision in residential zones that responds positively to site features, integrates well with the neighbourhood, provides a functional environment and achieves energy efficient and environmentally sensitive layouts.*”

Clause 2.03-6 – Housing encourages the provision of diverse and affordable housing in settlements where population growth is expected, particularly Gisborne. The range of housing options in Gisborne is to be increased to accommodate all age groups, household types, income levels, lifestyles and preference. The policy directs that growth be managed carefully to ensure that development aligns with preferred character and is sequenced with infrastructure provision.

The Planning Policy Framework contains both State and local policies. Those of most relevance to the assessment of this application are summarised below.

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

- *Limit urban sprawl and direct growth into existing settlements.*
- *Promote and capitalise on opportunities for urban renewal and infill redevelopment.*
- *Ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.*
- *Planning for urban growth should consider:*
  - *Opportunities for the consolidation, redevelopment and intensification of existing urban areas.*
  - *Neighbourhood character and landscape considerations*

The local context is provided at Clause 11.01-1L – Settlement – Gisborne. This policy applies to all land within the township boundary (noting that the site is located at the southern edge of the identified township) and seeks to “*maintain Gisborne and New Gisborne as a distinctive semi-rural settlement with clear limits to physical urban growth.*”

Clause 15.01-3S – Subdivision Design and 15.01-3L – Subdivision Macedon Ranges include various relevant strategies which direction subdivisions to:

- *Create compact neighbourhoods that have walkable distances between activities.*
- *Create urban places with a strong sense of place that are functional, safe and attractive.*
- *Include a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.*

Clause 16.01-1S – Housing Supply promotes a housing market that meets community needs. Clause 16.01-1L – Housing Supply – Macedon Ranges provides the local context and specifically encourages multi-unit development within the Modern Residential Precinct.

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

The proposal is generally consistent with the principles and strategies within the Municipal Planning Strategy and Planning Policy Framework as summarised above.

The site is the largest remaining allotment in the Low Density Residential Zone area on the southern outskirts of the conventional residential area of Gisborne. It sits between a residential subdivision known as the Morningside Estate immediately north (which comprises 51 allotments ranging in size from approximately 1000sqm to 3500sqm) and the Fairway Drive subdivision immediately to the south (which comprises 22 allotments all measuring around 2000sqm). The proposed lot sizes range from 2001sqm to 2226sqm and are consistent with the existing subdivision pattern of the area. The proposed lot sizes meet the requirements of the Low Density Residential Zone which specifies a minimum lot size of 2000sqm for land with connection to reticulated sewerage. As such, the density of the subdivision is consistent with not only the planning controls affecting the property but also the character of lot sizes within the immediate surrounding area.

The proposal will facilitate a subdivision layout that is both functional for providing servicing, vehicle access and pedestrian access and as well as being capable of containing future residential development.

The release of additional allotments in the southern residential outskirts of Gisborne will increase housing provision and improve housing diversity by offering an alternative to conventional residential allotments further north and east. The site is approximately 1.5km from the Gisborne town centre which is the main regional centre in the Shire and offers a wide range of services, employment opportunity and public transport connections. The site also has good access to educational facilities, health and community facilities, as well as education centres including childcare. In summary, it is evident that the proposal is in accordance with the relevant planning policy framework which seeks to support additional housing in areas which are strategically located and zoned for such purposes.

Clause 13.02-1S (Bushfire Planning) applies to all land within a bushfire prone area and seeks “*to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.*” Whilst the site is not affected by a BMO, this clause states that in a bushfire prone area, bushfire risk should be considered when assessing an application for various uses including a subdivision of more than 10 lots. To this end, the applicant has submitted a bushfire report prepared by Tree Wishes advising that:

- Bushfire risk is low as the site sits within a modified landscape where fuel loads are regularly managed.
- Dwelling envelopes will be located close to the road with short driveways allowing for safe emergency access.
- Dwellings can accommodate 10,000L water tanks with unobstructed access.
- There are 2 points of exit using Fairway Drive and Echidna Lane.

The application was referred to the Country Fire Authority (CFA) (due to the application creating a new road), and the CFA provided conditional consent. It is noted that the CFA did provide some comments relating to the close proximity of hazardous vegetation and the likely necessity for future dwellings to be constructed to a higher BAL standard. Given that the site is not affected by a Bushfire Management Overlay and is affected by a Bushfire Prone Area, the construction standards to mitigate bushfire risk can be adequately dealt with

through the building permit process (which is the standard approach for an application of this nature).

Having regard to the provisions of Clause 15 and the subdivision layout, the proposal has been through various iterations to address issues (including those raised by objectors) relating to the layout of the subdivision with regards to the retention of native vegetation, incorporation of public reserves with linkages to neighbouring reserves, stormwater management and building envelopes.

The neighbouring subdivision to the north incorporates significant public reserves linking to the Gisborne Golf Course and extending from the north to south boundaries. A similar reserve is located adjacent to the south boundary which was formed as part of the Fairway Drive subdivision. The proposal presents an opportunity to provide linkages between the reserves to enhance the amenity of the area, facilitate wildlife corridors and promote outdoor recreation.

The latest version of the plans dated October 2024 includes the following primary revisions:

- Reduction from 20 lots to 17 lots.
- Alterations to the layout to improve vegetation retention along the south boundary adjacent to the Municipal Reserve Layout and provide for Reserves 2 and 3 to the north of the site (see below for further detail).
- Creation of Reserve 2 (Council managed) as a drainage basin located midway along the north boundary (in the location of the dams proposed to be backfilled) measuring 2842sqm comprising bioretention and detention areas with stepped batters to create the detention volume.
- Creation of Reserve 3 (Council managed) in the north-east part of the site adjoining Dalton Street Reserve measuring 5016sqm and encompassing retained, high quality native vegetation (and not within private land as originally proposed).
- Building envelopes setback, a minimum distance of 5 metres from boundaries except in relation to the following:
  - Lot 9: south-east side boundary setback of 3 metres to enable vegetation retention on the opposite side.
  - Lots 3 and 4: side boundary setbacks of 4 metres each side.
- Lot frontage widths increased from predominantly 20 metres to at least 30 metres except for the battle-axe lots (Lots 2 and 15) and Lots 3 (22.06 metres), 4 (21.91 metres), 5 (26.05 metres), 12 (27.32 metres) and 13 (25.8 metres).
- Improved connectivity through the provision of a pedestrian link connecting to the Dalton Street Reserve (north) to the existing footpath on the north-west side of Fairway Drive. The pedestrian link will travel through Reserve 2 and then extend along the north and west sides of the Fairway Drive extension and across the Municipal Reserve to the south.

- Relocation of the driveway associated with Lot 1 to the north side of the lot and outside the Tree Protection Zone of Tree 44 within the neighbouring Council Reserve (to avoid impacts on this tree).

In its revised form, the proposal is consistent with the relevant policies relating to urban design, subdivision layout and open space. It offers an acceptable response in terms of emulating a low-density residential character and incorporates the more significant native vegetation into public reserves with appropriate site linkages to the Morningside subdivision and Dalton Reserve to the north, and Fairway Drive and residential subdivision to the south.

The revised proposal also addresses many of the concerns raised in the submissions raised. The more specific micro design matters such as the orientation, siting, architectural style and materials of dwellings, landscaping, sustainability outcomes and fencing types etc. can be further managed through a Section 173 Agreement requiring residential and landscape design guidelines. A requirement for post and wire fencing can also be captured through this mechanism. Both of these requirements are proposed to be addressed through permit conditions.

#### Whether the proposal is consistent with the purpose and decision guidelines of the Low Density Residential Zone

The site is located within the Low Density Residential Zone which contains the following purpose:

- *To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.*

In this case, the Zone mandates a minimum lot size of 0.2ha (2000sqm) as connection to reticulated sewer is available. The proposal subdivision achieves the minimum lot size requirement with the smallest lot measuring 2001sqm.

The Zone also sets out various application requirements which must be met, and decision guidelines which must be considered in the assessment of an application. The proposal is generally in accordance with these requirements, as outlined below:

- The proposal presents an acceptable response to protecting the natural environment by incorporating three reserves which will hold the more significant vegetation and reducing the development footprint enabling increased opportunity for further vegetation protection within allotments (through s.173 Agreements) and new landscaping. This is discussed in further detail below.
- All lots will be connected to reticulated water, sewer, electricity and telecommunications. Existing services and utilities within Fairway Drive will be extended via the continuation of Fairway Drive using shared trenches. The works will include the grounding of above ground power. Infrastructure provision will be further managed by permit conditions requiring civil plans.
- Reticulated drinking water supply will be provided to each lot in accordance with the requirements of Greater Western Water (GWW) who support the proposal subject to permit conditions.

- A third pipe system is proposed in line with the design requirements of GWW and Council which will future proof the development for water recycling/reuse. This will be further managed through permit conditions and civil construction drawings.
- All future dwellings will be connected to the existing reticulated sewer system in Fairway Drive which will be extended within the road reserve providing connection points at the front of each lot.
- A planning permit condition will require the submission of engineering plans detailing a stormwater drainage system to the satisfaction of the Macedon Ranges Shire Council as directed by MRSC Engineering. Rainwater tanks will be provided for on each lot which will be secured through a s. 173 Agreement and residential and landscape design guidelines.

Officer assessment is that the proposal presents an acceptable response to the purpose and decision guidelines of the Low Density Residential Zone.

#### Whether the extent of native vegetation removal is acceptable

The Planning Scheme includes extensive policy relating to the protection of native vegetation, biodiversity and the natural environment.

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

Clause 12 - Environmental and Landscape Values seeks to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values” and to “ensure development is sensitively designed and sited to maintain and enhance environmental assets”.

Clause 12.01-1S – Protection of Biodiversity encourages land use and development applications that contribute to protecting and enhancing habitat for indigenous plants and animal in urban areas.

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

The objective of planning in Victoria as it relates to native vegetation is to ensure that permitted clearing of native vegetation does not undermine Victoria’s biodiversity. Clause 52.17 – Native vegetation builds on the state and local policy framework relating to native vegetation has the objective *to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):*

1. *Avoid the removal, destruction or lopping of native vegetation.*
2. *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
3. *Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.*

*To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.*

The site contains a total of 205 trees, including a total of 166 native trees with tracts of significant vegetation, particularly located within the north-eastern and southern parts of the site. As such, and subdivision of the land needs to give appropriate consideration to minimising impacts on native vegetation, acknowledging that in this instance it is not possible to avoid all impacts whilst facilitating future development.

Both Council and the Department of Energy, Environment and Climate Action (DEECA) raised concerns in relation to the original proposal regarding native vegetation impacts and the failure to comply with the three-step approach to the protection of native vegetation. This largely revolved around the retention of vegetation within ultimately privately owned lots and not future public open space. The extensive loss of hollow bearing trees and large trees was also a concern.

The applicant has amended the proposal in response to these concerns, and the subdivision layout now retains higher value native vegetation within a public conservation reserve at the northern edge of the site adjacent to the existing Dalton Street Reserve. An updated Native Vegetation Removal Report has been submitted identifying the following proposed retention and removal outcomes:

- Removal of 110 trees comprising 99 trees not of a high ecological value (61 trees low and 38 trees medium value).
- Retention of 95 trees including 44 trees within the public conservation reserves and 51 trees on private land by way of legal agreement.
- Of the 95 retained trees, 21 trees are of a high ecological value and will be retained within the reserves and 8 trees of a high ecological value will be practically retained on private land through legal agreement (although considered lost under Clause 52.17).
- Three high ecological trees are proposed for removal on the grounds that loss is unavoidable.
- The overall vegetation loss equates to 1.903ha and 43 trees which are lower than the initial proposal which saw a loss of 2.342ha and 64 large trees.
- General offset amount to 0.677ha general habitat units with a minimum strategic biodiversity score of 0.365 including 43 large trees.

Due to the extent and biodiversity value of the native vegetation proposed to be removed, the proposal falls within a Detailed Assessment Pathway which requires consideration to be given to the impacts of the vegetation removal on habitat for rare and threatened species.

The Vegetation Impact Assessment Report submitted as part of the application indicates that no threatened flora species were recorded on the site. Given the history of disturbance of the site, it is not expected that any threatened flora is present.

Only one threatened fauna species was recorded on site, being the Gang-gang Cockatoo. The vegetation proposed to be retained on the site will ensure that suitable habitat is retained for this threatened species. No other threatened species have been recorded on the site, and it is unlikely that any would be present or make use of the site.

DEECA has advised that they are generally satisfied with the outcome and that the proponent has taken the necessary steps to firstly avoid and then minimise native vegetation

loss, with the design having a particular consideration to areas of native vegetation that have the most value. The retention of a significant portion of the native vegetation will ensure that the identified landscape values of the area are preserved.

The permit will be conditioned to ensure that an offset is secured for the vegetation that is required to be removed in accordance with Planning Scheme requirements. This will ensure that there is no net loss in biodiversity as a result of the proposed subdivision.

The subdivision design response has considered and prioritised the retention of significant and native vegetation on the site, the need to avoid and minimise impacts and to also allow for habitat retention. The majority of high retention vegetation will be retained within the proposed reserve areas and restrictions will be placed on the title to ensure that high value vegetation within the individual lots can be adequately protected into the future. The proposal strikes an appropriate balance with regards to protecting the natural environment whilst also facilitating residential growth.

#### Whether the proposed vehicle access arrangement is appropriate

As outlined above, a permit is required to subdivide land adjacent to a road in a Transport Zone 2 and to alter access to a road in a Transport Zone 2.

The application was referred to the Department of Transport and Planning in accordance with Planning Scheme requirements who initially requested further information, including an amended Traffic Impact Assessment. The original Traffic Impact Assessment submitted with the application did not take into consideration the requirement for Echidna Lane to be fully closed to traffic and diverted through Birdie Way via an existing Section 173 agreement (registered on the neighbouring property). The original report identified this section of road to be utilised for access to the subdivision.

The submitted subdivision layout and amended Traffic Impact Assessment Report demonstrate that all vehicle access will be from Fairway Drive with no road connection to Melton Road and the existing vehicle access will be closed. The Traffic Impact Assessment Report demonstrates that traffic generated by the proposal can be accommodated in the proposed road network utilising the Birdie Way access / egress point onto Melton Road.

#### **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.

**Conditions to be included on Planning Permit**

- 1) Before the plan of subdivision is certified under the Subdivision Act 1988, amended plans to the satisfaction of the Responsible Authority 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 for Endorsement (Drawings 1 & 2) Version 11 dated 3 October 2024 plans submitted with the application but modified to show:
  - a) Reduction to the size of Lot 6 by incorporating the very rear section of the lot (generally north of the existing dam) into Reserve 2 or 3 to maximise tree retention along the north boundary and improve connection between the three reserves.
  - b) Widening of the road reserve to meet the existing width of Fairway Drive.
- 2) The subdivision allowed by this permit and shown on the plans endorsed to accompany the permit shall not be amended for any reason unless with the prior written consent of the Responsible Authority.
- 3) The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of the Act.
- 4) Prior to the commencement of any works, a Landscape Master Plan must be prepared for the entire site and be approved by the Responsible Authority. When approved, the plan will form part of the permit. The Landscape Master Plan is broadly conceptual and should not show detailed design or specifications but must include:
  - a) An accurate survey of the entire subdivision showing all existing vegetation, topography title boundaries, surrounding roads etc.
  - b) A detailed vegetation assessment survey showing all existing vegetation to be retained, protected and/or removed with accompanying report that is consistent with the requirements of the "Native Vegetation Management Framework, Department of Sustainability and Environment, 2002.
  - c) Locations, sizes and title designation of all public reserves (e.g. drainage, recreational, linear etc).
  - d) Proposed major features and concepts for reserves (e.g. playgrounds, water features, retention basins, native vegetation offset plantings, footpaths, etc).
  - e) Concepts and locations for street tree plantings and landscaping treatments within road reserves (e.g. roundabouts, centre medians.
  - f) Proposed planting 'styles' and locations for all plantings in public reserves and streets.
  - g) footpath locations and pathway linkages through the subdivision and public reserves.
- 5) Before the certification of the Plan of Subdivision, the owner/s of the lot/s must enter into an agreement with the Responsible Authority in accordance with Section 173 of the Planning and Environment Act 1987. The agreement must provide for:
  - a) The retention of trees to be retained on private land as per the endorsed plans and the Vegetation Impact Assessment Version 4 by Tree Wishes dated 14 June 2024 including Tree Nos. 20, 22 – 24, 31, 83, 86 – 88, 98, 99, 106, 108, 127 – 132, 136, 137 and 156.
  - b) Residential Design and Landscape Guidelines providing parameters for building setbacks; dwelling design and style; landscaping within each allotment; sustainability measures and front, side and rear boundary treatments.



Prior to a Statement of Compliance being issued:

- c) Application must be made to the Registrar of Titles to register the Section 173 Agreement on the title to the land under Section 181 of the same Act.
  - d) The owner/s must pay all costs (including Council's costs) associated with the preparation, execution, registration and (if later sought) cancellation of the Section 173 Agreement.
- 6) The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
  - 7) Before a Statement of Compliance is issued for the plan of subdivision under the Subdivision Act 1988, the applicant must provide fencing, drainage for each lot to the satisfaction of the Responsible Authority.
  - 8) Before the plan of subdivision is certified under the Subdivision Act 1988, a restriction must be placed on the Plan of Subdivision which provides for the following to the satisfaction of the Responsible Authority:
    - a) Any dwelling on a lot must be constructed within the building envelope applying to that lot, as shown on the endorsed plans, unless otherwise agreed to in writing by the Responsible Authority.
  - 9) All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
  - 10) Measures must be undertaken to minimise any loss of amenity to the neighbourhood from the subdivision works 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.
  - 11) The owner of the land must enter into an agreement with:
    - a) A telecommunications network or service provider for the provision of telecommunications services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
    - b) A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
  - 12) Before a Statement of Compliance is issued for the plan of subdivision under the Subdivision Act 1988, the applicant must provide appropriate fencing to the conservation reserves and remove existing fencing along the north and south site boundary fencing between proposed and existing reserves where required; street trees; road works; footpaths and drainage, to the satisfaction of the Responsible Authority.
  - 13) Prior to the issuing of the Statement of Compliance for subdivision, the owner must pay to Council a 5% cash-in-lieu open space contribution in respect to all of the land in the subdivision or any stage pursuant to Section 18 of the Subdivision Act 1988.

- 14) 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;
  - e) The location and details of a sign to be erected at the entrance(s) of the site advising contractors that they are entering a 'sensitive site' with prescribed tree protection zones and fences.
  - f) The location of any temporary buildings or yards.

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

#### MRSC Engineering Conditions

- 15) Prior to the certification of the plan of subdivision, a functional layout plan for the subdivision to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority.

When approved, the functional layout plan will be endorsed and will then form part of the permit. An electronic copy of the functional layout plan must be drawn at a scale of 1:500 to acceptable drafting standards.

The functional layout plan must include road cross-sections and dimensions in accordance with the approved Development Plan. The plans lodged with the application must be amended to show:

- a) a fully dimensioned subdivision layout, including lot sizes, lot numbers, property splays, easements, open space areas, widths of street reservations, stage boundaries and the relationship between the site and the surrounding land;
- b) topography and existing features, including contours for the subject land and any affected adjacent land;
- c) identification by survey of all trees (or group of trees) existing on the site, including dead trees and those that overhang the site from adjoining land. All trees proposed for removal shall be designated with a cross;
- d) details of Tree Protection Zones (TPZs) for all trees to be retained on-site and overhanging from adjoining sites;
- e) all trees proposed for removal from the sites (including dead native trees) clearly designated;
- f) typical cross-sections for each street type, dimensioning individual elements, services offsets and any other spatial requirements identified in the Development Plan or the continuation of existing road cross-section and elements.
- g) a table of offsets for all utility services and street trees;
- h) the major drainage system, including any watercourse, wetland, sediment pond and/or piped element showing preliminary sizing;
- i) overland flow paths (1% AEP) to indicate how excess runoff will safely be conveyed to ultimate outfall (within the site and externally);
- j) drainage outfall system (ultimate), indicating a legal point of discharge and any access requirements for construction and maintenance;

- k) the location of any traffic management devices required to service the subdivision (signals, roundabouts, splitter islands, etc);
  - l) provision of notional (unmarked) on-street parking for all lots at a rate of one space per lot;
  - m) swept path diagrams demonstrating that the road network (including laneways) have been designed and checked in accordance with Austroads Design Vehicle and Turning Path templates;
  - n) weatherproof temporary turning area must be provided at all dead-end roads;
  - o) any spatial requirements for drainage as identified in the submitted Drainage Strategy and the proposed overland flow paths;
  - p) preliminary location of reserves for electrical kiosks;
  - q) works external to the subdivision, including footpath connection from the proposed hammer head connecting to The Willows along Melton Road on the western side.
  - r) the functional design of drainage assets wetland/retarding basing as per the concept plan prepared by Southeast as part of Stormwater Strategy dated 10/09/2024 and include maintenance track.
- 16) Prior to the commencement of works for the subdivision, Engineering Plans for the works must be submitted to and approved by the Responsible Authority, including payment of plan checking and supervision fees.

The Engineering Plans will not be considered until the Functional Layout Plans have been approved by the Responsible Authority, landscape plans have been submitted to the Responsible Authority, the plan of subdivision has been lodged for certification with the Responsible Authority, and the locations of other relevant authority services have been provided to the satisfaction of the Responsible Authority. The plans must include:

- a) specifications of the proposed works that are to become public assets within and outside of the subdivision as required by this permit;
- b) all necessary computations and supporting documentation, including a Certificate of compliance (design & construction) for any structure, traffic data, road safety audit, geotechnical investigation and pavement design report;
- c) all details of works consistent with the approved functional layout plan and
- d) lodged plan of subdivision;
- e) design for full construction of streets and underground drainage, including measures to control/capture pollutants and silt;
- f) minor and major drainage computation with catchment plans
- g) provision for all services and conduits (underground), including alignments and offsets, on a separate services layout plan;
- h) provision of public lighting and underground electricity supply within all streets and external roads fronting the proposed development;
- i) traffic control measures;
- j) provision of street name plates to the Council standard design, including a schedule of individual signs and associated street numbers;
- k) provision of underground easement drains of sufficient capacity to serve all lots being related to a legal point of discharge and the provision of an inlet on each such lot;
- l) the location and provision of vehicle exclusion mechanisms abutting reserves;
- m) details of the proposed treatment and provision for lot boundary fencing adjoining all reserves other than road reserves;
- n) appropriate mechanisms for protecting environmental and heritage assets during the construction phase of the subdivision;
- o) provision for the utilisation of any surplus topsoil from this stage;
- p) permanent survey marks;

- q) survey details of the canopy trunk location and size of trees to be retained and associated tree protection zones fencing in accordance with endorsed TPMP;
  - r) details in relation to all cut/filling on the site, which must be compacted to specifications approved by the Responsible Authority;
  - s) the location of any earthworks (cut or fill) or service provision in a location outside the designated TPZ that does not adversely impact the health and integrity of any trees to be retained;
  - t) a separate signage and line marking plan identifying the road layout, proposed signs, line marking, RRPMS and a sign schedule;
  - u) Construction of footpath connection from the proposed hammer head connecting to The Willows along Melton Road on the western side; and
  - v) Construction of drainage assets wetland/retarding basing as per the concept plan prepared by Southeast as part of Stormwater Strategy dated 10/09/2024 and including maintenance track.
- 17) All filling on the site must be carried out, supervised, completed, and recorded in accordance with AS 3798 (Guidelines on earthworks for commercial and residential developments) to specifications to the satisfaction of the Responsible Authority. The geotechnical consultant or contractor responsible for supervision and testing under this condition must be independently engaged by the applicant and not be engaged by the contractor carrying out the works. Before the issue of a Statement of Compliance, unless otherwise agreed in writing by the responsible authority, compaction test results and a report must be provided to the satisfaction of the Responsible Authority. No fill may be exported from the land, except in accordance with a cut and fill balance plan approved by the Responsible Authority.
- 18) The developer shall maintain all the temporary drainage assets until the permanent drainage assets are delivered. The temporary drainage assets are removed, and the affected areas are to be reinstated to the satisfaction of the Responsible Authority. The developer is responsible and liable for public safety, public health, and future maintenance of temporary drainage assets.
- 19) Prior to the issue of a Statement of Compliance, the following requirements must be provided to the satisfaction of the Responsible Authority:
- a) all engineering and landscape works have reached Practical Completion, or Council has accepted a bond for the uncompleted works;
  - b) 'as constructed' survey data and asset information required by the provisions of this Manual have been submitted in electronic format, together with other documentation required by the Planning Permit;
  - c) completed Inspection and Test Plans have been submitted;
  - d) certificates of compliance have been provided for any structural works;
  - e) reports, maintenance plans and other documentation required by the Planning Permit have been submitted; and
  - f) any required maintenance bonds for infrastructure have been paid.
- 20) Prior to the issue of a Statement of Compliance, As Constructed, data from Consultants/Developers for newly built assets as per A-Spec (specifications to maintain Asset Registers) must be submitted to Council. Asset information must be projected to GDA2020 in digital format to include D-Spec (drainage data), R-Spec (road data) and O-Spec (open space data) as per "A-Spec" specifications.

Before Council consents to Practical Completion, the following must be submitted to the satisfaction of the Responsible Authority:

- a) a complete set of 'as constructed plans' of site works (amended if necessary to show any changes that may have occurred during construction), which include Civil,

electrical and telecommunication works, in digital file format AutoCAD (recent version) and PDF. The digital files must have a naming convention (Subdivision name Stage) to identify Council assets listed and should be projected to GDA2020-MGA Zone 55.

- b) a list of asset quantities which include the following Council assets:
- i. total length of Roads, Footpath, Kerb and Channel,
  - ii. total number of Bridges, WSUD features, Traffic calming devices,
  - iii. total length of pipe and number of pits for Drainage and Telecommunications,
  - iv. total number of streetlights and
  - v. Total number of road reserve assets.
- c) Asset information must include D-Spec (drainage data) and R-Spec (road data) as per "A-Spec" specifications (the Consultant/Developer Specifications for the delivery of digital data to Local Governments) in ESRI Shape Files (preferred format) or MapInfo with attributions. All GIS and CAD data submitted must be in Map Grid Australia Zone 55 projection and referenced to the Geocentric Datum of Australia (GDA) 2020.

Statement of Compliance will not be released until such time the drawings are delivered in the correct format to Council.

#### Greater Western Water Conditions

- 21) The owner of the land is required to enter into an agreement with Greater Western Water for the provision of water supply.
- 22) The owner of the land is required to enter into an agreement with Greater Western Water for the provision of sewerage.
- 23) Prior to certification, the Plan of Subdivision must be referred to Greater Western Water in accordance with Section 8 of the Subdivision Act 1988.

#### Country Fire Authority Conditions

- 24) Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 the following requirements must be met to the satisfaction of the CFA:
  - Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured as a hose would be laid on the ground. Not over obstructions and obstacles, such as fences, or over side and rear boundaries.
  - The hydrants must be identified with marker posts, blue road reflectors and white road triangles (as applicable). Note: CFA's requirements for identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' available under 'About us' then 'Publications' on the CFA website ([www.cfa.vic.gov.au](http://www.cfa.vic.gov.au)).
- 25) Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable width.
  - Proposed roads must have a suitable trafficable width to allow the unimpeded access of emergency fire fighting vehicles (notwithstanding any parking restrictions that Council may apply) to the satisfaction of CFA.

- Dead-end roads and cul-de-sacs more than 60mts in length from the nearest intersection must have a turning circle with a minimum radius of 8mts (including rollover kerbs if provided); T or Y heads of dimensions specified by CFA may be used as alternatives.
- The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50mts. Dips must have no more than a 1 in 8 (12%0 (7.1 degrees) entry and exit angle.
- Curves must have a minimum inner radius of 10mts.

Powercor Conditions

- 26) This letter shall be supplied to the applicant in its entirety.
- 27) The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.
- 28) The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor’s requirements and standards.  
Notes: Extension, augmentation or rearrangement of the Distributor’s electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.
- 29) The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).  
Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.
- 30) The applicant shall, when required by the Distributor, set aside areas with the subdivision for the purposes of establishing a substation or substations.  
Notes: Areas set aside for substations will be formalised to the Distributor’s requirements under one of the following arrangements:
- RESERVES established by the applicant in favour of the Distributor.
  - SUBSTATION LEASE at nominal rental for a period of 30 years with rights to extend the lease for a further 30 years. The Distributor will register such leases on title by way of a caveat prior to the registration of the plan of subdivision.
- 31) The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements.
- Notes:
- Existing easements may need to be amended to meet the Distributor’s requirements
  - Easements required by the Distributor shall be specified on the subdivision and show the Purpose, Origin and the In Favour of party as follows:

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited / In Favour Of
	Power Line		Section 88 - Electricity Industry Act 2000	Powercor Australia Ltd

Department of Transport and Planning Conditions

- 32) No vehicle access from the subject land to Melton Road is allowed. All vehicle access to the subject land is to be via the local road (Fairway Drive).
- 33) Prior to the issue of a Statement of Compliance all disused or redundant vehicle crossings to Melton Road must be removed, and the areas reinstated (as per the surrounding area) to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria or the Responsible Authority.

Department of Energy, Environment and Climate Action Conditions

- 34) Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions.

*Endorsed plans*

- 35) Before on-ground works commence, a Wildlife Management Plan which is to the satisfaction of the Department of Energy, Environment and Climate Action must be submitted to and approved by the responsible authority. The Wildlife Management Plan should include, but is not limited to, management and mitigation of impacts to non-threatened wildlife, including reptiles and herptiles that are affected by the decommissioning of the onsite dam, and arboreal wildlife affected by the removal of trees including hollow bearing trees. The Wildlife Management Plan should include provision for:
- Suitable timing and protocols for pre-clearance surveys;
  - The number, type and use of hollows to be removed are to be recorded, and inform the recovery of hollow materials for reinstatement in onsite reserve;
  - Organises an appropriately qualified zoologist and/or licensed wildlife handler or recovery specialist to be present during removal or disturbance of habitat. Recovery of certain species may require specialist expertise;
  - Describes procedure to be followed, should wildlife be detected during pre-clearance surveys and/or construction;
  - Determines appropriate location to relocate wildlife if necessary. Translocation of threatened species beyond 100m will trigger the need for a Threatened Species Translocation Plan, which requires approval by the Translocation Evaluation Panel.

*Protection of retained native vegetation*

- 36) Before works start, a native vegetation protection fence must be erected to protect all native vegetation to be retained within 15 metres of the works area. This fence must be erected at:
- A radius of 12 times the diameter of any tree trunk, measured at a height of 1.4 metres above ground level, to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree; and
  - To protect patch(es) of native vegetation not containing trees at a minimum distance of 2 metres from any retained native vegetation. The fence must be constructed of star pickets and paraweb or similar to the satisfaction of the Department of Energy, Environment and Climate Action.

The protection fence must remain in place until all works are completed to the satisfaction of the responsible authority.

- 37) Except with the written consent of the department, within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:
- a) vehicular or pedestrian access;
  - b) trenching or soil excavation;
  - c) storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products;
  - d) construction of entry and exit pits for underground services, and
  - e) any other actions or activities that may result in adverse impacts to retained native vegetation.

#### Native vegetation removal

- 38) The total area of native vegetation permitted to be removed is 1.903 hectares, as identified in Native Vegetation Removal Report TWL\_2024\_003, comprised of: a) 5 patches of native vegetation with a total area of 1.526 hectares (containing 37 large canopy tree); b) 6 large scattered trees; and c) 1 small scattered trees.

#### Native vegetation offsets

- 39) To offset the removal of 1.903 hectares of native vegetation as identified in Native Vegetation Removal Report TWL\_2024\_003, the permit holder must secure a native vegetation offset(s) that meets the following: A general offset of 0.677 general habitat units:
- a) located within the Port Phillip and Westernport Catchment Management Authority boundary or Macedon Ranges Shire Council municipal district;
  - b) have a Strategic Biodiversity Value score of at least 0.365;
  - c) provide protection for at least 43 large trees; d) must be in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017).
- 40) Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence is one or both of the following:
- a) credit extract(s) allocated to the permit from the Native Vegetation Credit Register, and/or
  - b) an established first party offset site including a security agreement to the required standard, signed by both parties, and a 10-year offset management plan to the satisfaction of the Department of Energy, Environment and Climate Action and approved by the Responsible Authority. The offset management plan must detail the 10-year management actions and ongoing management of the site. Every year, for ten years, after the responsible authority has approved the offset management plan, the applicant must provide notification of the management actions undertaken towards implementing the offset management plan to the responsible authority. An offset site condition statement, including photographs must be included in this notification.

A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit. Within 30 days of endorsement of the offset evidence by the responsible authority, a copy of the endorsed offset evidence must be provided to the Department of Energy, Environment and Climate Action.



#### Hollow Replacement

- 41) Within 30 days of the removal of the native trees, on site hollows as determined in accordance with the approved Wildlife Management Plan, are to be installed by a suitably qualified ecologist or arborist to the tree using natural hollows created from the approved removed timber from the site and installed within Reserve Numbers 1 and 3 (as shown on Plan titled Plan for Endorsement, prepared by Head and Humphries Land Consultants, vers. 9, dated 3/06/2024) to the satisfaction of the department and responsible authority. Hollow installation must not cause damage to the health of the tree they are being installed to. Once the hollows are installed, an installation report with hollow location shown is to be provided to the department via email [environment.loddonmallee@deeca.vic.gov.au](mailto:environment.loddonmallee@deeca.vic.gov.au).

#### Permit expiry

- 42) This permit will expire if one of the following circumstances applies:

- a) The plan of subdivision is not certified within two years of the date of this permit.
- b) The plan of subdivision is not registered at Land Registry within five years of the certification of the subdivision.

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.

#### **Permit Notes:**

- Future owners of the land must be made aware of the existence of this permit.
- Prior to the commencement of works, an 'Asset Protection Permit' must be obtained from Council for any of the following circumstances:
  - a) entering a building site by means of a motor vehicle having a gross weight
  - b) exceeding two tonnes;
  - c) occupying a road for work;
  - d) connecting any land to a stormwater drain;
  - e) opening, altering or repairing a road;
  - f) opening, altering or repairing a drain;
  - g) accessing a building site from a point other than a crossover;
  - h) construct/repair/widen/remove any crossover.

#### **Greater Western Water Note**

- The applicant should be made aware that a Non-works Development Application is required to be lodged with Greater Western Water in order to obtain our servicing requirements. The online application is accessible via our website <https://propertyplus.gww.com.au/pplus/guest>.

#### **Powercor Note**

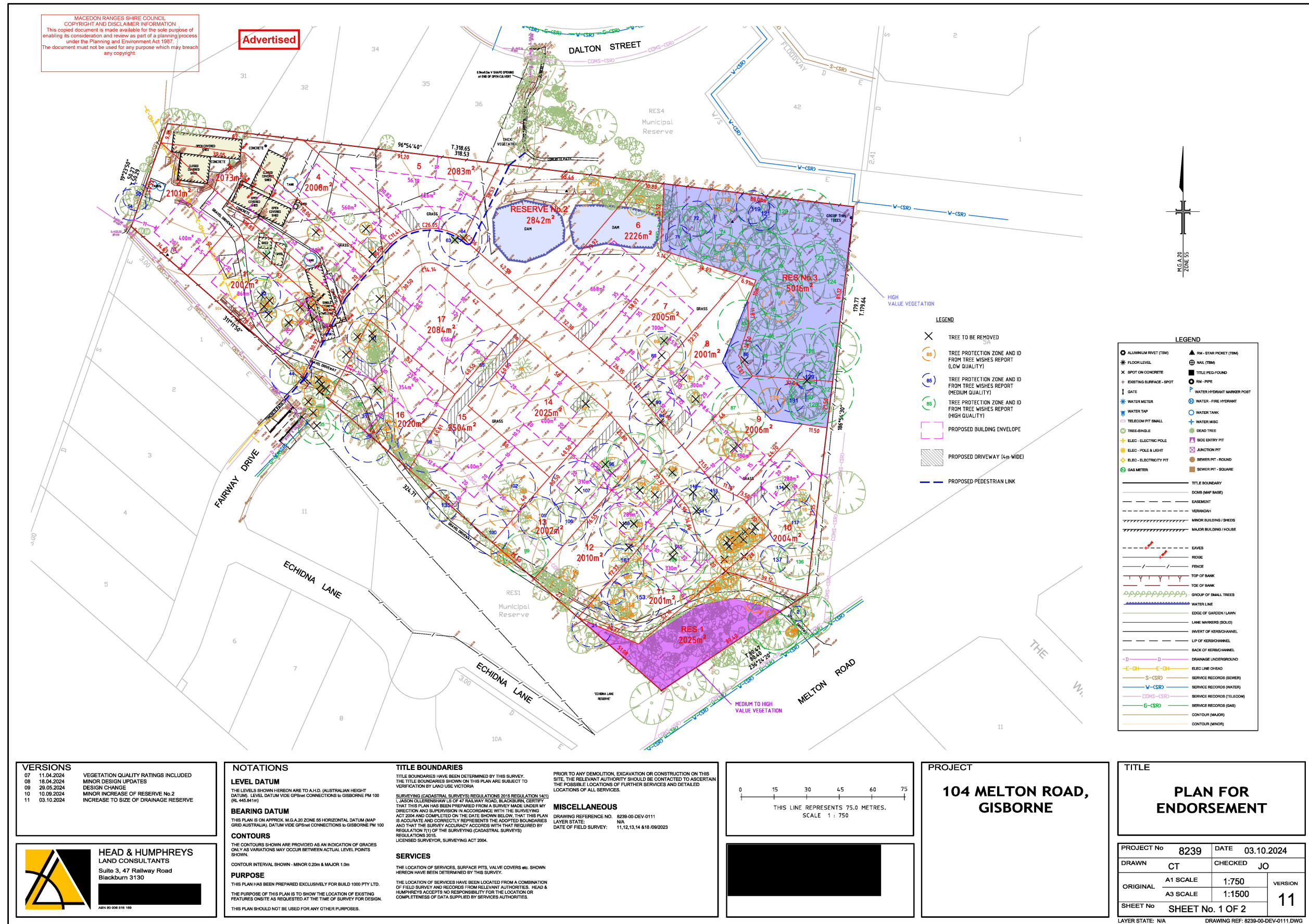
- It is recommended that applications for electricity supply to each lot be submitted at the earliest opportunity so that the precise requirements of the Distributor can then be determined and accommodated. Applications for electricity supply shall be submitted via the Distributor's web portal, "mySupply" which can be accessed via the following link: <https://customer.portal.powercor.com.au/mysupply/CIAWQuickCalculator>.

**DEECA Notes**

- The department advises that works or other activities on public land, which may affect protected native plants, will require a Protected Flora Permit under the Flora and Fauna Guarantee (FFG) Act 1988. All native vegetation likely to be affected should be checked against the Protected Flora List (DELWP 2019) to determine whether FFG approvals are required. Protected Flora Permits can be obtained from the regional DEECA office (loddonmallee.environment@deeca.vic.gov.au).
- Offset requirements are determined in accordance with DELWP (2017) Guidelines for the removal, destruction or lopping of native vegetation. Please visit <https://www.environment.vic.gov.au/native-vegetation/native-vegetation> for further information.
- The department advises that if live capture and relocation of native fauna is required, it must be undertaken with authorisation under the Wildlife Act (1975). Any translocation of threatened native fauna is to follow the process detailed in the Procedure Statement available on the department's website: [https://www.wildlife.vic.gov.au/\\_\\_data/assets/pdf\\_file/0021/621255/TEP\\_Procedure-Statement-January-2023-FINAL-External.pdf](https://www.wildlife.vic.gov.au/__data/assets/pdf_file/0021/621255/TEP_Procedure-Statement-January-2023-FINAL-External.pdf). Further advice can be obtained from [environmental.research@deeca.vic.gov.au](mailto:environmental.research@deeca.vic.gov.au).

**Department of Transport Note**

- To assist in the approvals process required for the construction of the access works and associated roadworks, the following guidance is provided:
  - Any planning permit approval received in accordance with a municipal planning scheme does not constitute consent to conduct the works under the *Road Management Act 2004*. Any works in the arterial road reserve designated as Transport Zone 2 (TRZ2) require a Works Within Road Reserve Permit from the Department of Transport and Planning. Section 63 and clause 16 of Schedule 7 of the *Road Management Act 2004* require any person proposing to carry out works in, on, under or over an arterial road in Transport Zone 2, to obtain the consent of the Department of Transport and Planning, except where exemptions under the Act, or its Regulations (Road Management (Works and Infrastructure) Regulations 2005), apply. For the purposes of this application, the works will include the provision of:
    - (i) Access works
  - Please contact the Department of Transport and Planning prior to commencing any works on [nr.admin@roads.vic.gov.au](mailto:nr.admin@roads.vic.gov.au).
  - For more information regarding working within the road reserve please visit the VicRoads website:  
<https://www.vicroads.vic.gov.au/business-and-industry/design-and-management/working-within-the-road-reserve>, and  
<https://www.vicroads.vic.gov.au/traffic-and-road-use/road-access-permits-portal>



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Advertised

- LEGEND**
- X TREE TO BE REMOVED
  - (85) TREE PROTECTION ZONE AND ID FROM TREE WISHES REPORT (LOW QUALITY)
  - (85) TREE PROTECTION ZONE AND ID FROM TREE WISHES REPORT (MEDIUM QUALITY)
  - (85) TREE PROTECTION ZONE AND ID FROM TREE WISHES REPORT (HIGH QUALITY)
  - PROPOSED BUILDING ENVELOPE
  - PROPOSED DRIVEWAY (4m WIDE)
  - PROPOSED PEDESTRIAN LINK

- LEGEND**
- ALUMINIUM RIVET (TRM)
  - FLOOR LEVEL
  - SPOT ON CONCRETE
  - EXISTING SURFACE - SPOT
  - GATE
  - WATER METER
  - WATER TAP
  - TELECOM PIT SMALL
  - TREE-BUNDLE
  - ELEC - ELECTRIC POLE
  - ELEC - POLE & LIGHT
  - ELEC - ELECTRICITY PIT
  - GAS METER
  - IRM - STAR PICKET (TRM)
  - MAIL (TRM)
  - TITLE PEG-FOUND
  - RM - PIPE
  - WATER HYDRANT MARKER POINT
  - WATER - FIRE HYDRANT
  - WATER TANK
  - WATER MSG
  - DEAD TREE
  - SIDE ENTRY PIT
  - ANJUNCTION PIT
  - SEWER PIT - ROUND
  - SEWER PIT - SQUARE
  - TITLE BOUNDARY
  - DCMS (MAP BASE)
  - EASEMENT
  - VERANDAH
  - MINOR BUILDING / SHEDS
  - MAJOR BUILDING / HOUSE
  - EAVES
  - ROOF
  - FENCE
  - TOP OF BANK
  - TOE OF BANK
  - GROUP OF SMALL TREES
  - WATER LINE
  - EDGE OF GARDEN / LAWN
  - LANE MARKERS (SOLID)
  - INVERT OF KERBSCHANNEL
  - LIP OF KERBSCHANNEL
  - BACK OF KERBSCHANNEL
  - DRAINAGE UNDERGROUND
  - ELEC LINE OVERHEAD
  - S - CSRO
  - V - CSRO
  - CDMS - CSRO
  - G - CSRO
  - CONTOUR (MAJOR)
  - CONTOUR (MINOR)

**VERSIONS**

07	11.04.2024	VEGETATION QUALITY RATINGS INCLUDED
08	19.04.2024	MINOR DESIGN UPDATES
09	29.05.2024	DESIGN CHANGE
10	10.09.2024	MINOR INCREASE OF RESERVE No. 2
11	03.10.2024	INCREASE TO SIZE OF DRAINAGE RESERVE

**NOTATIONS**

**LEVEL DATUM**  
 THE LEVELS SHOWN HEREON ARE TO A.H.D. (AUSTRALIAN HEIGHT DATUM). LEVEL DATUM WIDE GPS/RTK CONNECTIONS TO GISBORNE PM 100 (RL 465.91m)

**BEARING DATUM**  
 THIS PLAN IS ON APPROX. MGA 2011 ZONE 55 HORIZONTAL DATUM (MAP GRID AUSTRALIAN DATUM WIDE GPS/RTK CONNECTIONS TO GISBORNE PM 100)

**CONTOURS**  
 THE CONTOURS SHOWN ARE PROVIDED AS AN INDICATION OF GRADES ONLY. AS VARIATIONS MAY OCCUR BETWEEN ACTUAL LEVEL POINTS SHOWN.

CONTOUR INTERVAL SHOWN - MINOR 0.20m & MAJOR 1.0m

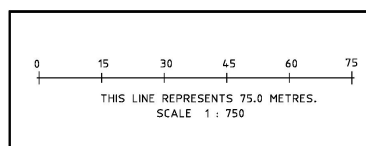
**PURPOSE**  
 THIS PLAN HAS BEEN PREPARED EXCLUSIVELY FOR BUILD 1000 PTY LTD. THE PURPOSE OF THIS PLAN IS TO SHOW THE LOCATION OF EXISTING FEATURES ON-SITE AS REQUESTED AT THE TIME OF SURVEY FOR DESIGN. THIS PLAN SHOULD NOT BE USED FOR ANY OTHER PURPOSES.

**TITLE BOUNDARIES**  
 TITLE BOUNDARIES HAVE BEEN DETERMINED BY THIS SURVEY. THE TITLE BOUNDARIES SHOWN ON THIS PLAN ARE SUBJECT TO VERIFICATION BY LAND USE VICTORIA

**MISCELLANEOUS**  
 DRAWING REFERENCE NO. 8239-00-DEV-0111  
 LAYER STATE: N/A  
 DATE OF FIELD SURVEY: 11.12.13, 14 & 19 /09/2023

**SERVICES**  
 THE LOCATION OF SERVICES, SURFACE PITS, VALVE COVERS etc. SHOWN HEREON HAVE BEEN DETERMINED BY THIS SURVEY.

THE LOCATION OF SERVICES HAVE BEEN LOCATED FROM A COMBINATION OF FIELD SURVEY AND RECORDS FROM RELEVANT AUTHORITIES. HEAD & HUMPHREYS ACCEPTS NO RESPONSIBILITY FOR THE LOCATION OR COMPLETENESS OF DATA SUPPLIED BY SERVICES AUTHORITIES.

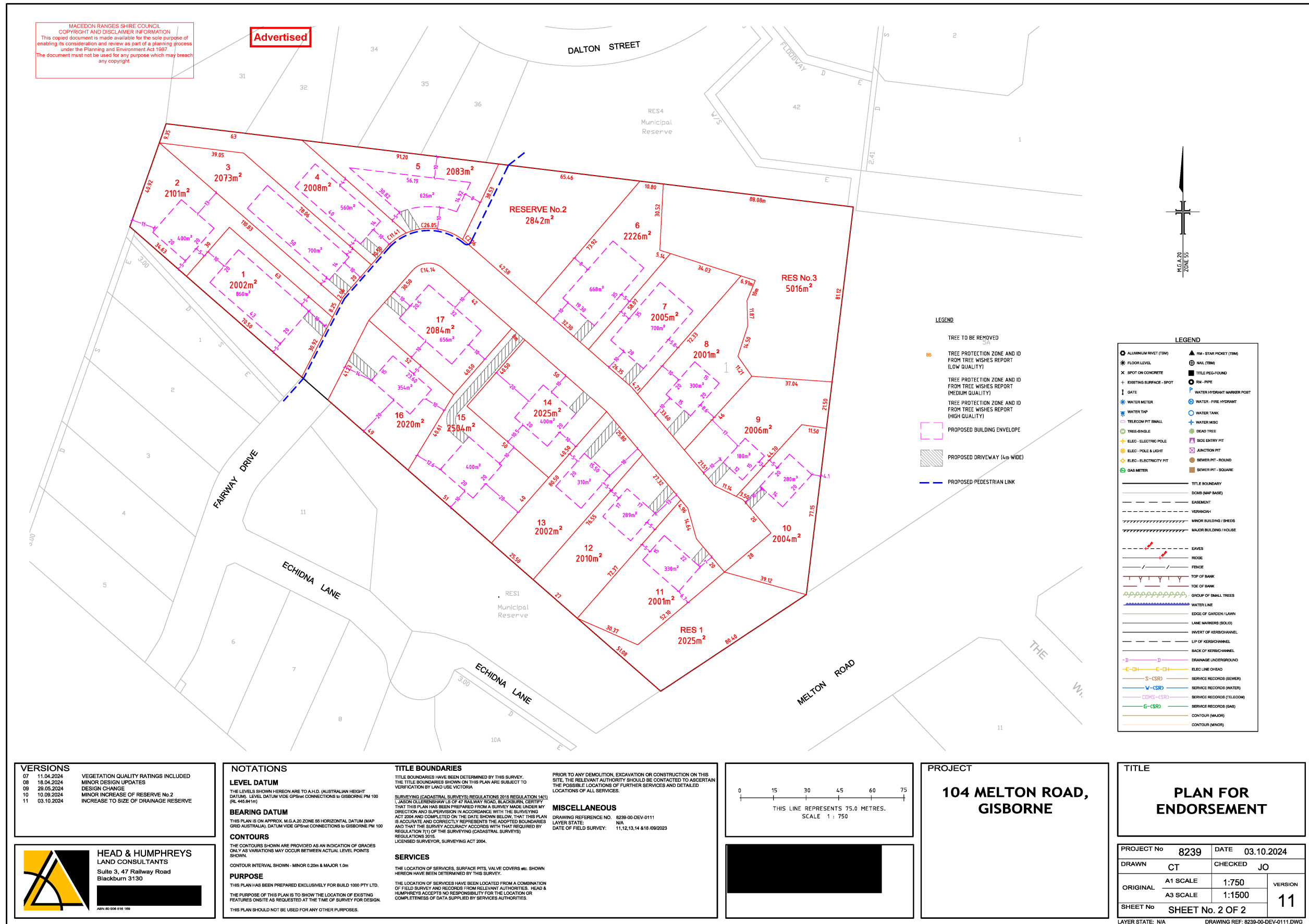


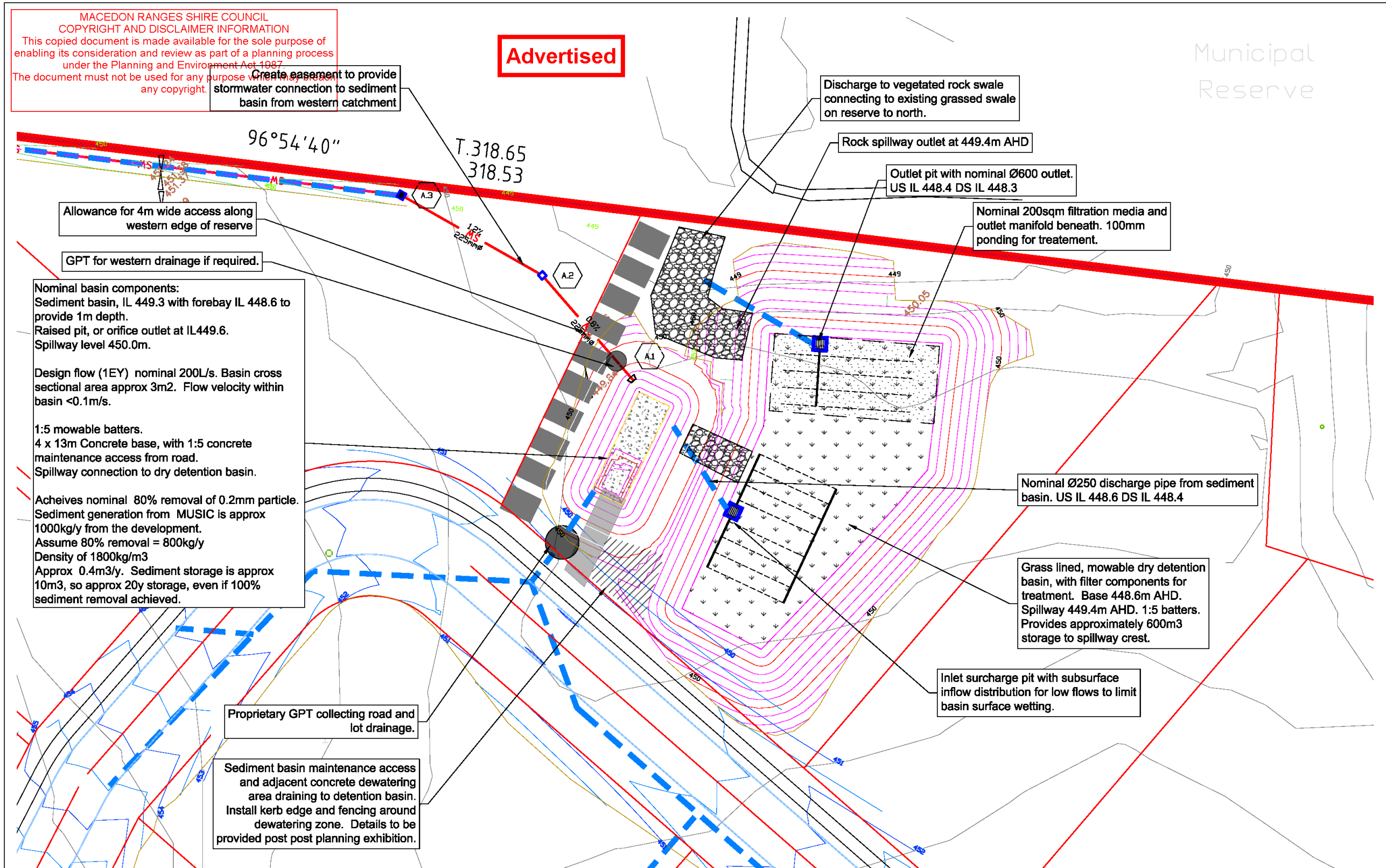
**PROJECT**  
**104 MELTON ROAD, GISBORNE**

**TITLE**  
**PLAN FOR ENDORSEMENT**

**HEAD & HUMPHREYS LAND CONSULTANTS**  
 Suite 3, 47 Railway Road  
 Blackburn 3130  
 24th 09 008 910 100

PROJECT No	8239	DATE	03.10.2024
DRAWN	CT	CHECKED	JO
ORIGINAL	A1 SCALE	1:750	VERSION <b>11</b>
	A3 SCALE	1:1500	
SHEET No	SHEET No. 1 OF 2		
LAYER STATE:	N/A		
DRAWING REF:	8239-00-DEV-0111.DWG		





 PO Box 96 Moruya NSW 2537	PROJECT: 104 Melton Road, Gisborne, Victoria Proposed Subdivision - Stormwater Strategy	DRAWING TITLE: Stormwater management concept for discussion - 02/10/24	PURPOSE: Planning application	REV DESCRIPTION BY DATE REV DESCRIPTION BY DATE							
	DRAWING NUMBER: 791-XX	SCALE: 1:200@A1	SHEET: XX/04	DESIGNED: AT	CHECKED: LB	DATE OF ISSUE: 21/05/2024	A Modification to detention approach LB 14/08/24	B Widen drainage reserve LB 10/08/24			

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## Native vegetation removal report

Advertised

This report provides information to support an application to remove, destroy or lop native vegetation in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation*. The report **is not an assessment by DELWP** of the proposed native vegetation removal. Native vegetation information and offset requirements have been determined using spatial data provided by the applicant or their consultant.

**Date of issue:** 14/06/2024  
**Time of issue:** 9:53 am

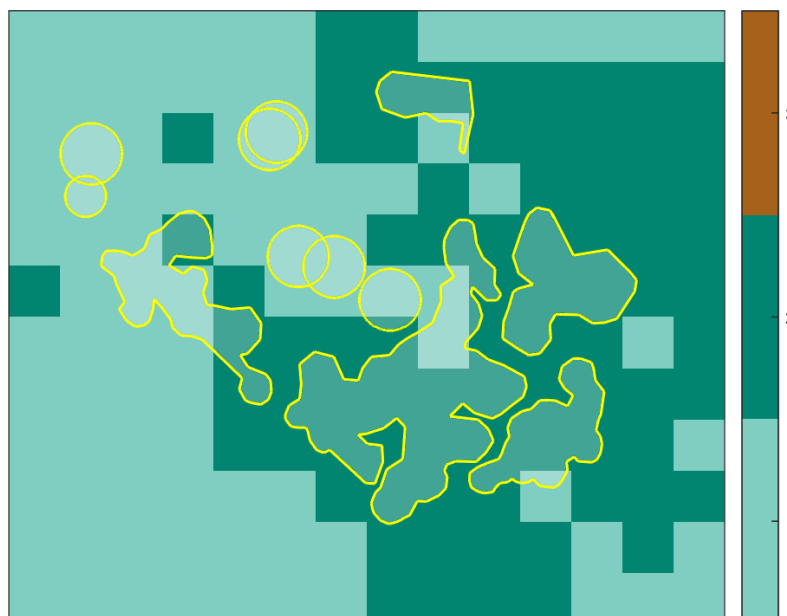
**Report ID:** TWL\_2024\_003

<b>Project ID</b>	7-6-2024
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### Assessment pathway

Assessment pathway	Detailed Assessment Pathway
Extent including past and proposed	1.903 ha
Extent of past removal	0.000 ha
Extent of proposed removal	1.903 ha
No. Large trees proposed to be removed	43
Location category of proposed removal	Location 2  The native vegetation is in an area mapped as an endangered Ecological Vegetation Class (as per the statewide EVC map). Removal of less than 0.5 hectares of native vegetation in this location will not have a significant impact on any habitat for a rare or threatened species.

#### 1. Location map



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**Advertised**

Native vegetation removal report

## Offset requirements if a permit is granted

Any approval granted will include a condition to obtain an offset that meets the following requirements:

<b>General offset amount<sup>1</sup></b>	0.677 general habitat units
Vicinity	Port Phillip and Westernport Catchment Management Authority (CMA) or Macedon Ranges Shire Council
Minimum strategic biodiversity value score <sup>2</sup>	0.365
Large trees	43 large trees

NB: values within tables in this document may not add to the totals shown above due to rounding

Appendix 1 includes information about the native vegetation to be removed

Appendix 2 includes information about the rare or threatened species mapped at the site.

Appendix 3 includes maps showing native vegetation to be removed and extracts of relevant species habitat importance maps

<sup>1</sup> The general offset amount required is the sum of all general habitat units in Appendix 1.

<sup>2</sup> Minimum strategic biodiversity score is 80 per cent of the weighted average score across habitat zones where a general offset is required

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**Advised** Native vegetation removal report

## Next steps

Any proposal to remove native vegetation must meet the application requirements of the Detailed Assessment Pathway and it will be assessed under the Detailed Assessment Pathway.

If you wish to remove the mapped native vegetation you are required to apply for a permit from your local council. Council will refer your application to DELWP for assessment, as required. **This report is not a referral assessment by DELWP.**

This *Native vegetation removal report* must be submitted with your application for a permit to remove, destroy or lop native vegetation.

Refer to the *Guidelines for the removal, destruction or lopping of native vegetation* (the Guidelines) for a full list of application requirements. This report provides information that meets the following application requirements:

- The assessment pathway and reason for the assessment pathway
- A description of the native vegetation to be removed (partly met)
- Maps showing the native vegetation and property (partly met)
- Information about the impacts on rare or threatened species.
- The offset requirements determined in accordance with section 5 of the Guidelines that apply if approval is granted to remove native vegetation.

Additional application requirements must be met including:

- Topographical and land information
- Recent dated photographs
- Details of past native vegetation removal
- An avoid and minimise statement
- A copy of any Property Vegetation Plan that applies
- A defensible space statement as applicable
- A statement about the Native Vegetation Precinct Plan as applicable
- A site assessment report including a habitat hectare assessment of any patches of native vegetation and details of trees
- An offset statement that explains that an offset has been identified and how it will be secured.

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Authorised by the Victorian Government, 8 Nicholson Street, East Melbourne.

For more information contact the DELWP Customer Service Centre 136 186

[www.delwp.vic.gov.au](http://www.delwp.vic.gov.au)

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**Appendix 4 Description of native vegetation to be removed**

The species-general offset test was applied to your proposal. This test determines if the proposed removal of native vegetation has a proportional impact on any rare or threatened species habitats above the species offset threshold. The threshold is set at 0.005 per cent of the mapped habitat value for a species. When the proportional impact is above the species offset threshold a species offset is required. This test is done for all species mapped at the site. Multiple species offsets will be required if the species offset threshold is exceeded for multiple species.

Where a zone requires species offset(s), the species habitat units for each species in that zone is calculated by the following equation in accordance with the Guidelines:

$$\text{Species habitat units} = \text{extent} \times \text{condition} \times \text{species landscape factor} \times 2, \text{ where the species landscape factor} = 0.5 + (\text{habitat importance score}/2)$$

The species offset amount(s) required is the sum of all species habitat units per zone

Where a zone does not require a species offset, the general habitat units in that zone is calculated by the following equation in accordance with the Guidelines:

$$\text{General habitat units} = \text{extent} \times \text{condition} \times \text{general landscape factor} \times 1.5, \text{ where the general landscape factor} = 0.5 + (\text{strategic biodiversity value score}/2)$$

The general offset amount required is the sum of all general habitat units per zone.

**Native vegetation to be removed**

Information provided by or on behalf of the applicant in a GIS file							Information calculated by EnSym					
Zone	Type	BioEVC	BioEVC conservation status	Large tree(s)	Partial removal	Condition score	Polygon Extent	Extent without overlap	SBV score	HI score	Habitat units	Offset type
1-A	Patch	vvp_0128	Endangered	3	no	0.360	0.210	0.210	0.100		0.063	General
1-B	Patch	vvp_0128	Endangered	7	no	0.360	0.280	0.280	0.550		0.117	General
1-C	Patch	vvp_0128	Endangered	22	no	0.360	0.693	0.693	0.450		0.271	General
1-D	Patch	vvp_0128	Endangered	5	no	0.360	0.249	0.249	0.446		0.097	General
1-E	Patch	vvp_0128	Endangered	0	no	0.360	0.094	0.094	0.578		0.040	General
1-F	Scattered Tree	vvp_0128	Endangered	1	no	0.200	0.071	0.071	0.565		0.017	General
1-G	Scattered Tree	vvp_0128	Endangered	1	no	0.200	0.071	0.061	0.580		0.014	General
1-H	Scattered Tree	vvp_0128	Endangered	1	no	0.200	0.071	0.043	0.580		0.010	General
1-I	Scattered Tree	vvp_0128	Endangered	1	no	0.200	0.071	0.043	0.580		0.010	General

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Information provided by or on behalf of the applicant in a GIS file							Information calculated by EnSym					
Zone	Type	BioEVC	BioEVC conservation status	Large tree(s)	Partial removal	Condition score	Polygon Extent	Extent without overlap	SBV score	HI score	Habitat units	Offset type
1-J	Scattered Tree	vvp_0128	Endangered	1	no	0.200	0.071	0.061	0.580		0.014	General
1-K	Scattered Tree	vvp_0128	Endangered	1	no	0.200	0.071	0.071	0.580		0.017	General
1-L	Scattered Tree	vvp_0128	Endangered	0	no	0.200	0.031	0.028	0.580		0.007	General

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**Appendix 2: Information about impacts to rare or threatened species' habitats on site**

This table lists all rare or threatened species' habitats mapped at the site.

Species common name	Species scientific name	Species number	Conservation status	Group	Habitat impacted	% habitat value affected
Dwarf Silver Wattle	<i>Acacia nano-dealbata</i>	500064	Rare	Dispersed	Habitat importance map	0.0001
Brown Toadlet	<i>Pseudophryne bibronii</i>	13117	Endangered	Dispersed	Habitat importance map	0.0001
Swamp Fireweed	<i>Senecio psilocarpus</i>	504659	Vulnerable	Dispersed	Habitat importance map	0.0001
Yarra Gum	<i>Eucalyptus yarraensis</i>	501326	Rare	Dispersed	Habitat importance map	0.0001
Tufted Club-sedge	<i>Isolepis wakefieldiana</i>	501789	Rare	Dispersed	Habitat importance map	0.0000
Pale Swamp Everlasting	<i>Coronidium gunnianum</i>	504655	Vulnerable	Dispersed	Habitat importance map	0.0000
Powerful Owl	<i>Ninox strenua</i>	10248	Vulnerable	Dispersed	Habitat importance map	0.0000
White-throated Needletail	<i>Hirundapus caudacutus</i>	10334	Vulnerable	Dispersed	Habitat importance map	0.0000
Swamp Everlasting	<i>Xerochrysum palustre</i>	503763	Vulnerable	Dispersed	Habitat importance map	0.0000

**Habitat group**

- Highly localised habitat means there is 2000 hectares or less mapped habitat for the species
- Dispersed habitat means there is more than 2000 hectares of mapped habitat for the species

**Habitat impacted**

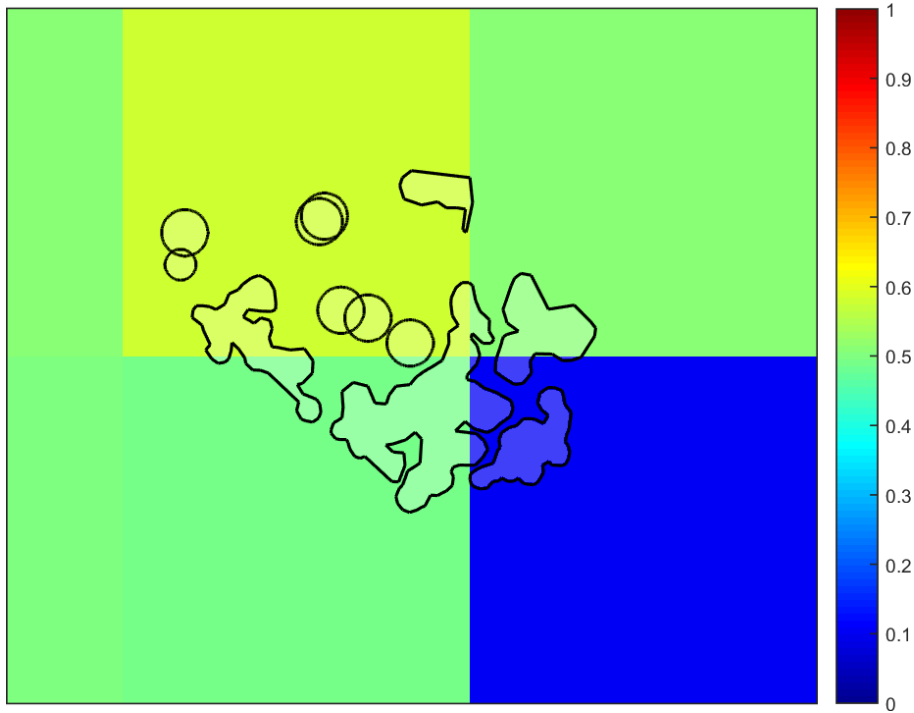
- Habitat importance maps are the maps defined in the Guidelines that include all the mapped habitat for a rare or threatened species
- Top ranking maps are the maps defined in the Guidelines that depict the important areas of a dispersed species habitat, developed from the highest habitat importance scores in dispersed species habitat maps and selected VBA records
- Selected VBA record is an area in Victoria that represents a large population, roosting or breeding site etc.

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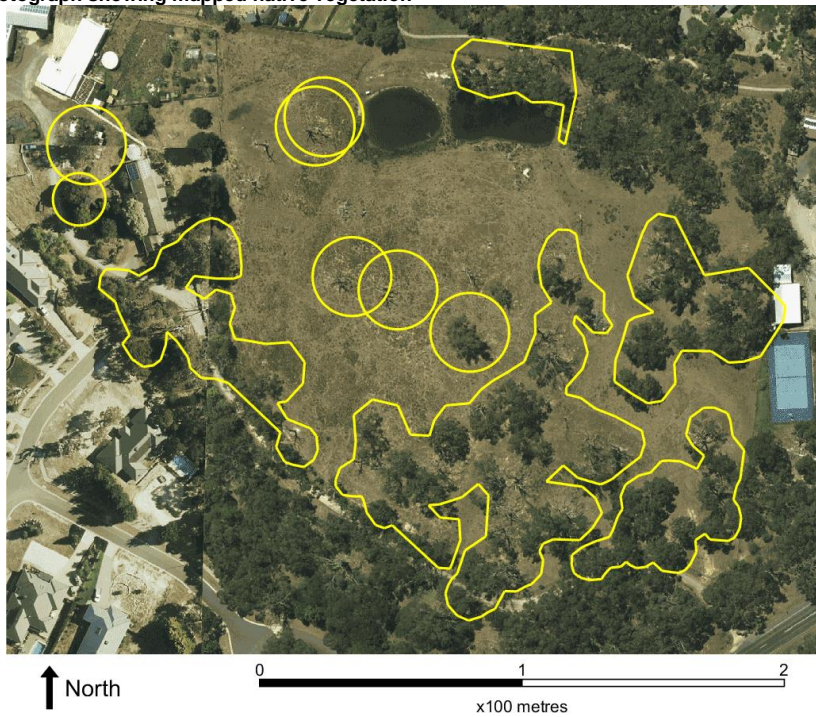
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### Appendix 3 Images of mapped native vegetation

#### 2. Strategic biodiversity values map



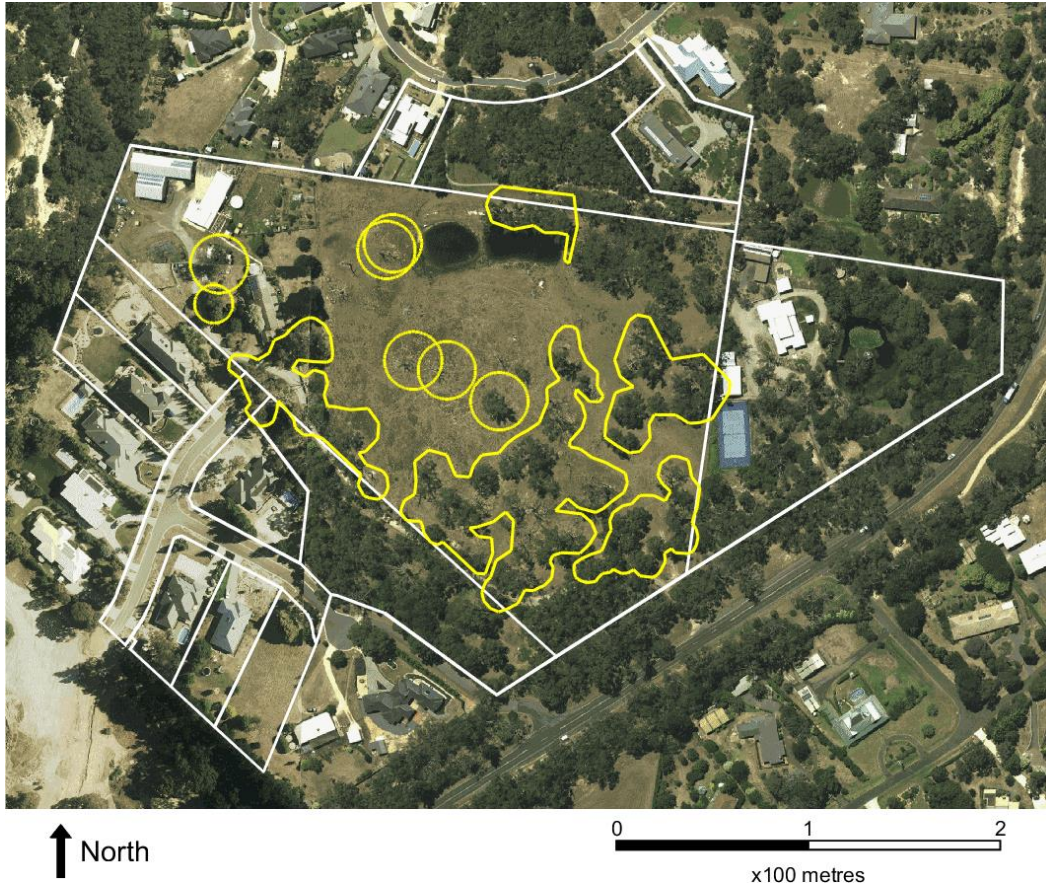
#### 3. Aerial photograph showing mapped native vegetation



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4. Map of the property in context



Yellow boundaries denote areas of proposed native vegetation removal.

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engineering+environmental

3 June 2024

Macedon Ranges Shore Council  
PO Box 151  
Kyneton Victoria 3444

To whom it may concern,

**Re: Response to Request For Information (RFI) for planning permit  
pln/2023/462 – Stormwater management.**

### **Background**

Council have raised some issues with respect to stormwater management for the proposed development. This letter and associated drawings addresses Council's Request For Information (RFI).

An updated development layout has been prepared that addresses the need for additional stormwater management within the site, along with other changes associated with vegetation management and other issues on the site. Appendix A contains the updated layout and the associated updated stormwater management concept for the site.

### **Stormwater quantity**

Council have requested that the development limit flows from the development site to pre-development levels, rather than an assessment of existing pipe capacity.

As such, an updated stormwater quantity strategy has been prepared along with an updated DRAINS model that incorporates both 10kL of detention for roof generated runoff and a detention basin within the development drainage reserve to ensure that existing flows from the site are not exceeded.

The updated stormwater quantity management strategy splits the site into three development areas; south development, west development and north development as well as the road and proposed reserves. The proposed basin collects all development runoff, apart from the west development which bypasses the proposed basin due to the levels on the site.

To achieve the volume required to meet the pre development peak flow the internal batters of the basin are proposed to be constructed using stepped batters rather than batter slopes to achieve the volume in a smaller footprint. Refer to typical sections in Appendix A.

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### Assumptions

The updated stormwater quantity modelling incorporates the following:

- 10kL of detention storage for each lot, collecting at least 80% of the roof area on each lot.
- Roof area assumed to be 80% of the build envelope.
- Diversion of up to the equivalent of the 10% AEP flow for the development to the south to the golf course to the west based on the as built drainage for this area. (refer to Appendix A).
- 420m<sup>3</sup> of detention within a detention basin within the drainage reserve.

Assumptions used in the DRAINS modelling of this strategy are as follows:

- Roof area to rainwater tank detention 80% of roof area, assumed to be 80% of build envelope (64% of the developable footprint).
- Impervious % assumed for catchment areas are listed in Table 1
- Hydrological model
  - Horton/Ilsax
  - Impervious depression storage – 1mm
  - Pervious depression storage – 5mm
  - Antecedent Moisture Condition – 3 (12.5-25mm prior rainfall)
  - ARR 2019 ensemble procedure
- Time of concentration:
  - Kinematic Wave Equation
  - Roughness coefficient:
    - Grassed- 0.2
    - Paved – 0.015
- “Gap Flow” from upstream development = flow in excess of the 10% AEP flows
- *Basin details:*
  - Base area: 375sqm
  - Top area: 450sqm
  - Depth: 1m
  - 2 Stage outlet with 200mm and 357mm diameter outlets.

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**Table 1: Impervious percentage**

Landscape	% Impervious
Roof area	100%
Build envelope (non roof)	80%
Lot remainder (outside build envelope)	30%
Road reserve	80%
Vegetated reserve	5%

**Results**

Existing peak flows from the site discharge point, incorporating a portion of upstream flows, as discussed above are 1.08m<sup>3</sup>/s in existing conditions for the 1% AEP event. This is slightly less than the 1% AEP flow of 1.17m<sup>3</sup>/s flows calculated as entering the Morningside Estate Development from this catchment as outlined in the hydraulic calculation summary (*Dennis Price and Miller, 2009*) submitted to Council for the Morningside Estate Development.

The use of rainwater tanks and the detention basin reduces peak flows to 1.03m<sup>3</sup>/s for the 1% AEP event below existing conditions through the throttling of flows and the use of detention storage at the lot scale and at the subdivision scale within the basin.

The volumes of detention applied at the site include 170m<sup>3</sup> of rainwater tank detention (17 Lots) plus 420m<sup>3</sup> of detention within the basin, creating a storage of 590m<sup>3</sup>/63845m<sup>2</sup>, or 9.2L/m<sup>2</sup>, similar to the recommended volumes outlined in Table 13 of the IDM of 8L/m<sup>2</sup> for new residential development, suggesting the DRAINS model estimate is reasonable.

A dual weir outlet can be used to manage discharge rates for more frequent events as part of the detailed design.

Refer to Appendix B for a summary of DRAINS model results and catchment information.



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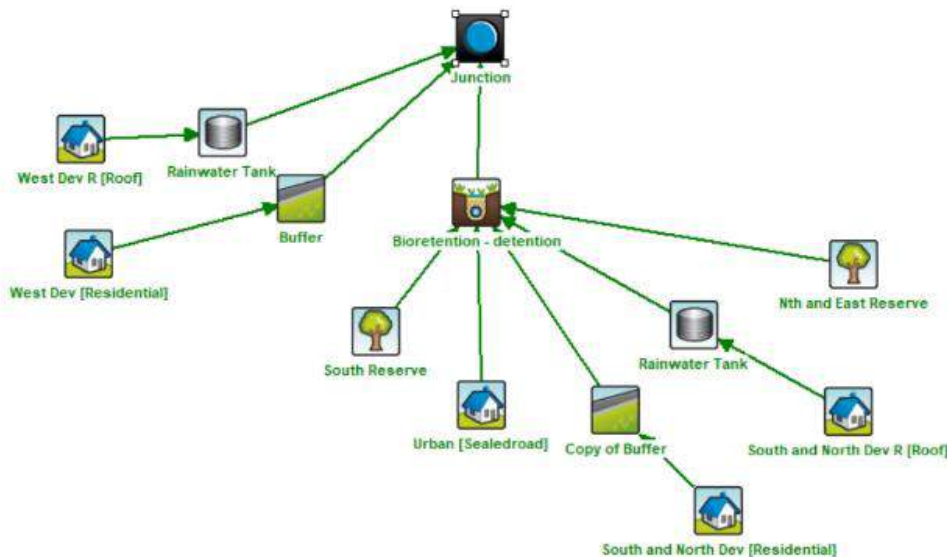
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**Stormwater quality**

A stormwater quality model for the site has been prepared using MUSIC incorporating rainwater tanks and the end of line bioretention system to treat stormwater runoff from the site to achieve the required removal rates of 80%, 45% and 45% for TSS, TP and TN respectively.

Stormwater treatment consists of rainwater tanks for each lot, as well as grassed buffers for a proportion of the lot impervious area and 330m<sup>2</sup> of bioretention treatment within the drainage reserve, *Table 20.3.4 Bioretention Basins and Raingardens* of the IDM. This system achieves the required targets for TSS, TP, TN and gross pollutant removal.



**Figure 1 Stormwater quality management layout.**

**Assumptions**

Assumptions used in the MUSIC are as follows:

- 10kL of rainwater tank to each dwelling
- 20% of lots (non roof) drains to a buffer area of 5% impervious area (approx. 6sqm per lot). This is achievable given the large lot size and limited build envelope.
- 330sqm of bioretention within the proposed drainage reserve with 0.2m of extended detention for treatment (Figure 2)
- 10 years of rainfall 2000-2010 from pluviometer gauge 087075 at Bullengarook East, approximately 5km from the site

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The screenshot shows a software window titled "Properties of Bioretention - detention". It contains several sections of input fields:

- Location:** Bioretention - detention
- Inlet Properties:** Low Flow By-pass (cubic metres per sec) = 0.000; High Flow By-pass (cubic metres per sec) = 0.100
- Storage Properties:** Extended Detention Depth (metres) = 0.20; Surface Area (square metres) = 330.00
- Filter and Media Properties:** Filter Area (square metres) = 330.00; Unlined Filter Media Perimeter (metres) = 50.00; Saturated Hydraulic Conductivity (mm/hour) = 100.00; Filter Depth (metres) = 0.50; TN Content of Filter Media (mg/kg) = 400; Orthophosphate Content of Filter Media (mg/kg) = 40.0
- Infiltration Properties:** Exfiltration Rate (mm/hr) = 0.10
- Lining Properties:** Is Base Lined?  Yes  No
- Vegetation Properties:**  Vegetated with Effective Nutrient Removal Plants;  Vegetated with Ineffective Nutrient Removal Plants;  Unvegetated
- Outlet Properties:** Overflow Weir Width (metres) = 2.00; Underdrain Present?  Yes  No; Submerged Zone With Carbon Present?  Yes  No; Depth (metres) = 0.00

Figure 2 Bioretention details

Results

The modelled stormwater treatment train achieves the stormwater quality targets as outlined in the Planning Scheme clause 53.18.

	Sources	Residual Load	% Reduction
<b>Flow (ML/yr)</b>	11.9	10.9	8.5
<b>Total Suspended Solids (kg/yr)</b>	1460	292	80
<b>Total Phosphorus (kg/yr)</b>	2.91	1.11	61.8
<b>Total Nitrogen (kg/yr)</b>	23.5	11.1	52.8
<b>Gross Pollutants (kg/yr)</b>	411	67.5	83.6

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**Summary**

Table 2 contains a summary response to Council’s RFI issues for the stormwater management approach as outlined above. The updated stormwater system maintains peak flows to below the existing 1% AEP peak flow currently discharging from the site through the use of OSD and a detention basin that also functions as part of the stormwater quality system. The peak discharge from the site is maintained to pre development conditions and is below the 1% AEP peak flow used to design the Morningside Estate Development at this point. As such, the capacity of the stormwater system downstream from the site is not impacted by this proposed development.

Stormwater quality targets can be met by the proposed stormwater quality management system.

**Table 2 RFI Comment and response**

RFI Comment	Response
a. The calculation is required to capture 1 %AEP flow discharge.	As clarified with Council, piped flows from the catchment to the south of site are diverted via the existing piped drainage network to the west. The use of a dummy pit in this case is to exclude flows up to the 10% AEP from reaching the proposed development site. Flows in excess of this continue through the proposed development site and downstream. This is termed the “gap flow”.
b. Calculations are required to be submitted to confirm the times of concentration shown in a table on Page 10.	Updated times of concentration based on the kinematic wave equation are contained in....
c. There is still the question of how flows will be diverted into the golf course dams.	As discussed at the meeting, the golf course dams are not required to manage flows for this development. Peak flows at the discharge point from the site are reduced to below existing conditions using the detention basin proposed for the site.
d. Council don’t support the recommendation provided in section 4.1 as it doesn’t meet the basic principle for retardation post-developed flow to minimise the downstream flooding. It is worth noting that in 1%, most of the Gisborne Township low laying area along Jackson Creek and many parts of Gisborne township is subjected to flooding.	As mentioned above, post development flows are maintained to less than pre development flows, ensuring that downstream system capacity is not impacted.
e. The proponent land must provide water quality and quantity devices to support the development in line with Planning Scheme clause 53.18	Stormwater quality treatment is incorporated into the end of line basin as a bioretention/raingarden in accordance with <i>Table 20.3.4 Bioretention Basins and Raingardens</i> of the IDM.

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	Stormwater quality targets are met using this system.
f. Clarification as to why a dummy pit was created to capture flows up to the 10% AEP events from this catchment and divert flow towards the golf course pond to represent the existing condition.	As discussed in a meeting with Council engineers, (10/05/2024), an existing drainage system services the development to the south. This catchment discharges stormwater runoff to the golf course to the west. The dummy pit is used to represent this and allow for the “gap flow” to continue into this proposed development.
g. Provide a copy of the Denis, Price and Miller report.	Provided
h. Provide calculations for the discharge through the 600 mm diameter culvert under Dalton Street.	Refer to the Denis, Price and Miller report and calculations that Council used to approve the Morningside development.
i. Provide calculations for the twin 750 mm diameter culverts under Dalton Street.	Refer to the Denis, Price and Miller report and calculations that Council used to approve the Morningside development.
j. Label the AEP for the DRAINS model shown on Page 11 of the Stormwater Management Study.	Updated model screenshots contained in Appendix B
k. Include the reference for the Dennis, Price and Miller report in the list of references.	Refer to reference
l. A typical cross-section of the link reserve proposed to connect surface flow to Dalton Road, including underground pipe and footpath link, to demonstrate the 10 m width reserve is enough to support the development.	Refer to Appendix A.
m. The catchment plan provided as Appendix A must provide all the catchment information. Currently, there is no information about the catchment area feeding the proposed development.	Refer to updated drawings and catchment table in Appendix A.

Please contact the undersigned if you have any questions regarding this response.

Yours sincerely,

Lachlan Bain (BEng, MEnvMgt)

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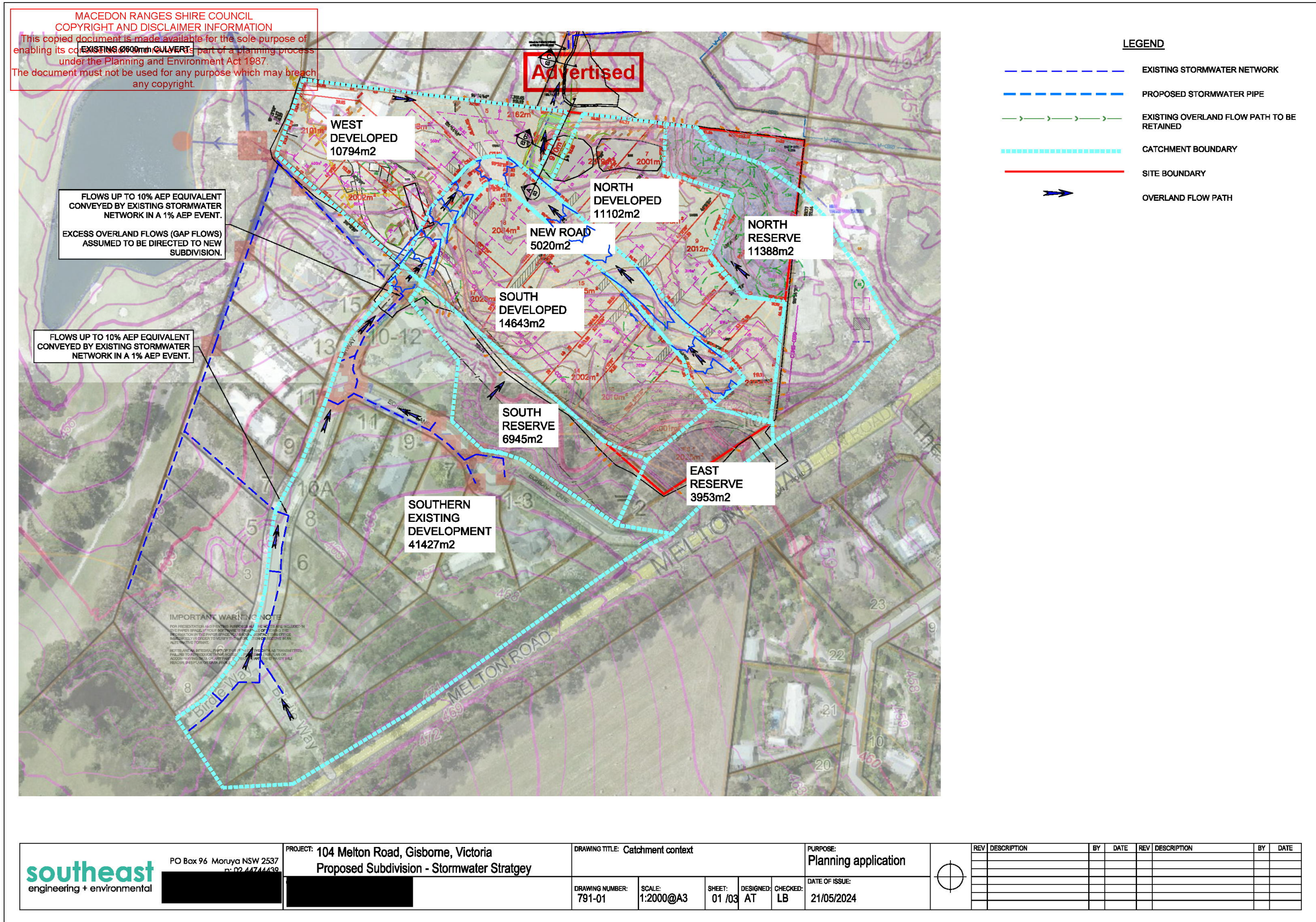
**References**

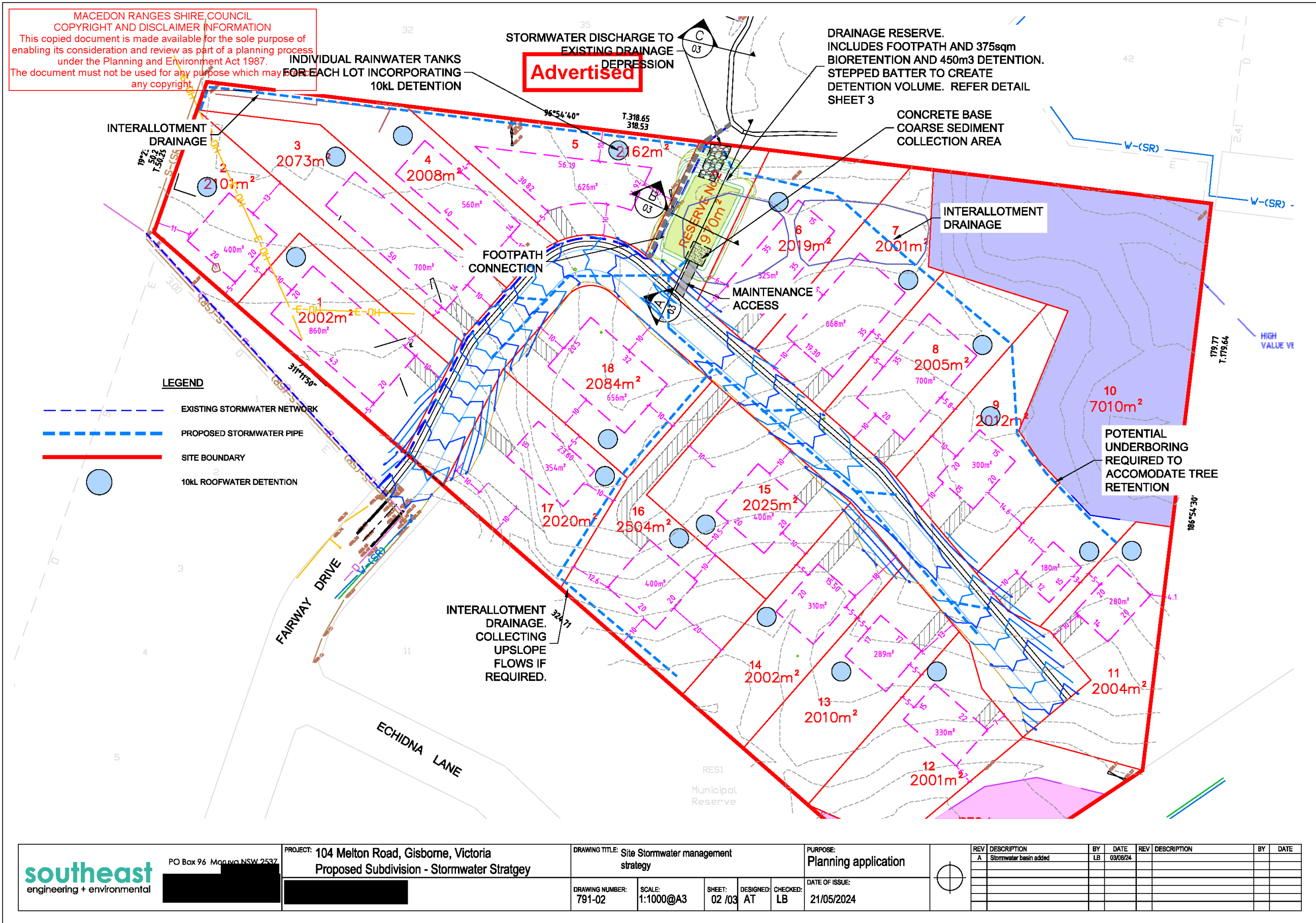
Dennis, Price and Miller, 2009, *Drainage Computations – Stage 1 Including music modelling and basin calculations*, Dennis Price and Miller, Notting Hill.

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**Appendix A – Proposed stormwater management concept.**

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PO Box 96 Marpa NSW 2537

PROJECT: 104 Melton Road, Gisborne, Victoria  
Proposed Subdivision - Stormwater Strategy

DRAWING TITLE: Site Stormwater management strategy

DRAWING NUMBER: 791-02    SCALE: 1:1000@A3    SHEET: 02 / 03    DESIGNED: AT    CHECKED: LB

PURPOSE: Planning application

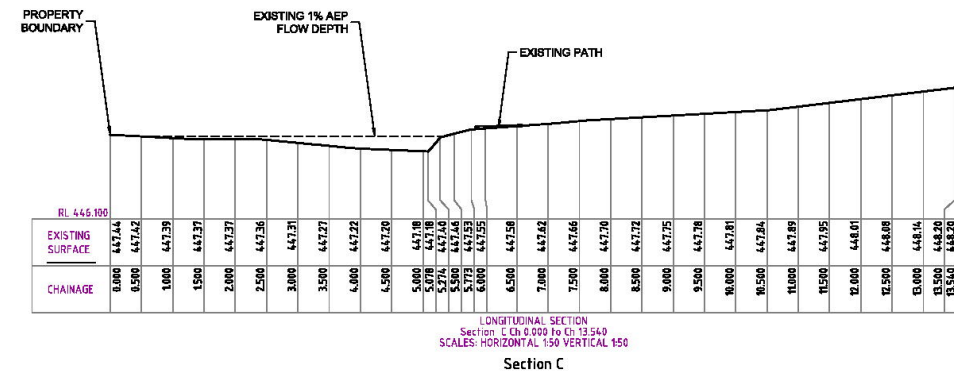
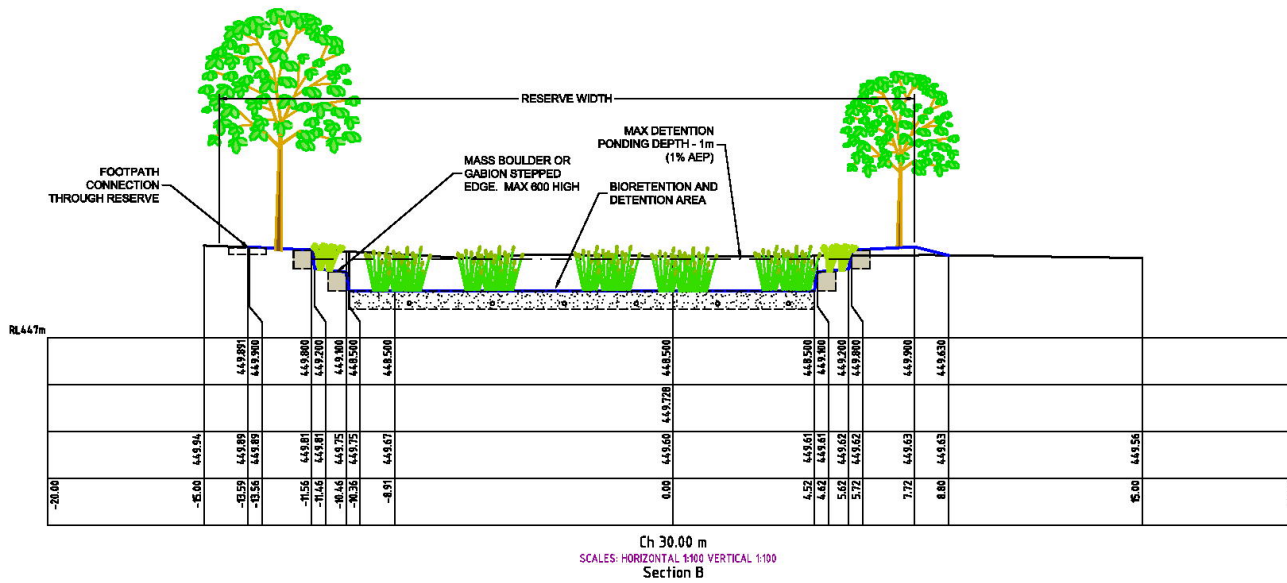
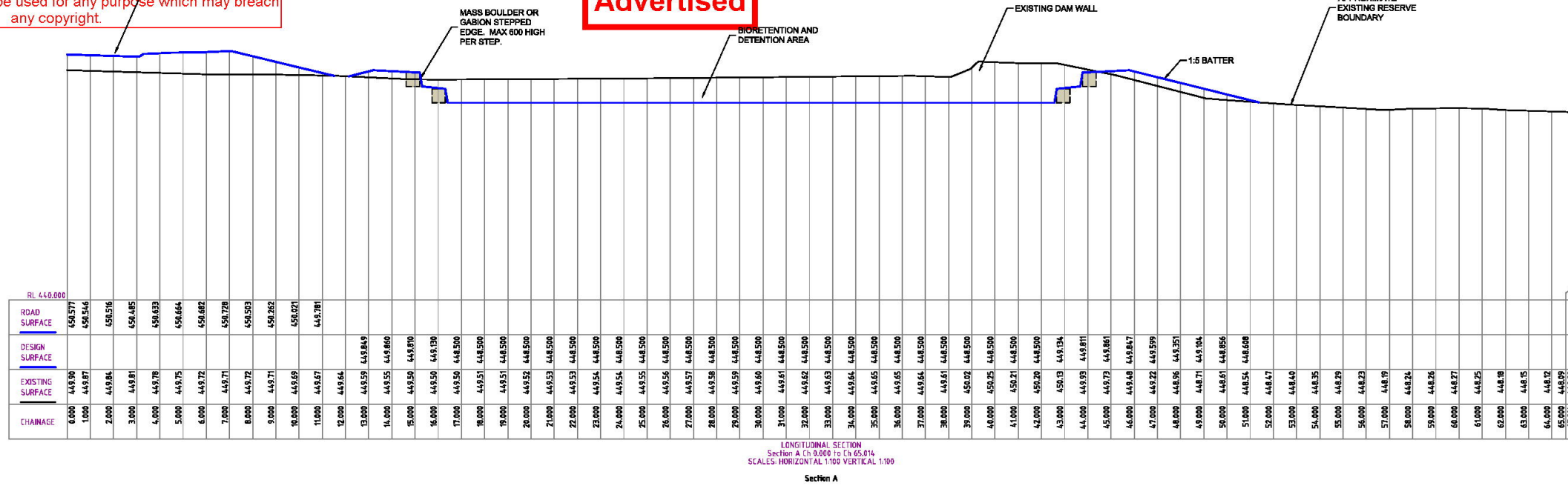
DATE OF ISSUE: 21/05/2024

REV	DESCRIPTION	BY	DATE	REV	DESCRIPTION	BY	DATE
A	Stormwater basin added	LB	03/08/24				



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	PROJECT: 104 Melton Road, Gisborne, Victoria Proposed Subdivision - Stormwater Strategy	DRAWING TITLE: Stormwater detail		PURPOSE: Planning application																																	
		DRAWING NUMBER: 791-03	SCALE: AS SHOWN	SHEET: 03 / 03	DESIGNED: AT	CHECKED: LB	DATE OF ISSUE: 21/05/2024																														
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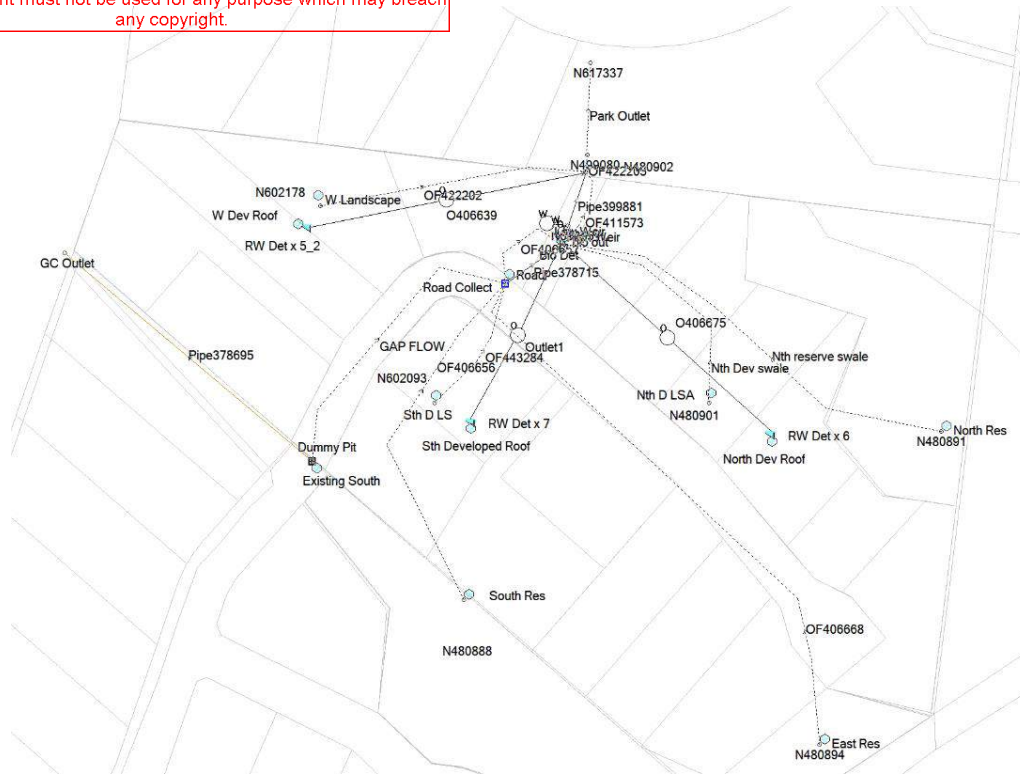
**Appendix B – Stormwater model information.**

1% AEP Catchment	Area (sqm)	Area (ha)	New Build envelope	Number Lots	Roof Area	Roof area to tank	Remainder drianage	Non build envelope
DRAINS Node:								
North developed	11102	1.110	4672.000	6.000	3737.600	2990.080	8111.92	6430.000
West developed	10794	1.079	3241.000	5.000	2592.800	2074.240	8719.76	7553.000
South developed	14643	1.464	3039.000	7.000	2431.200	1944.960	12698.04	11604.000
New Road	5020	0.502						
North Reserve	11388	1.139						
East reserve	3953	0.395						
South reserve	6945	0.695						
South existing dev	41427	4.143						
Sum	105272	10.53						



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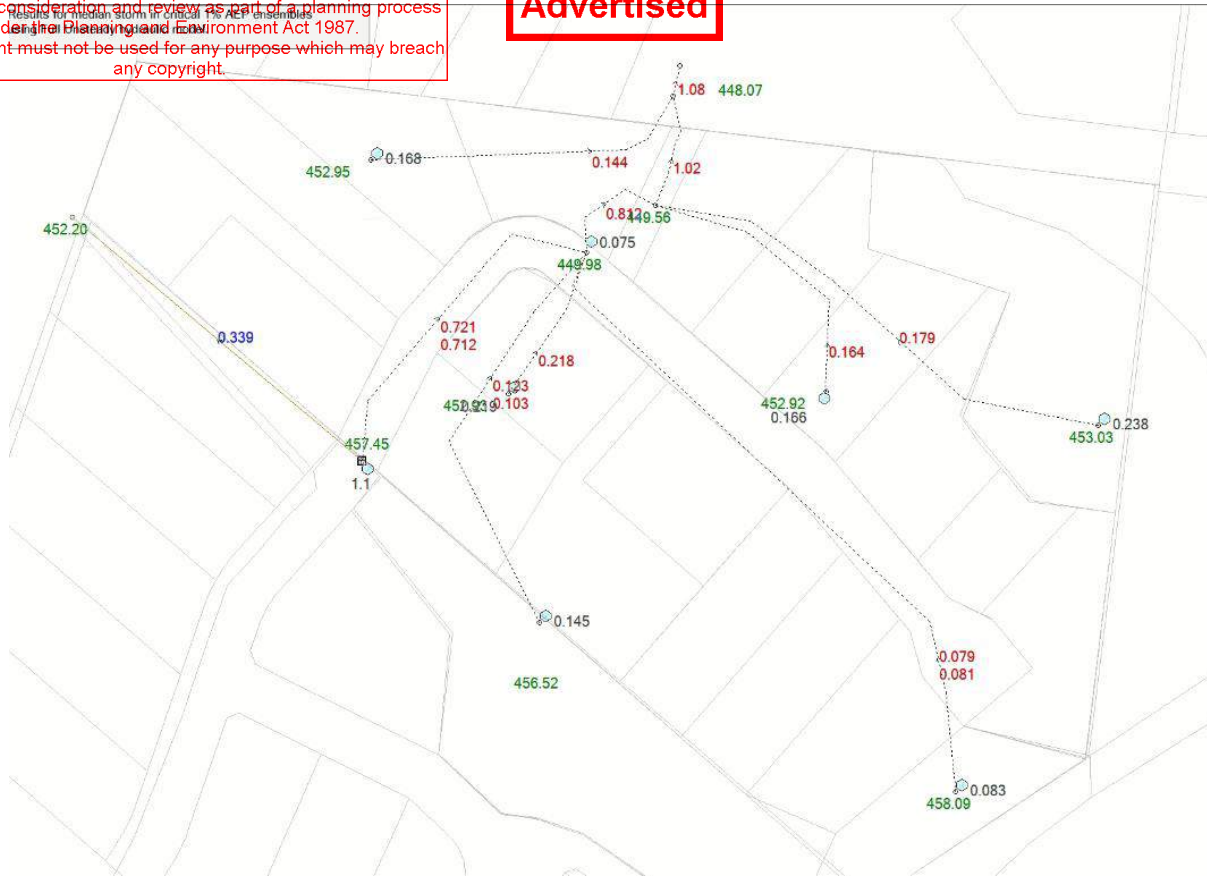
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Model Schematic

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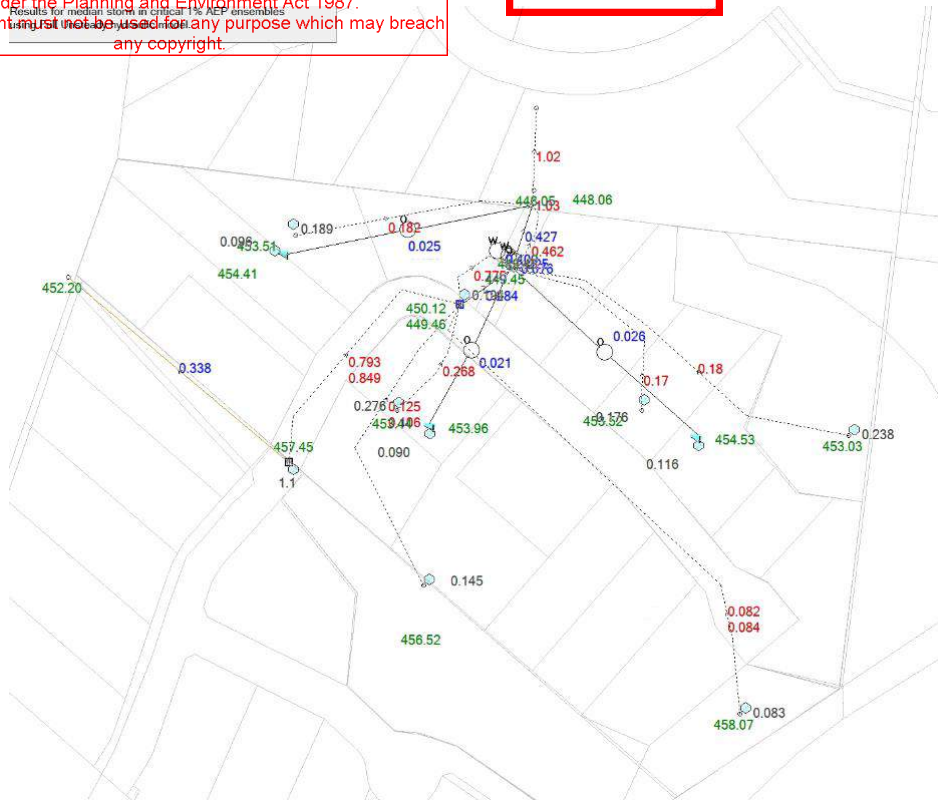
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Existing 1% AEP flows

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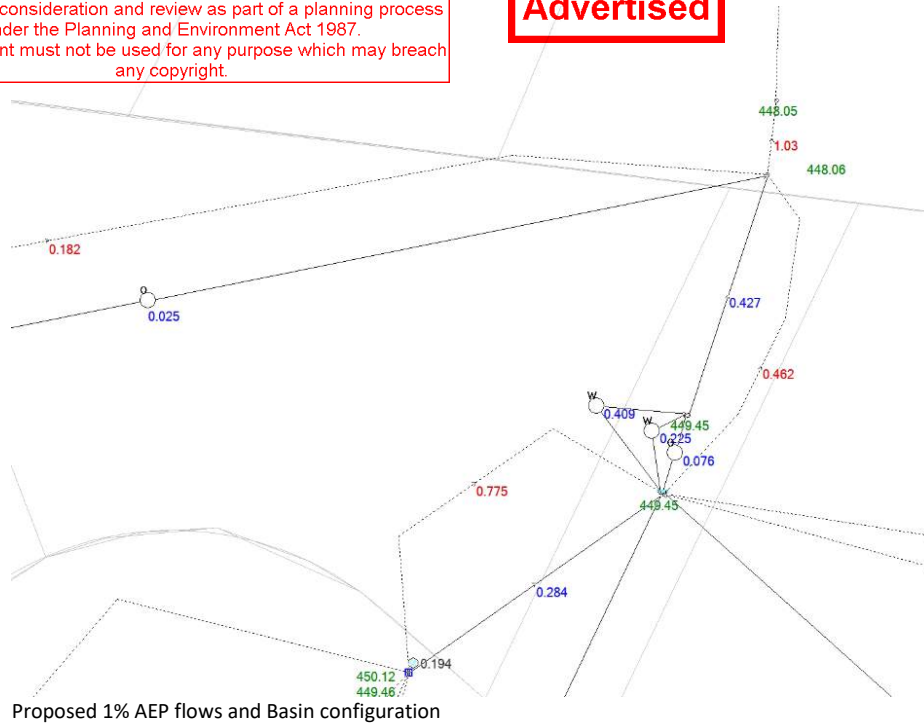
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Proposed 1% AEP flows

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Proposed 1% AEP flows and Basin configuration

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## TRAFFIC IMPACT ASSESSMENT

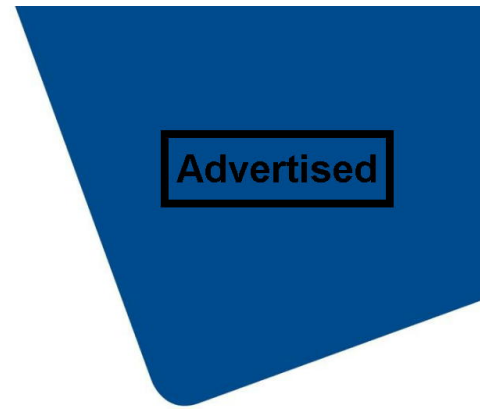
PROPOSED RESIDENTIAL SUBDIVISION

104 MELTON ROAD, GISBORNE

30 JANUARY 2024



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104 MELTON ROAD, GISBORNE



OBT JOB NUMBER: 25096



Suite 2.03, 789 Toorak Road  
 Hawthorn East, Victoria 3123



ABN 55 007 006 037

VERSION	DATE	ISSUE	PREPARED BY	REVIEWED BY
25096report	30 Nov 2023	Draft	Derek Lee	Matt Harridge
25096report	1 Dec 2023	Final	Derek Lee	Matt Harridge
25096report2	30 January 2024	Final	Derek Lee	Matt Harridge

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**Advertised****CONTENTS**

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**1 INTRODUCTION**

O'Brien Traffic has been engaged by Build 1000 Pty Ltd to undertake a traffic impact assessment of a proposed residential subdivision at 104 Melton Road, Gisborne.

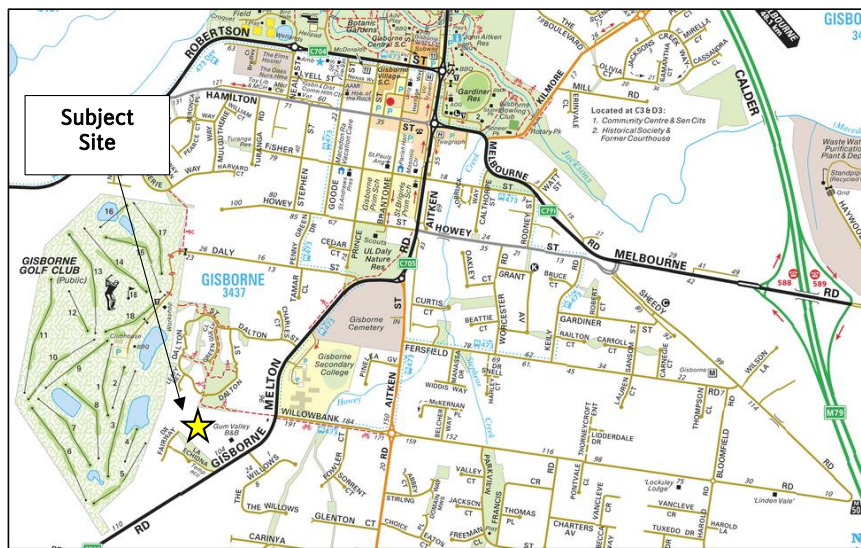
In the course of preparing this report:

- Subdivision Layout Plan (Project No. 8239) prepared by Head & Humphreys Land Consultants (dated 1 November 2023) has been examined:
- The subject site and surrounding area have been inspected;
- Traffic data has been collected and analysed; and
- The traffic implications of the proposal have been assessed.

**2 EXISTING CONDITIONS**

**2.1 LOCATION AND LAND USE**

The subject site is located on the northern side of Melton Road in Gisborne. The location of the subject site and the surrounding road network is shown in **Figure 1**.



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FIGURE 1: LOCATION OF SUBJECT SITE AND THE SURROUNDING ROAD NETWORK

The most recent aerial photograph showing the site and the surrounding area (from September 2023) is shown in **Figure 2**.

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SOURCE: NEARMAP.COM.AU REPRODUCED WITH PERMISSION

FIGURE 2: AERIAL PHOTO OF SUBJECT SITE AND THE SURROUNDING AREA

The site is zoned *Low Density Residential (LDRZ)* in the Macedon Ranges Planning Scheme. The site has a frontage of 80.40 metres to Melton Road and comprises a total area of 5.002ha.

The subject site is currently occupied by a single dwelling and a number of sheds and other buildings at the rear (western) end of the site. Vehicular access is provided via a gravel crossover to Melton Road.

**2.2 SURROUNDING LAND USE**

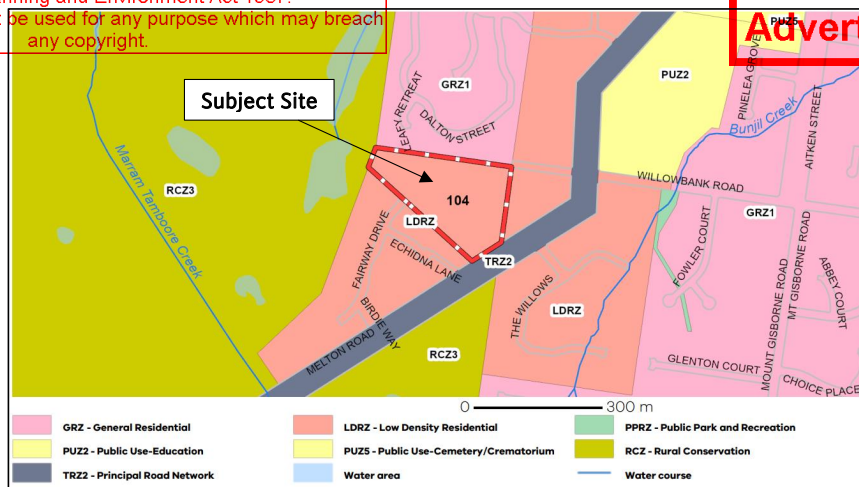
The subject land abuts low-density residential lots located to the south and north, and the Gisborne Golf Club to the west. Gisborne Secondary College is located north-east of the subject site.

A zoning map of the area is provided in **Figure 3**.

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SOURCE: PLANNING.VIC.GOV.AU

FIGURE 3: ZONING MAP

### 2.3 ROAD NETWORK

Melton Road is a TRZ2 (Principal Road Network) arterial road under the management of Department of Transport & Planning (DTP). In the vicinity of the subject site, it is a two-lane, two-way road with a posted speed limit of 60km/h. The posted speed limit changes to 100km/h west of Echidna Lane.

Views of Gisborne Road are shown in Figure 4 and Figure 5.



FIGURE 4: VIEW ON MELTON ROAD FACING NORTHEAST

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FIGURE 5: VIEW ON MELTON ROAD FACING SOUTHWEST

**Birdie Way (which continues into Fairway Drive)** is a two-way local road under the management of Council. It is kerbed and has a road width of approximately 6.0-6.6m wide. The road is subject to the default speed limit in built-up areas of 50 km/h. Parking is unrestricted on both sides.

Views of Birdie Way/Fairway Drive are shown in **Figure 6** and **Figure 7**.



FIGURE 6: VIEW ON FAIRWAY DRIVE AT PROPOSED ACCESS TO SUBJECT SITE (FACING EAST)

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FIGURE 7: VIEW ON BIRDIE WAY AT MELTON ROAD INTERSECTION (FACING SOUTH)

**Echidna Lane** is a two-way local road under the management of Council. The western section intersecting Fairway Drive is kerbed and is approximately 5.8m wide, while the eastern section intersecting Melton Road is unkerbed and is approximately 5.2m wide. The road is subject to the default speed limit in built-up areas of 50 km/h. Parking on Echidna Lane is unrestricted on both sides. It is understood that the connection to Melton Road will ultimately be removed in the near future.

Views of Echidna Lane are shown in **Figure 8** and **Figure 9**.



FIGURE 8: VIEW ON ECHIDNA LANE AT FAIRWAY DRIVE INTERSECTION (FACING NORTHWEST)

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FIGURE 9: VIEW ON ECHIDNA LANE AT MELTON ROAD INTERSECTION (FACING SOUTHEAST)

2.4 EXISTING TRAFFIC VOLUMES

Department of Transport data from 2020 indicates that Melton Road carries two-way traffic volumes in the order of 4,300 vehicles per day.

O'Brien Traffic commissioned peak hour turning movement surveys at the intersection of Melton Road with Birdie Way to obtain current traffic data at the proposed access point to the subject site. A turning movement survey was also commissioned at the Melton Road/Echidna Lane intersection to obtain an understanding of current turning movements, noting that this traffic would be redirected onto Birdie Way when Echidna Lane is closed off. These surveys were undertaken on Tuesday 21 November 2023 from 7.30-9.30am and 4-6pm. The peak hour results of this survey are reproduced in Figure 10 and Figure 11..

The survey results indicate low turning movements at both intersections; however, it is noted that more vehicles turn at Echidna Lane compared to Birdie Way.

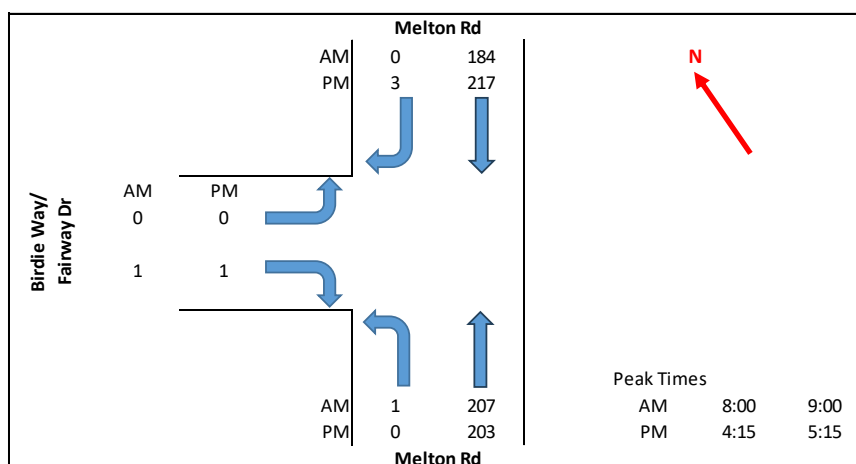


FIGURE 10: PEAK HOUR TRAFFIC VOLUMES AT MELTON ROAD/FAIRWAY DRIVE INTERSECTION



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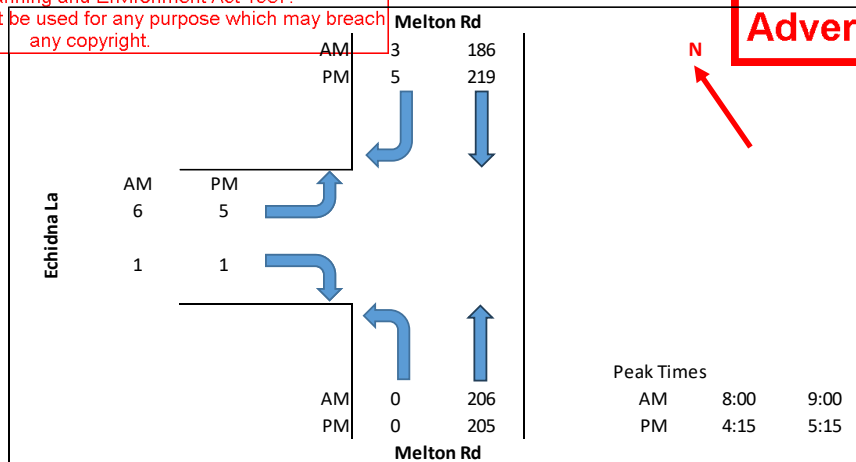


FIGURE 11: PEAK HOUR TRAFFIC VOLUMES AT MELTON ROAD/ECHIDNA LANE INTERSECTION

2.5 CASUALTY CRASH HISTORY

A review of Department of Transport and Planning (DTP) casualty crash data for the most recent five-year period (April 2018 – April 2023) indicates that there were two crashes on Melton Road in the vicinity of the subject site.

One crash was a Rear End crash which occurred at the intersection with Echidna Lane and resulted in Other Injury. The other crash occurred east of Birdie Way and involved a vehicle colliding with an animal on the road, resulting in Serious Injury.

The crashes do not indicate that there is a trend of crashes or wider road safety issue in the vicinity of the subject site.

2.6 SUSTAINABLE TRANSPORT

There are limited public transport services within convenient access of the subject site. Gisborne train station is located approximately 5km north of the subject site, while bus route 473 runs in a loop around Gisborne to/from the train station. The nearest bus stops are located approximately 700m away on Melton Road and Willowbank Road.

3 THE PROPOSAL

The proposed subdivision plan indicates that the subject land would be divided into 20 residential lots ranging between 2000m<sup>2</sup> and 2390m<sup>2</sup>. It is also proposed to establish two reserves of 442m<sup>2</sup> and 2759m<sup>2</sup> within the subdivision.

Vehicle access is proposed via an extension to Fairway Drive which would continue into the site and terminate in a hammerhead turnaround area. No connection to Melton Road is proposed.

The proposed subdivision plan is shown in Figure 12.

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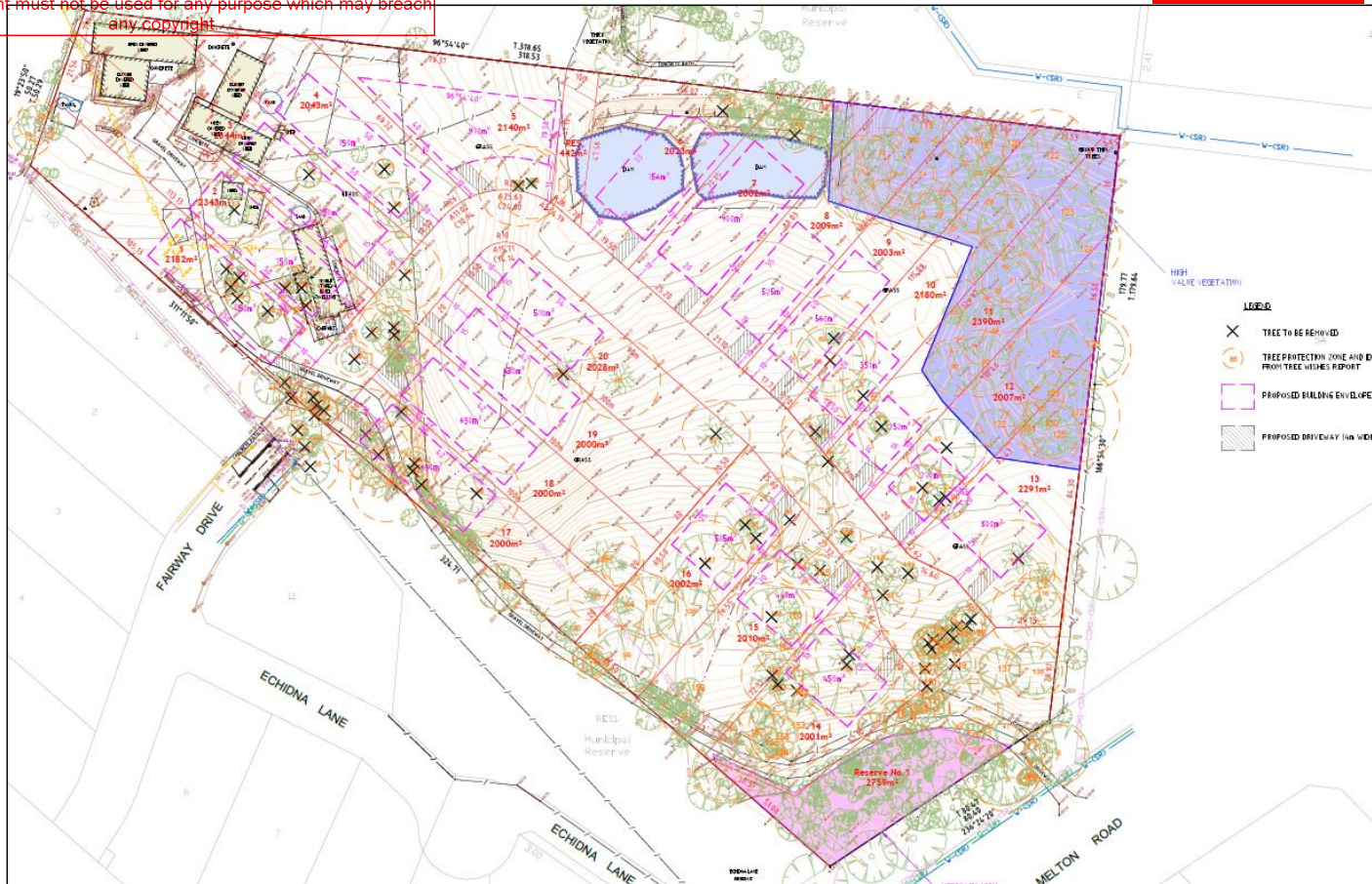


FIGURE 12: PROPOSED SUBDIVISION PLAN

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## 4 TRAFFIC GENERATION, DISTRIBUTION & IMPACT



### 4.1 TRAFFIC GENERATION

The 20 lots are anticipated to generate an average of 10 daily trips per lot, resulting in daily traffic generation of 200 trips. It is anticipated that 10% of daily trips would occur in each of the AM and PM peak hours (20 trips in each peak hour).

### 4.2 TRAFFIC DISTRIBUTION

To determine the peak hour residential traffic distribution, typical residential splits between entry and exit movements have been adopted, which are:

- AM peak hour: 20% IN and 80% OUT; and
- PM peak hour: 60% IN and 40% OUT.

This equates to 4 trips in and 16 trips out in the AM peak, and 12 trips in and 8 trips out in the PM peak.

Based on the surrounding road network and the location of key destinations, it is anticipated that the majority of traffic generated by the subdivision would travel to and from the north-east (i.e. in the direction of Gisborne town centre and the nearest interchanges to access the Calder Freeway). A smaller portion of traffic would travel to and from the south-west in the direction of Toolern Vale and Melton.

It is assumed that traffic would split as follows:

- 70% of traffic would travel north-east on Melton Road (and vice versa); and
- 30% of traffic would travel south-west on Melton Road (and vice versa).

As previously mentioned, the connection of Echidna Lane to Melton Road is expected to be removed in the near future. Therefore, all traffic from the subdivision would utilise the Birdie Way connection to Melton Road.

Based on the above, the AM and PM peak hour development traffic distribution at the Melton Road/Birdie Way intersection is shown in **Figure 13**.

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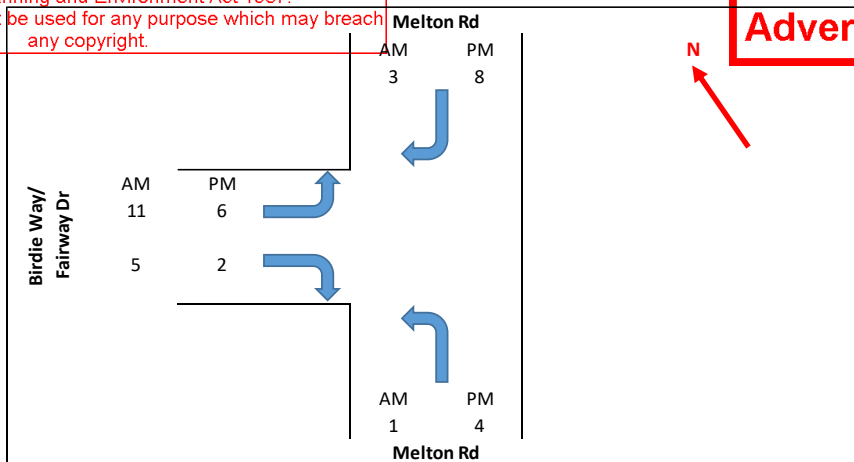


FIGURE 13: PEAK HOUR DEVELOPMENT TRAFFIC DISTRIBUTION – MELTON ROAD/BIRDIE WAY

4.3 TRAFFIC IMPACT

4.3.1 Melton Road/Birdie Way/Fairway Drive

The existing intersection features an auxiliary left turn lane and channelised right turn lane on Melton Road (as indicated in Figure 14).



FIGURE 14: MELTON ROAD/BIRDIE WAY INTERSECTION

Figure 15 indicates the post-development traffic at the intersection of Melton Road and Birdie Way. This is the sum of the existing peak hour turning movements at the intersection (Figure 10), development traffic (from Figure 13), and relocated existing traffic from the Echidna Lane intersection (Figure 11).

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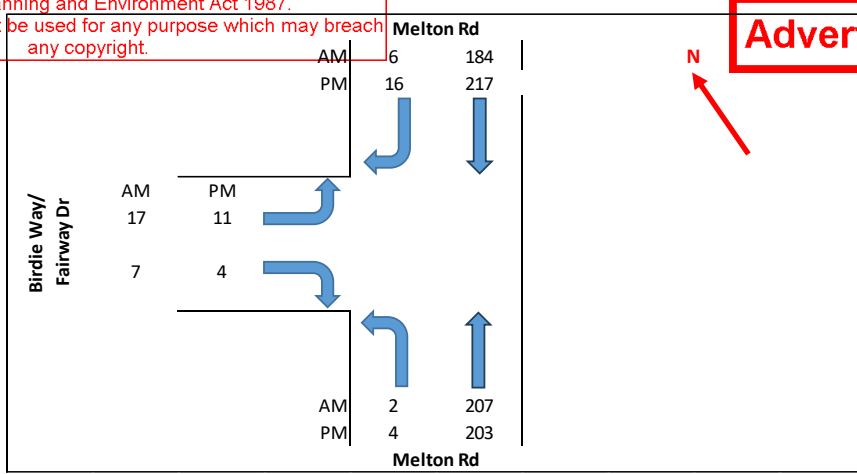


FIGURE 15: TOTAL OF EXISTING PLUS DEVELOPMENT TRAFFIC – MELTON ROAD/BIRDIE WAY

A SIDRA assessment has been undertaken of the existing traffic plus development traffic. The results indicate a Degree of Saturation (DoS) of 0.117 in the AM peak and 0.121 in the PM peak.

A further SIDRA assessment of a future scenario has also been undertaken, which assumes 3% annual growth on Melton Road over a 10-year period. The SIDRA results indicate a DoS of 0.157 and 0.163 in the AM peak and PM peak, respectively. This indicates that the intersection would still have significant capacity to accommodate additional traffic in the future. No excessive queuing or delays were noted from the SIDRA assessments, indicating that the current lengths of turning lanes are sufficient to accommodate future traffic volumes.

The SIDRA outputs for both scenarios are provided in **Appendix A**.

**4.3.2 Birdie Way/Fairway Drive**

The subdivision would add approximately 200 vehicles per day to Birdie Way/Fairway Drive. This relatively minor increase in traffic would not result in any significant adverse impacts on this road.

**5 INTERNAL ROAD NETWORK**

**5.1 FUNCTIONAL CLASSIFICATIONS**

The anticipated maximum traffic volumes on the access road within the subdivision would be around 200 vehicles per day. Under Clause 56.06-8 Table C1 of the Planning Scheme, this would be considered an Access Place which carries under 1,000 vehicles per day.

**5.2 STREET DESIGN**

The internal access road within the subdivision is proposed have a road reserve width of 16 metres. This would accommodate the cross section of an Access Street as per

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the Infrastructure Design Manual (IDM) which includes a 7.3 m wide carriageway carrying two-way traffic and parking on both sides of the street, and 1.5 m wide footpaths on both sides. The indicative cross section is shown in Figure 16.

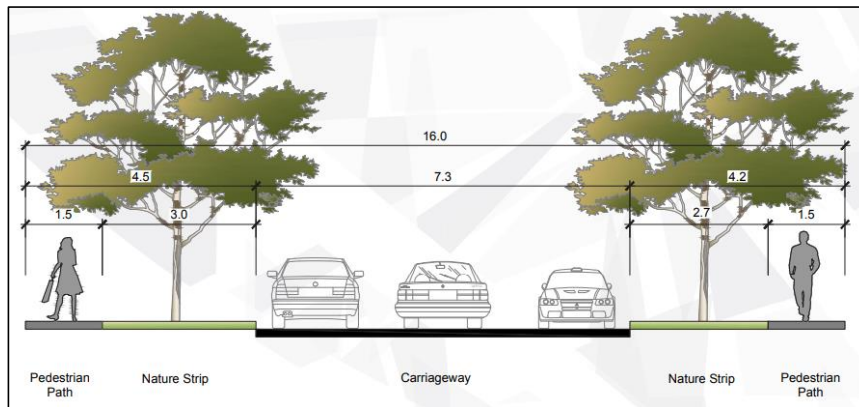


FIGURE 16: INDICATIVE CROSS SECTION FOR AN ACCESS STREET

**5.3 PEDESTRIAN & CYCLIST PROVISION**

The indicative cross section would cater for pedestrians and cyclists by providing footpaths for pedestrians and a low-speed road environment suitable for cyclists.

**5.4 PUBLIC TRANSPORT**

There is no requirement for the new internal access street to cater for buses.

**5.5 LOCAL AREA TRAFFIC MANAGEMENT**

Given the access street terminates in a dead-end and there is a 90-degree bend in the street, it is considered that vehicle speeds would be relatively low. Therefore, no local area traffic management measures are considered necessary.

**5.6 EMERGENCY AND SERVICE VEHICLE ACCESS**

Country Fire Authority (CFA) requirements for fire truck access are specified in the document *Requirements for Water Supplies and Access for Subdivisions in Residential 1 and 2 and Township Zones*. The requirements outlined in this guide would be met with the proposed road cross sections. This also ensures appropriate access for emergency and service vehicles.

Swept path analysis has been undertaken for an 8.8m Medium Rigid Vehicle (MRV) which confirms that the truck is able to manoeuvre at the end of the street (refer to Appendix B).

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### CONCLUSION



Based on the investigations made during the preparation of this report, we are of the opinion that:

- The traffic generated by the proposal would be accommodated by the proposed road network; and
- The internal road network design is appropriate and is in accordance with the cross-section requirements in the Infrastructure Design Manual.

Therefore, we see no traffic related grounds to prevent the proposed development from proceeding.

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**SIDRA OUTPUT**



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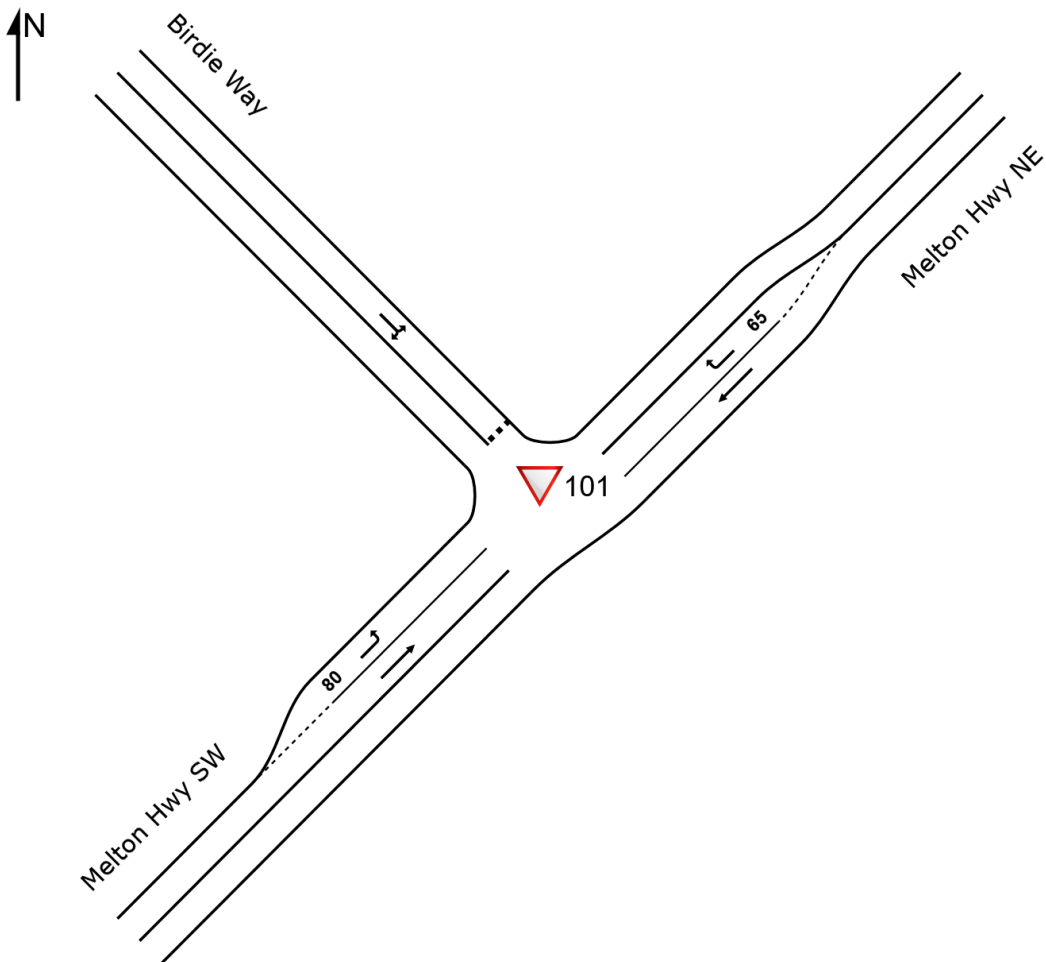


### SITE LAYOUT

#### Site: 101 [Melton Hwy/Birdie Drive]

Melton Hwy/Birdie Drive  
Site Category: (None)  
Give-Way (Two-Way)

Layout pictures are schematic functional drawings reflecting input data. They are not design drawings.



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**LANE SUMMARY**

**Site: 101 [Melton Hwy/Birdie Drive AM Ex+Dev (Site Folder: General)]**

Melton Hwy/Birdie Drive  
 Site Category: (None)  
 Give-Way (Two-Way)

Lane Use and Performance													
	DEMAND FLOWS		Cap.	Deg. Satn	Lane Util.	Aver. Delay	Level of Service	95% BACK OF QUEUE		Lane Config	Lane Length	Cap. Adj.	Prob. Block.
	[ Total	HV ]						[ Veh	Dist ]				
	veh/h	%	veh/h	v/c	%	sec		m	m	%	%		
NorthEast: Melton Hwy NE													
Lane 1	194	4.9	1890	0.102	100	0.0	LOS A	0.0	0.0	Full	500	0.0	0.0
Lane 2	6	0.0	1150	0.005	100	6.9	LOS A	0.0	0.1	Short	65	0.0	NA
Approach	200	4.7		0.102		0.2	NA	0.0	0.1				
NorthWest: Birdie Way													
Lane 1	25	0.0	888	0.028	100	6.1	LOS A	0.1	0.7	Full	500	0.0	0.0
Approach	25	0.0		0.028		6.1	LOS A	0.1	0.7				
SouthWest: Melton Hwy SW													
Lane 1	2	0.0	1857	0.001	100	6.4	LOS A	0.0	0.0	Short	80	0.0	NA
Lane 2	218	7.2	1862	0.117	100	0.0	LOS A	0.0	0.0	Full	500	0.0	0.0
Approach	220	7.2		0.117		0.1	NA	0.0	0.0				
Intersection	445	5.7		0.117		0.5	NA	0.1	0.7				

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).  
 Lane LOS values are based on average delay per lane.  
 Minor Road Approach LOS values are based on average delay for all lanes.  
 NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road lanes.  
 Delay Model: SIDRA Standard (Geometric Delay is included).  
 Queue Model: SIDRA Standard.  
 Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).  
 HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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**LANE SUMMARY**

**Site: 101 [Melton Hwy/Birdie Drive PM Ex+Dev (Site Folder: General)]**

Melton Hwy/Birdie Drive  
 Site Category: (None)  
 Give-Way (Two-Way)

Lane Use and Performance													
	DEMAND FLOWS		Cap.	Deg. Satn	Lane Util.	Aver. Delay	Level of Service	95% BACK OF QUEUE		Lane Config	Lane Length	Cap. Adj.	Prob. Block.
	[ Total	HV ]						[ Veh	Dist ]				
	veh/h	%	veh/h	v/c	%	sec		m		m	%	%	
NorthEast: Melton Hwy NE													
Lane 1	228	4.6	1884	0.121	100	0.0	LOS A	0.0	0.0	Full	500	0.0	0.0
Lane 2	17	0.0	1159	0.015	100	6.9	LOS A	0.1	0.4	Short	65	0.0	NA
Approach	245	4.3		0.121		0.5	NA	0.1	0.4				
NorthWest: Birdie Way													
Lane 1	16	0.0	888	0.018	100	6.1	LOS A	0.1	0.4	Full	500	0.0	0.0
Approach	16	0.0		0.018		6.1	LOS A	0.1	0.4				
SouthWest: Melton Hwy SW													
Lane 1	4	0.0	1857	0.002	100	6.4	LOS A	0.0	0.0	Short	80	0.0	NA
Lane 2	214	3.0	1913	0.112	100	0.0	LOS A	0.0	0.0	Full	500	0.0	0.0
Approach	218	2.9		0.112		0.1	NA	0.0	0.0				
Intersection	479	3.5		0.121		0.5	NA	0.1	0.4				

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).  
 Lane LOS values are based on average delay per lane.  
 Minor Road Approach LOS values are based on average delay for all lanes.  
 NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road lanes.  
 Delay Model: SIDRA Standard (Geometric Delay is included).  
 Queue Model: SIDRA Standard.  
 Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).  
 HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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**LANE SUMMARY**

**Site: 101 [Melton Hwy/Birdie Drive AM 10 yr (Site Folder: General)]**

Melton Hwy/Birdie Drive  
 Site Category: (None)  
 Give-Way (Two-Way)  
 Design Life Analysis (Final Year): Results for 10 years

Lane Use and Performance													
	DEMAND FLOWS		Cap. veh/h	Deg. Satn v/c	Lane Util. %	Aver. Delay sec	Level of Service	95% BACK OF QUEUE		Lane Config	Lane Length m	Cap. Adj. %	Prob. Block. %
	[ Total veh/h	HV ] %						[ Veh m	Dist ] m				
NorthEast: Melton Hwy NE													
Lane 1	260	4.9	1890	0.138	100	0.0	LOS A	0.0	0.0	Full	500	0.0	0.0
Lane 2	6	0.0	1055	0.006	100	7.3	LOS A	0.0	0.2	Short	65	0.0	NA
Approach	267	4.8		0.138		0.2	NA	0.0	0.2				
NorthWest: Birdie Way													
Lane 1	25	0.0	770	0.033	100	6.9	LOS A	0.1	0.8	Full	500	0.0	0.0
Approach	25	0.0		0.033		6.9	LOS A	0.1	0.8				
SouthWest: Melton Hwy SW													
Lane 1	2	0.0	1857	0.001	100	6.4	LOS A	0.0	0.0	Short	80	0.0	NA
Lane 2	293	7.2	1862	0.157	100	0.0	LOS A	0.0	0.0	Full	500	0.0	0.0
Approach	295	7.2		0.157		0.1	NA	0.0	0.0				
Intersection	587	5.8		0.157		0.4	NA	0.1	0.8				

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).  
 Lane LOS values are based on average delay per lane.  
 Minor Road Approach LOS values are based on average delay for all lanes.  
 NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road lanes.  
 Delay Model: SIDRA Standard (Geometric Delay is included).  
 Queue Model: SIDRA Standard.  
 Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).  
 HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

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**LANE SUMMARY**

**Site: 101 [Melton Hwy/Birdie Drive PM 10 yr (Site Folder: General)]**

Melton Hwy/Birdie Drive  
 Site Category: (None)  
 Give-Way (Two-Way)  
 Design Life Analysis (Final Year): Results for 10 years

Lane Use and Performance													
	DEMAND FLOWS		Cap. veh/h	Deg. Satn v/c	Lane Util. %	Aver. Delay sec	Level of Service	95% BACK OF QUEUE		Lane Config	Lane Length m	Cap. Adj. %	Prob. Block. %
	[ Total veh/h	[ HV ] %						[ Veh	[ Dist ] m				
NorthEast: Melton Hwy NE													
Lane 1	307	4.6	1883	0.163	100	0.0	LOS A	0.0	0.0	Full	500	0.0	0.0
Lane 2	17	0.0	1068	0.016	100	7.3	LOS A	0.1	0.4	Short	65	0.0	NA
Approach	324	4.4		0.163		0.4	NA	0.1	0.4				
NorthWest: Birdie Way													
Lane 1	16	0.0	768	0.021	100	6.9	LOS A	0.1	0.5	Full	500	0.0	0.0
Approach	16	0.0		0.021		6.9	LOS A	0.1	0.5				
SouthWest: Melton Hwy SW													
Lane 1	4	0.0	1857	0.002	100	6.4	LOS A	0.0	0.0	Short	80	0.0	NA
Lane 2	287	3.0	1913	0.150	100	0.0	LOS A	0.0	0.0	Full	500	0.0	0.0
Approach	291	2.9		0.150		0.1	NA	0.0	0.0				
Intersection	631	3.6		0.163		0.4	NA	0.1	0.5				

Site Level of Service (LOS) Method: Delay (SIDRA). Site LOS Method is specified in the Parameter Settings dialog (Site tab).  
 Lane LOS values are based on average delay per lane.  
 Minor Road Approach LOS values are based on average delay for all lanes.  
 NA: Intersection LOS and Major Road Approach LOS values are Not Applicable for two-way sign control since the average delay is not a good LOS measure due to zero delays associated with major road lanes.  
 Delay Model: SIDRA Standard (Geometric Delay is included).  
 Queue Model: SIDRA Standard.  
 Gap-Acceptance Capacity: SIDRA Standard (Akçelik M3D).  
 HV (%) values are calculated for All Movement Classes of All Heavy Vehicle Model Designation.

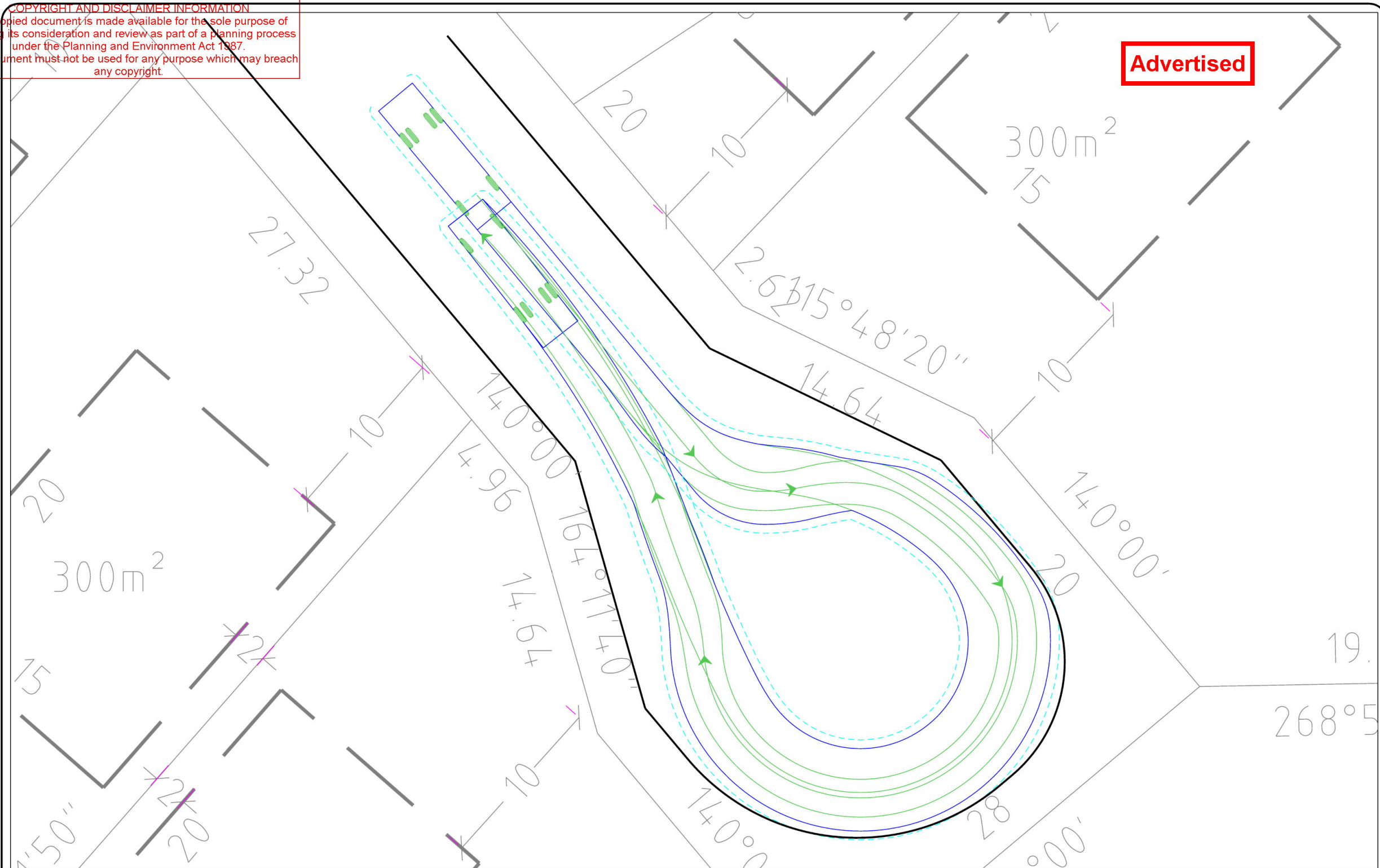
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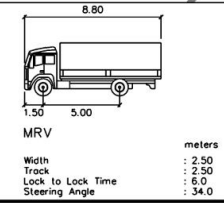
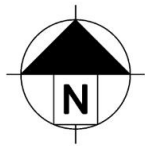
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**8.8m MRV  
 ENTRY/EXIT**  
 104 Melton Road Gisborne  
 1:200 @ A3 27/11/23  
 DWG NO: 25096001

KEY	
	CENTRE LINE OF FRONT WHEELS
	WHEEL PATH
	VEHICLE BODY
	VEHICLE CLEARANCE LINE (500mm FROM VEHICLE BODY)

• Traffic Planning • Transport Planning  
 • Traffic Engineering • Road Safety  
 SUITE 2.03, 789 TOORAK ROAD  
 HAWTHORN EAST, VIC, 3123

**12 DIRECTOR CORPORATE REPORTS**

<b>COR.1</b>	<b>INSTRUMENTS OF APPOINTMENT AND AUTHORISATION</b>
<b>Officer:</b>	<b>Fiona Lang, Governance Officer</b>
<b>Council Plan relationship:</b>	<b>4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>Instruments of Appointment and Authorisation - Vivek Anilkumar and Sue Sinnatt <a href="#">↓</a></b>

**Summary**

This report seeks Council's approval to appoint authorised officers under the *Planning and Environment Act 1987* (the Act) and the *Local Government Act 2020* (the Act) by an Instrument of Appointment and Authorisation. Under these Acts, only Council, by a resolution, can appoint authorised officers who must be employees of Council.

In addition, Council is required to revoke any Instruments for authorised officers who are no longer employees of Council or no longer require authorisation due to transferring departments.

Instruments of Appointment and Authorisation are required for two officers who have recently commenced with Council.

**Recommendation**

**That Council resolves that in the exercise of the powers conferred by section 147(4) of the Planning and Environment Act 1987 and section 313 of the Local Government Act 2020:**

- 1. Council officers named in the Instruments of Appointment and Authorisation provided in Attachment 1 be appointed and authorised;**
- 2. The Instruments of Appointment and Authorisation come into force upon signing and remain in force until Council determines to vary or revoke these;**
- 3. The Instruments of Appointment and Authorisation in Attachment 1 are signed; and**
- 4. The Instrument of Appointment and Authorisation for Amy Swan and Damian Hodgkins be revoked.**

**Background**

The appointment of Authorised Officers allows certain Council officers to act on behalf of Council in the administration and enforcement of various Acts, regulations, or local laws in accordance with the powers granted to them. Under the *Planning and Environment Act 1987* and the *Local Government Act 2020* officers represent the Council in enforcing the provisions of these Acts.

**Discussion**

The following officers are required to be authorised officers under the *Planning and Environment Act 1987* and the *Local Government Act 2020*:



- Vivek Anilkumar, Senior Statutory Planning Officer, commenced 14 October 2024.
- Sue Sinnatt, Senior Statutory Planning Officer, commenced 18 November 2024.

The Instrument of Appointment and Authorisation for the following officers be revoked, as they are no longer employed by Council or have transferred departments and do not require authorisation:

- Amy Swan, Statutory Planning Officer, resigned role 29 August 2024 and transferred departments.
- Damian Hodgkins, Senior Statutory Planning Officer resigned 20 September 2024.

**Consultation and engagement**

Not applicable

**Collaboration**

Not applicable

**Innovation and continuous improvement**

Not applicable

**Relevant law**

This report has been prepared in accordance with the *Local Government Act 2020* and the *Planning and Environment Act 1987*.

The implications of this report have been assessed and are not considered likely to breach or infringe upon the human rights detailed on the Victorian Government's *Charter of Human Rights and Responsibilities Act 2006*.

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report.

**Relevant regional, state and national plans and policies**

Not applicable

**Relevant Council plans and policies**

This recommendation allows Council to maintain the Council Plan 2021-2031 requirement to deliver strong and reliable Government.

**Climate Impact Assessment**

How will the recommendation impact on Council's energy usage and greenhouse emissions profile?

The recommendation will not impact Council's energy usage or greenhouse emissions.

How will the recommendations mitigate risks posed by climate change to Council operations and services?

Not applicable

How will the recommendation help to prepare the community for future climate scenarios?

Not applicable

**Financial viability**

Not applicable

**Sustainability implications**

Not applicable

**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.



**Instrument of Appointment and Authorisation  
(Planning and Environment Act 1987)**

In this instrument "**officer**" means -

**Vivek Anilkumar – Senior Statutory Planning Officer**

**By this instrument of appointment and authorisation** Macedon Ranges Shire Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be **an** authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

**It is declared that** this instrument -

- comes into force immediately upon its execution;
- remains in force until varied or revoked.

This instrument is authorised by a resolution of the Macedon Ranges Shire Council on 18 December 2024

Signed:

---

Mayor, Councillor

Date:

Signed:

---

Chief Executive Officer

Date:



**Instrument of Appointment and Authorisation  
(Planning and Environment Act 1987)**

In this instrument "**officer**" means -

**Sue Sinnatt – Senior Statutory Planning Officer**

**By this instrument of appointment and authorisation** Macedon Ranges Shire Council -

1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be **an** authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

**It is declared that** this instrument -

- comes into force immediately upon its execution;
- remains in force until varied or revoked.

This instrument is authorised by a resolution of the Macedon Ranges Shire Council on 18 December 2024

Signed:

---

Mayor, Councillor

Date:

Signed:

---

Chief Executive Officer

Date:

<b>COR.2</b>	<b>CONTRACTS TO BE AWARDED AS AT DECEMBER 2024</b>
<b>Officer:</b>	<b>Corinne Farley, Coordinator Contracts</b>
<b>Council Plan relationship:</b>	<b>4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>Nil</b>

**Summary**

This report provides details of contracts proposed to be awarded under a delegation from Council, from the date of the last report. Although this report recommends noting the power delegated to Council officers, Council has the power to:

- a) direct that the Chief Executive Officer (CEO) award the contract under the direct delegation from Council; or
- b) specifically delegate the power to the CEO.

**Recommendation**

**That Council grants delegated authority to the Chief Executive Officer to award the following contract C2025-81 Supply Panel Commercial Builders.**

**Background information**

Council’s delegated authority to its officers to award a contract is controlled by the financial value of the contract. The various financial limits of the authority are specified in Appendix 6 of the Procurement Policy.

**Opportunity to review delegated authority**

This report provides Council with a brief summary of proposed contracts, which are being advertised and also indicates whether or not delegated authority to award the contract exists.

**C2025-81 Supply Panel Commercial Builders**

Council is seeking contractors with commercial building licenses, for inclusion on an Approved Supplier list for the provision of construction services. 1.6 This contract is to operate as an open panel arrangement. Council at its discretion can reopen the tender at certain times during the period of this contract to call for new suppliers to be added to the panel. Council may also review the membership of the panel and remove any suppliers at its discretion.

The proposed 10-year contract with an extension option of 10 years exceeds the \$1 million financial delegation of the Chief Executive Officer.

**Consultation and engagement**

The nature of this report does not require any consultation or community engagement.

**Collaboration**

The nature of this report does not require collaboration with other councils, governments or statutory bodies.

**Innovation and continuous improvement**

Council reviews its Procurement Policy regularly, in accordance with the *Local Government Act 2020*. These reviews consider options for innovation and are part of continuous improvement processes.

**Relevant Law**

The *Local Government Act 2020* provides for Council to delegate powers to staff, including the power to award contracts.

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report.

**Relevant regional, state and national plans and policies**

There are no regional, state or national plans and policies that are relevant to the subject matter of this report.

**Relevant Council plans and policies**

The awarding of contracts is undertaken in accordance with the provisions of Council's Procurement Policy.

**Climate Impact Assessment**

How will the recommendation impact on Council's energy usage and greenhouse emissions profile? N/A

How will the recommendations mitigate risks posed by climate change to Council operations and services? N/A

How will the recommendation help to prepare the community for future climate scenarios? N/A

**Financial viability**

Funds for all contracts to be awarded, as listed above, have been provided in the capital and operational budget and future annual budgets.

**Sustainability implications**

Council's Procurement Policy requires staff to procure goods, services and works from suppliers who actively employ sustainable practices in their operations.

**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.

<b>COR.3</b>	<b>ANNUAL COUNCILLOR APPOINTMENTS</b>
<b>Officer:</b>	<b>Lucy Olson, Senior Governance Officer - Council Business</b>
<b>Council Plan relationship:</b>	<b>4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>Councillor appointments to committees - 2024-25 <a href="#">↓</a></b>

### Summary

This report is presented to Council for determining Councillor representation on internal and external committees and organisations from December 2024 till November 2025.

### Recommendation

**That Council appoints the Councillor delegates from December 2024 to November 2025 to the internal and external committees and organisations as specified in the table in Attachment 1.**

---

### Background

Effective representation on relevant internal and external organisations and committees is a critical element of Council's advocacy program. Through its membership of and representation on a diverse range of relevant local, regional and state committees and organisations, Council is well placed to represent and advocate for the interests of the Macedon Ranges Shire Council.

Council has been invited to appoint a delegate or delegates to various external committees and organisations of which it is a member, or to which it subscribes.

These committees and organisations collectively assist Council to plan and develop services and programs and set strategic and policy directions. Membership and participation of committees may include residents, industry or sector specialists, Councillors and/or Council officers.

### Discussion

Council is represented on a range of internal and external committees and organisations. Ensuring that Council has proper appointment of Councillors to these organisations and committees is important for Council's ability to advocate on behalf of the Shire in the different forums. Delegates to advisory committees or external committees and organisations are encouraged to report issues of significance to Council or the Councillor group following attendance at meetings.

There are some internal advisory committees and external organisations that require the Mayor to attend as Mayor ex-officio. There is also an opportunity for Councillors to participate on a range of committees that are important to the future economic, environmental and social sustainability of the municipality. The list of Council advisory committees and external organisations for Councillor representation, at **Attachment 1**, outlines the Mayor ex-officio and number of Councillors to be endorsed on the committee or organisation for December 2024 to November 2025. Councillors have considered their interest in being a Council delegate on the various committees prior to this meeting and will determine their nominated delegates during this meeting.

In addition, **Attachment 1** describes the purpose, structure, membership and meeting frequency for internal and external committees.

**Consultation and engagement**

Officers from across the organisation have contributed to the preparation of this information.

**Collaboration**

There has been no collaboration with other councils or agencies in the preparation of this report.

**Innovation and continuous improvement**

Council's utilises the information and advice gathered through its participation in the various committees, organisations, bodies and associations listed in this report to continuously improve its services and make informed, strategic decisions.

**Relevant law**

The *Local Government Act 2020* provides that Council can establish delegated committees and community assets committees and must establish an Audit and Risk Committee.

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report.

Appointing Councillor representatives to internal advisory committees and external organisations in 2023 to advocate on behalf of the municipal community is consistent with the *Charter of Human Rights and Responsibilities Act 2006*.

**Relevant regional, state and national plans and policies**

There are no regional, state, or national plans or policies, which are applicable to the preparation of this report.

**Relevant Council plans and policies**

The subject matter of this report is in alignment with the Council Plan strategic objective *Delivering strong and reliable government*.

**Climate Impact Assessment**

Not applicable.

**Financial viability**

The current resourcing and support for the operations of these committees, along with funding of membership are included in Council's 2023/24 Budget.

**Sustainability implications**

There are no sustainability implications as a result of the preparation of this report.

**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.



**Councillor Appointments to Internal and External Committees and Organisations**

<b>Committee and Purpose</b>	<b>Number of Delegates</b>	<b>Meeting frequency</b>	<b>Internal/ External</b>	<b>2024/25 delegate/s</b>
<p><b>Chief Executive Officer Employment and Remuneration Committee –</b> The structure of the committee to appraise the performance of the Chief Executive Officer is determined in the CEO Employment and Remuneration Policy.</p>	Mayor and two Councillors	Annually	Internal	Mayor Cr Kendall Cr Scanlon
<p><b>Annual Meeting of Braemar College Ltd -</b> Braemar College was established in the 1970s by the Newham and Woodend Shire (pre-amalgamation) in conjunction with local churches. Every year, a representative from each organisation is invited in their capacity as shareholders to attend the Annual General Meeting of Braemar College.</p>	One Councillor and one substitute delegate	Meets annually in May	External	Cr Scanlon Cr Kendall (substitute)
<p><b>Calder Highway Improvement Committee</b> The Calder Highway Improvement Committee is an Advisory committee to VicRoads and the State Government. The committee advocates for long term investment strategies to deliver improvements to the safety and operation of the Calder Highway from Mildura to Melbourne.</p>	One (1) Councillor delegate and one (1) substitute delegate	Three (3) times annually	External	Cr Borthwick Cr Pearce (substitute)
<p><b>Central Victorian Greenhouse Alliance (CVGA) -</b> The CVGA is one of 10 Local Government Alliances in Victoria and represents a partnership of 13 local governments in the region. Based in Castlemaine, CVGA staff work closely with all members and the state and federal governments to strategically reassess and refocus traditional service.</p>	One (1) Councillor delegate and one (1) Officer proxy	Quarterly	External	Cr Anderson Director Planning and Environment (Proxy)
<p><b>Goldfields Library Corporation Board -</b> The Goldfields Library Corporation is a regional library service serving the City of Greater Bendigo, Loddon Shire Council, Macedon Ranges Shire, and Mount Alexander Shire. Responsibility for the provision and management of the library service rests with the Library Board, which comprises two representatives from each of the four member Councils and is established by the Regional Library Agreement adopted by the member Councils. The responsibilities and authority of the Board include policy determination, strategic planning and service and education.</p>	One (1) Councillor Delegate and one (1) Council officer	Monthly	External	Cr Bonanno Cr Borthwick (proxy)

Committee and Purpose	Number of Delegates	Meeting frequency	Internal/ External	2024/25 delegate/s
<p><b>Macedon Ranges Heritage Council -</b> This group is a representative group of all Historical Societies in the Shire. The MRHC shares ideas and expertise and provides a focal point for the Macedon Ranges Shire Council</p>	Two (2) Councillor delegates	Bi-monthly	External	Cr Joseph Cr Walker
<p><b>Municipal Association of Victoria (MAV) -</b> The MAV is the peak advisory body for councils in Victoria. The objectives of the MAV are to improve community awareness of local government, advocate for and provide leadership and support for the sector. Cr Anderson is on the Board of the MAV representing the North Central Region but the current constitution states she can remain as part of her two-year term even if she is not the nominated representative of Council</p>	One (1) Councillor delegate and two (2) substitute delegates	As needs basis	External	Cr Anderson Cr Young (substitute) Cr Pearce (2nd Substitute)
<p><b>MAV Emergency Management Committee –</b> The Committee provides advice to the MAV on local government emergency management matters identified by the sector in the MAV Strategic Plan, or in response to emergency management sector priority projects</p>	One (1) Councillor delegate and one (1) substitute delegate	Quarterly	External	Cr Young Cr Scanlon (substitute)
<p><b>Rural Councils Victoria Inc (RCV) -</b> RCV represents the interests of rural councils within Victoria it has 38 members. The defined purposes of RCV organisation are to: (1) heighten awareness and understanding of issues that impact on rural communities; (2) assist with building the capacity of rural councils to face challenges; (3) provide leadership on local governance; (4) develop and support rural councils; and (5) develop policy and advocate for rural councils.</p>	One (1) Councillor delegate only for the purpose of voting at the AGM	Annually	External	Cr Walker Cr Kendall (substitute)
<p><b>Workspace Australia –</b> Workspace Australia Ltd (Workspace) is a community 'not for profit' social enterprise which was established to improve employment opportunities for socially disadvantaged individuals thereby reducing the personal and social costs of unemployment. Workspace provides training and enterprise activities for the benefit of individuals seeking employment in Regional Victoria. Workspace operates a number of Social Enterprises that create employment throughout Central Victoria. Workspace has been operating at the business incubator in New Gisborne since 1998.</p>	One (1) Councillor Delegate	Bi-monthly	External	Cr Bonanno

Committee and Purpose	Number of Delegates	Meeting frequency	Internal/ External	2024/25 delegate/s
<p><b>Municipal Fire Management Planning Committee –</b>                      The Macedon Ranges Municipal Fire Management Planning Committee (MFMPC) is responsible for providing a strategic and integrated approach to fire management within the shire.</p>	Any number of Councillors	Quarterly	Internal/ External	Cr Joseph Cr Pearce Cr Borthwick
<p><b>Local Government Working Group on Gambling</b>                      The group provides an opportunity for councillors and council officers from VLGA member councils to come together to hear from informed speakers about current gambling harm prevention research and policy and consider Municipal Public Health and Wellbeing Plan implications and the regulatory environment.</p>	Any number of Councillors	Bi-monthly	External	Cr Anderson Cr Borthwick

<b>COR.4</b>	<b>COUNCIL MEETING DATES 2025</b>
<b>Officer:</b>	<b>Lucy Olson, Senior Governance Officer - Council Business</b>
<b>Council Plan relationship:</b>	<b>4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>Meeting Dates 2025 <a href="#">↓</a></b>

### Summary

This report seeks approval of the proposed Scheduled Council Meeting and Planning Delegated Committee Meeting dates and formats for the 2025 calendar year.

### Recommendation

#### That Council:

1. Approves the proposed meeting schedule for the period 1 January 2025 to 31 December 2025 as outlined in Attachment 1;
2. Notes that Planning Delegated Committee meetings will be held when required on the dates outlined in the schedule at Attachment 1; and
3. Schedules a Submitters Delegated Committee Meeting to be held online at 7pm on Wednesday 19 February 2025 to consider budget submissions and other matters if required.

---

### Background

In accordance with Council's Governance Rules (Sub-rule 13(a)) *The dates, times and places of scheduled meetings will be fixed by a Council resolution from time to time.* In addition, Sub-rule 16(a) states that *Council may determine by resolution, the proposed and preferred format style of meetings (in-person, electronic, or hybrid).* The scheduled of Council Meeting cycle is resolved annually by Council.

This report proposes dates, times and places for scheduled Council Meetings and Planning Delegated Committee Meetings.

Council Meetings are held at the Gisborne Administration Centre, which is the only Council facility that has the capacity to livestream meetings. Meetings have been livestreamed since October 2017 and are available for viewing via Council's website. The Planning Delegated Committee and Submitters Delegated Committee Meetings are held online in accordance with Rule 16 of the Governance Rules that allows for Council to determine the format of meetings. Planning Delegated Committee and Submitters Delegated Committee Meetings are also livestreamed and available for viewing via Council's website.

The purpose of the Planning Delegated Committee is to hear from applicants/land owners and objectors/submitters on statutory and strategic planning matters, including planning applications, and to determine planning matters.

### Discussion

The proposed schedule of Council Meetings and Planning Delegated Committee Meetings for 2025 is outlined in **Attachment 1**. Scheduled Council Meetings have typically been held on the fourth Wednesday of each month, with the exception of December, when it has been

held earlier in the month. In January neither a Scheduled Council Meeting nor a Planning Delegated Committee Meeting is held.

Under the *Local Government Act 2020*, sections 26(4) and 26(5) the date for the open Council meeting for the election of the Mayor must be held on a day to be determined by the Council that is as close to the end of the term of the current Mayor as is reasonably practicable. The 2024 election of the Mayor was held on Friday 22 November 2024, therefore the 2025 Mayoral election is proposed for Tuesday 25 November at 11am.

Meetings of the Planning Delegated Committee are held, if required, online on the second Wednesday of each month, except January, when no meeting is proposed to be held. **Attachment 1** outlines meeting dates for the Planning Delegated Committee until the end of the financial year, to allow Councillors to consider the ongoing format of these meetings and the committee.

All meetings commence at 7pm unless resolved by Council for a different time.

**Consultation and engagement**

Not applicable.

**Collaboration**

Not applicable.

**Innovation and continuous improvement**

Not applicable.

**Relevant law**

All Council meetings are held in accordance with the requirements of the *Local Government Act 2020* and Council's *Governance Rules*.

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report.

Approving the schedule of meetings for 2024 provides members of the municipal community the opportunity to participate in the conduct of public affairs in line with section 18 of *Charter of Human Rights and Responsibilities Act 2006*.

**Relevant regional, state and national plans and policies**

Not applicable.

**Relevant Council plans and policies**

Not applicable.

**Climate Impact Assessment**

Not applicable.

**Financial viability**

Not applicable.

**Sustainability implications**

Not applicable.

**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 – Macedon Ranges Shire Council Schedule of meeting dates for 2025**

<b>Meeting Type</b>	<b>Date</b>	<b>Time</b>	<b>Place</b>
Planning Delegated Committee Meeting	Wednesday, 12 February 2025	7pm	Online
Council Meeting	Wednesday, 26 February 2025	7pm	Gisborne Administration Centre
Planning Delegated Committee Meeting	Wednesday, 12 March 2025	7pm	Online
Council Meeting	Wednesday, 26 March 2025	7pm	Gisborne Administration Centre
Planning Delegated Committee Meeting	Wednesday, 9 April 2025	7pm	Online
Council Meeting	Wednesday, 23 April 2025	7pm	Gisborne Administration Centre
Planning Delegated Committee Meeting	Wednesday, 14 May 2025	7pm	Online
Council Meeting	Wednesday, 28 May 2025	7pm	Gisborne Administration Centre
Planning Delegated Committee Meeting	Wednesday, 11 June 2025	7pm	Online
Council Meeting	Wednesday, 25 June 2025	7pm	Gisborne Administration Centre
Council Meeting	Wednesday, 23 July 2025	7pm	Gisborne Administration Centre
Council Meeting	Wednesday, 27 August 2025	7pm	Gisborne Administration Centre
Council Meeting	Wednesday, 24 September 2025	7pm	Gisborne Administration Centre
Council Meeting	Wednesday, 22 October 2025	7pm	Gisborne Administration Centre
Council Meeting To elect the Mayor	Tuesday, 25 November 2025	11 am	Gisborne Administration Centre
Council Meeting	Wednesday, 26 November 2025	7pm	Gisborne Administration Centre
Council Meeting	Wednesday, 17 December 2025	7pm	Gisborne Administration Centre

<b>COR.5</b>	<b>AUDIT AND RISK COMMITTEE - APPOINTMENT OF CHAIR FOR 2025, EXTENSION OF INDEPENDENT MEMBER AND AUDIT AND RISK COMMITTEE CHARTER</b>
<b>Officer:</b>	<b>Margaux McKenzie, Coordinator Performance and Assurance</b>
<b>Council Plan relationship:</b>	<b>4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>Audit and Risk Committee Charter - Updated Dec 2024 (DRAFT)</b> <a href="#">↓</a>

### Summary

The Audit and Risk Committee comprises two Councillors and four independent members from the Macedon Ranges Shire community. This report seeks for Council to consider an extension of an existing independent member and the appointment of a Chairperson for 2025.

Also included as part of this report is an amendment to the Audit and Risk Committee Charter to include minor changes at the recommendation of the Committee and Officers.

### Recommendation

#### That Council:

- 1. Offers an extension to the appointment of independent member Jonathan Kyvelidis for the period 1 January 2025 to 31 December 2028;**
- 2. Endorses the appointment of independent member Vinitha Pinto as Audit and Risk Committee Chairperson from 1 January 2025 to 31 December 2025; and**
- 3. Approves the attached updated Audit and Risk Committee Charter, to be effective from 19 December 2024, replacing the previous Charter.**

### Background

The Audit and Risk Committee is an independent Advisory Committee of Council, formally appointed by Council pursuant to Section 53 (1) of the Local Government Act 2020.

The purpose of the Audit and Risk Committee is to provide a structured, systematic oversight of Council's governance, risk management and internal control practices.

The Committee's Charter is to facilitate the operation of the Committee and was first adopted by Council at its meeting on 26 August 2020.

### Discussion

#### Extension of Independent Member – Jonathan Kyvelidis

In accordance with the Committee's Charter, independent members may seek an extension of their position. Jonathan Kyvelidis expressed his interest in continuing on the Committee, which was then presented to the Committee at its meeting on 4 December. The Committee have recommended to Council that an extension is offered as follows:



<b>Position</b>	<b>Member</b>	<b>Commencement term</b>	<b>Position due to expire (extension of four years)</b>
Position 3	Jonathan Kyvelidis	1/01/2025	31/12/2028

Appointment of Committee Chairperson for Period 1 January 2025 to 31 December 2025

Consistent with Section 6 of the Charter, the Chairperson shall be appointed from the independent members of the Audit and Risk Committee on an annual basis. The appointment must be endorsed by Council at the next available Council meeting.

At the Audit and Risk Committee Meeting on 4 December 2024, the Committee recommended Vinitha Pinto be appointed as Chair for the period 1 January 2025 to 31 December 2025. The Committee now seeks Council’s endorsement of this recommendation to proceed.

Amendment to the Audit and Risk Committee Charter

The Committee recommended the following changes to the Committee Charter:

- Inclusion of additional item – 4. Composition – Independent members shall complete mandatory training at least once per term, on the prevention and detection of fraud and corruption.

The draft Charter, updated to include this change, is at Attachment 1.

**Consultation and engagement**

The Committee has reviewed, discussed and put forward recommendations to Council on these matters, arising from its December meeting.

**Collaboration**

Collaboration with other councils, governments and/or statutory bodies was not required in relation to this report.

**Innovation and continuous improvement**

The operation of the Committee provides a structured, systematic oversight of Council’s governance, risk management and internal control practices.

The Committee reviews those practices and provides Council with independent advice and guidance regarding the adequacy and effectiveness of management’s practices and potential improvements to those practices.

The Audit and Risk Committee is an important communication forum between the External Auditor, Internal Auditor, management, and Councillors.

The Committee reviews its own performance, and that of its internal and external auditors annually. This information informs the ongoing operation of the Committee and refinements to the Charter, members and Committee practices.

**Relevant law**

The Audit and Risk Committee is established in line with Section 53(1) of the *Local Government Act 2020*, and its functions and responsibilities are outlined in and Section 54(2) of the Act.

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report.

**Relevant regional, state and national plans and policies**

Nil

**Relevant Council plans and policies**

The operation of the Committee is a legislative requirement, which assists Council to deliver on its priority of strong and reliable government and achieve its vision by following good governance processes. Council has an adopted charter for the Committee.

Climate Impact Assessment

Establishment the Audit and Risk Committee enhances Council's oversight and strategic planning, enabling improved identification and management of risks, including those related to climate change impacts on operations and services.

**Financial viability**

There are no financial implications relating to the subject matter of this report that are over and above the current cost of resourcing the Committee.

**Sustainability implications**

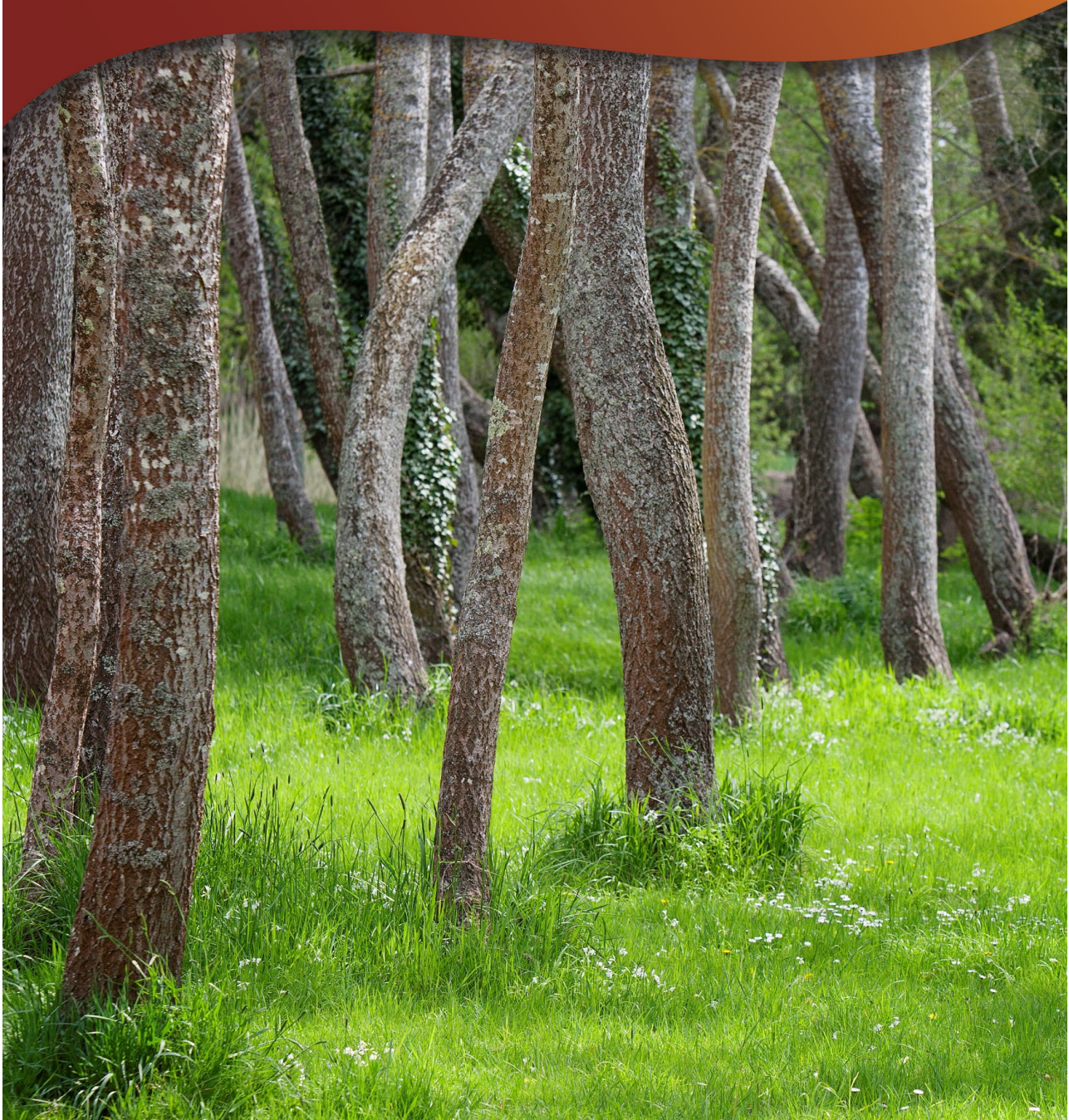
There are no sustainability implications relating to the subject matter of this report.

**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.



# Audit and Risk Committee Charter December 2024



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## Approval

Charter approved by Council	[date to be inserted]
Signed by the Chief Executive Officer	[date to be inserted]

## 1. Purpose

The purpose of this charter is to facilitate the operation of the Council's Audit and Risk Committee (the Committee). This charter is prepared and approved by the Macedon Ranges Shire Council (Council) pursuant to section 54 (1) of the *Local Government Act 2020* (the Act).

## 2. Authority

The Committee is established by the Council in accordance with section 53 (1) of the Act. The Committee is not a delegated committee of Council and does not have executive powers nor authority to implement actions in areas over which Council management (management) has responsibility, nor any delegated financial responsibility. The Committee does not have any management functions and is therefore independent of management.

The Committee has authority to:

- a) Advise Council on the appropriate resolution on any disagreement between management and the Auditor General's Agent (that is, the External Auditor) on financial reporting.
- b) Review all auditing – both planning and outcomes.
- c) Provide input into the scope of internal services that will be sought via tender
- d) Seek any information it requires from Councillors and Council Staff, via the Chief Executive Officer and external parties.
- e) Formally meet, as necessary, with Council Staff, Internal Auditors and External Auditors.

The Chief Executive Officer has responsibility to provide advice to the Audit and Risk Committee in respect to matters before it.

## 3. Objectives

The Committee plays an important role in providing oversight of Council's governance and risk management practices and internal control framework. This oversight mechanism also serves to provide confidence in the integrity of these practices. The Committee performs its role by providing independent oversight to Council in overseeing internal and external audit functions.

The Committee's functions and responsibilities include monitoring the compliance of Council policies and procedures with the overarching general principles set out in section 9(2) of the Act, and the regulations and any Ministerial directions under the Act.

The objectives of the Committee are to oversee:

- the integrity of external financial reporting, including accounting policies
- the scope of work, objectivity, performance and independence of the external and internal auditors
- the establishment, effectiveness and maintenance of controls and systems to safeguard financial and physical resources
- the systems or procedures that are designed to ensure compliance with relevant statutory and regulatory requirements
- the process for recognising risks arising from operations and strategies, and consider the adequacy of measures taken to manage those risks
- the process and systems which protect against fraud and improper activities including the *Public Interest Disclosures Act* (2012) procedures.

The Audit and Risk Committee will conduct itself in accordance with the values and ethics of Council and in accordance with the Act.

The Committee expects that all communication with management and staff of the organisation as well as with any external assurance providers will be direct, open, respectful and complete.

## 4. Composition

Membership of the Audit and Risk Committee is open to any resident, property owner or business operator in the Shire of Macedon Ranges, or to others at the discretion of Council.

- a) The Committee is comprised of six members, two Councillors as delegate members and up to four independent members.
- b) In accordance with section 53(3(c) of the Act, the Committee will not include any person who is a member of Council staff.
- c) The Council will appoint Independent Committee members.
- d) Councillor delegate members shall be appointed annually by Council.
- e) 'Alternates' for Councillor delegate members shall also be appointed annually by Council to substitute Councillors if required to maintain quorum.
- f) 'Alternates' are provided the same rights as the elected Councillor delegate member when declared acting in the role.
- g) The Chair will be independent of Council and management and will be appointed by the Committee annually by election of committee members and ratified by Council.
- h) The Committee is authorised to appoint an Acting Chair, from the independent members, as required.
- i) The members, taken collectively, will have a broad range of skills and experience relevant to the operations of the Council including expertise in financial management and risk and experience in public sector management.
- j) Independent members will be appointed for an initial term of up to four years. Independent members will be subject to a maximum consecutive term of 12 years.
- k) Independent members will be remunerated at a rate set by Council.
- l) New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.
- m) Independent members shall complete mandatory training at least once per term, on the prevention and detection of fraud and corruption.

When determining the composition of the Committee, including independent members and Councillor delegates, Council should give consideration to diversity and inclusion principles to ensure the most equitable representation.

## 5. Meetings

- a) The Committee will meet at least four times a year, with authority to convene additional meetings, as circumstances require.
- b) Additional meetings may be called by the Chair of the Committee, or at the request of the Mayor or Chief Executive Officer.
- c) The Committee meetings are closed to the public.
- d) All Councillors are invited to attend each Committee meeting, and should advise the Chairperson of their intent to attend a meeting.
- e) All Committee members are expected to attend each meeting. Attendance can be in person, via teleconference or video conference.
- f) A quorum of any meeting will be at least two independent members and at least one Councillor.
- g) The Chief Executive Officer will facilitate the meetings of the Committee and invite members of management, internal and external auditors or others to attend meetings as observers and to provide pertinent information, as necessary.
- h) The Committee will develop a forward meeting schedule that includes the dates, location, and content of the annual work program for each meeting for the forthcoming year, that cover all the functions and responsibilities outlined in this charter.

- i) Meeting agendas will be prepared and provided at least five working days in advance to members, along with appropriate briefing materials.
- j) Minutes will be taken at each meeting and circulated to the Chair for review within five working days of the meeting. Approved minutes will be distributed to the Committee for confirmation at the subsequent meeting.

### Secretariat

An officer nominated by the Chief Executive Officer (herein referred to as the “nominated officer”, will have responsibility to manage all administrative matters associated with the Audit and Risk Committee (such as researching issues, coordinating reports to the Audit and Risk Committee, preparing agendas, organising meetings, preparing minutes, coordinating reports to Council and the recruitment process for independent members).

## 6. Responsibilities

The Committee will carry out the following functions and responsibilities:

### Risk Management

To obtain reasonable assurance regarding risk management practices, the Audit and Risk Committee has a responsibility regarding significant risks, being those that are ‘State Significant’, rated Extreme, High or Moderate, and/or, have not previously been identified in risk management processes, are systemic in their origin, not currently controlled, or have not been sufficiently mitigated to prevent the possibility of serious impacts. The Audit and Risk Committee will.:

- Provide oversight on significant strategic and operational risk exposures and control issues, including fraud and corruption risks, governance issues, Council’s internal control framework and other matters needed or requested by Council.
- Monitor the effectiveness of Council’s risk management framework and assess the impact on its control environment and insurance arrangements.
- Monitor Council’s risk appetite, risk culture and the degree of alignment with Council’s risk profile.
- Monitor Council’s treatment plans for significant risks, including the timeliness of mitigating actions and progress against those plans.
- Review Council’s Quarterly Risk Management Reports.
- Monitor Council’s approach to business continuity planning arrangements, including whether business continuity and disaster recovery plans have been regularly updated and tested.

### Fraud and corruption

To obtain reasonable assurance regarding procedures for the prevention and detection of fraud, and corruption the Audit and Risk Committee will:

- Oversee management’s arrangements for the prevention and deterrence of fraud and corruption.
- Challenge management and internal and external auditors to ensure that appropriate anti-fraud and corruption programs and controls are in place to identify potential fraud and recommend that appropriate investigations are undertaken if fraud is detected.
- Monitor and provide advice on fraud prevention systems and controls to assist Council in ensuring it has appropriate processes and systems in place to detect, capture and effectively respond to fraud and improper activities.

### Reporting

- Monitor Council’s financial and performance reporting at regular intervals.
- Review significant accounting and reporting issues, including complex or unusual transactions

and highly judgemental areas, and recent accounting, professional and regulatory pronouncements, and legislative changes, and understand their effect on the financial report.

- Review the annual financial report and annual performance statement and consider whether they are complete, consistent with information known to Committee members, reflect appropriate accounting treatments and adequately disclose Council's financial performance and position
- Recommend the adoption of the Annual Financial Statements and Annual Performance Statement to Council.
- Understand strategies, assumptions and estimates that management has made in preparing financial statements, budgets, and investment plans.
- Receive details of all reimbursements of expenses of Councillors and members of a delegated committee.

### Internal audit

To obtain reasonable assurance regarding work of the internal audit providers, the Audit and Risk Committee will:

- Review and monitor the charter, activities, resourcing, and structure of the internal audit function.
- Review the annual audit plan (or changes to the plan).
- Ensure the annual audit plan is linked with and covers the material business risks as shown in Council's risk register.
- Review all internal audit reports and provide advice to the Council on significant issues identified in audit reports and action to be taken on issues raised, including identification and dissemination of good practice.
- Review and track management's action plans to address the results of internal audit engagements.
- Monitor processes and practices to ensure that the independence of audit function is maintained.
- As part of the Committee's annual assessment of performance, determine level of satisfaction with internal audit function.
- Provide an opportunity for the Committee to meet with the Internal Auditor to discuss any matters that the Committee or internal auditor believes should be discussed in-camera.

### External audit

To obtain reasonable assurance with regarding of the external assurance providers, the Audit and Risk Committee will:

- Meet with the external auditor during the planning phase of the engagement, the presentation of the audited financial statements, and the discussion of the results of engagements and recommendations for management.
- Note the external auditor's proposed audit scope and approach, including any reliance on internal auditor activity.
- Monitor significant findings and recommendations made by the external auditor, and that management's responses are appropriate and acted upon in a timely manner
- Receive the External Auditors Final Management Letter and monitor management's progress on action plans.
- Monitor the findings and recommendations of any relevant performance audits undertaken by VAGO and Council's responses to them.
- Provide an opportunity for the Committee to meet with the External Auditors, to discuss any matters that the Committee or the external auditors believe should be discussed in-camera.
- Annually assess the performance of the External Auditor.



## Compliance

- Monitor the compliance of Council policies and procedures with the overarching governance principles of the Act, the regulations and any ministerial directors.
- Review the effectiveness of the system for monitoring compliance with legislation and regulations and the results of management's investigation and follow-up (including disciplinary action) of any instances of non-compliance.
- Keep informed of the findings of any examinations by regulatory agencies, and any auditor (internal or external) observations and monitor management's response to these findings.
- Obtain regular updates from management about compliance matters.

## Other

In addition, the Committee will:

- Perform other activities related to this Charter as requested by Council.
- Annually review and assess the adequacy of this charter, request Council approval for proposed changes, and ensure appropriate disclosure as might be required by legislation or regulation.
- Prepare a biannual audit and risk report that describes the committee's activities and includes its findings and recommendations and provide a copy of the biannual report to the Chief Executive Officer for tabling at the next Council Meeting.
- Undertake an annual assessment of the Committee's performance against this charter and provide a copy of the annual assessment to the Chief Executive Officer for tabling at the next Council meeting in accordance with section 54 (4)(a) and (b) of the Act.

## 7. Professional Conduct

Section 123 (misuse of position), 125 (confidential information) and Division 2 of Part 6 (conflict of interest) of the Act apply to a member of the Audit and Risk Committee who is not a Councillor as if the member were a member of a delegated committee.

### Misuse of Position

Committee members must not intentionally misuse their position to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person, or cause, or attempt to cause, detriment to Council or another person.

### Confidential Information

Committee members must not intentionally or recklessly disclose information that they know, or should reasonably know, is confidential information.

Independent Committee Members will be required to sign a Confidentiality Agreement upon commencement of their term.

### Conflict of Interest

A conflict of interest is where a Committee Member has a private interest that could improperly influence, or be seen to influence, their decisions or actions in the performance of their public duties as a Committee Member.

Committee Members must disclose any conflicts of interest to the Committee. Where the conflict is related to the Chair of the Audit and Risk Committee it must be disclosed to the Chief Executive Officer.

Once a conflict of interest is identified the member of the Audit and Risk Committee must:

1. Disclose the conflict of interest immediately before the matter is considered in the meeting, including the:
  - Type of interest and class; and
  - The nature of the interest.
2. Notify the Chair that they are leaving the meeting.
3. Leave the meeting while the matter is being considered and await the Chair's direction to return.

If details are private in nature then the nature of the interest can be declared to the Chair in writing prior to the meeting and the disclosure will simply be the type of interest and class. Disclosure of conflicts of interest must be minuted.

Independent Committee Members of the Audit and Risk Committee will be required to sign an Initial Personal Interests Form upon commencement of their term, and an annual Personal Interests Return. In addition they will be required to confirm the declaration made in their Personal Interests Form remains unchanged at each Audit and Risk Committee Meeting as a standing agenda item.

### Professional Conduct Definitions

**Private Interests** means anything that can influence a Committee Member. Private interests include direct interests, such as a Committee Member's own personal, family, professional or business interests, as well as indirect interests, such as the personal, family, professional or business interests of individuals or groups with whom the Committee Member is, or was recently, closely associated. Private interests may be financial (pecuniary) or non-financial.

**Financial interests** involve an actual, potential or perceived financial gain or loss. Money does not need to change hands for an interest to be financial. People have a financial interest if they (or a relative, or a close associate) own property, hold shares, have a position in a company bidding for government work, or receive benefits such as concessions, discounts, gifts or hospitality from a particular source related to the public entity.

**Non-financial interests** involve any tendency toward favour or prejudice resulting from friendship, animosity, or other personal involvement with another person or group. They include personal or family relationships, or involvement in sporting, social or cultural activities. If personal values are likely to impact on the proper performance of public duty, then these can also lead to a conflict of interest. Enmity as well as friendship can give rise to a non-financial conflict of interest.

**Conflict of Duty** arise when a person is required to fulfil two or more roles that may be in conflict with each other, and can be actual, potential or perceived conflicts of duty. This situation is sometimes known as 'wearing two hats'. For example, a Committee Member may also hold a position as a public servant, or they may be a member of the board of another public entity or body. A conflict of duty may also arise through a Committee Member having official duties to other Commonwealth and local government bodies, community and professional associations or non-governmental organisations.

**Conflict of Loyalty** Committee Members may have a conflict of loyalty that is they may have competing loyalties between a not for profit to which they owe a primary duty and some other person or entity. This could include funding bodies that nominate Committee Members, so called 'representative' Committee Members from a particular interest group. It could also extend to friendship and personal beliefs in some circumstances.

<b>COR.6</b>	<b>AUDIT AND RISK COMMITTEE BIENNIAL REPORT - DECEMBER 2024</b>
<b>Officer:</b>	<b>Margaux McKenzie, Coordinator Performance and Assurance</b>
<b>Council Plan relationship:</b>	<b>4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>Audit and Risk Committee Biannual Report (under separate cover)</b>

### Summary

This report ensures Council transparently discloses a summary of the key matters discussed at the Audit and Risk Committee meetings during the second half of the 2024 calendar year.

The report also ensures the requirements of the Audit and Risk Committee Charter are met by providing a biannual report to Council that summarises the work of the Committee performed, to fully discharge its responsibilities.

The Audit and Risk Committee Biannual Report – December 2024 is attached and the Chairperson, Vinitha Pinto will attend the Council Meeting to present the report.

### Recommendation

**That Council notes the Audit and Risk Committee Biannual Report – December 2024 and thanks the committee for the report.**

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### Background

The Audit and Risk Committee was formally appointed under section 53 of the *Local Government Act 2020* (LGA) as an advisory committee to Council.

### Discussion

The biannual report of the Audit and Risk Committee has been prepared and tabled for Council to consider. The provision of this report to Council is in line with the requirement in the Audit and Risk Committee Charter to, on a biannual basis, provide an audit and risk report that describes the activities of the committee. It also ensures Council is compliant with section 54 (5) (a) of the LGA.

A summary of the work performed by the committee during the first quarters of 2024/25 financial year is as follows:

- Internal Audit:
  - Review of Business Continuity Planning & Disaster Recovery
  - Review of Statutory Planning Enforcement – Progress Plan
  - Review of Strategic Internal Audit Strategy 2024/25
- External Audit:
  - 2023/24 Financial Statement
  - 2023/24 Performance Statement

- 2023/24 Audit Closing Report
- 2023/24 Audit Final Management Letter
- External Audit Reports and regular update from the Victorian Auditor-General's Offices which included the following:
  - VAGO Annual Work Plan
  - Current or planned Performance Audits undertaken by VAGO
  - Parliamentary Reports tabled by VAGO
  - Operations undertaken by the Independent Broad-based Anti-Corruption Commission
  - Local Government Reports
  - Active governance matters across Victorian Municipal Councils
  - Performance Audits within local government sector undertaken by other Australian audit offices
- Internal / Management Reports:
  - Risk Management:
    - Key highlights and emerging risks
    - Risk Management report
  - Information Services:
    - Information Services Update
  - Finance and Reporting
    - Finance report
    - Report of Operations
    - Fraud and Corruption report
    - Reimbursement of Expenditure for Councillors and Delegated Committees
    - Budget 2024/25 and Council Plan 2021-2031 (Year 4 Actions 2024/25)
    - Management progress outstanding responses – audit actions
  - Other Reports
    - Policies Register Report
    - Assessments of the performance of internal and external audit, and a self-assessment of the Audit and Risk Committee's performance
    - Review of Audit and Risk Committee Charter

### **Consultation and engagement**

The Audit and Risk Committee received a draft version of the attached report at its December 2024 meeting and were encouraged to provide feedback.

### **Collaboration**

Collaboration with other councils, governments and/or statutory bodies was not required in relation to this report.

**Innovation and continuous improvement**

The operation of the Audit and Risk Committee provides a structured, systematic oversight of Council's governance, risk management and internal control practices.

The committee reviews those practices and provides Council with independent advice and guidance regarding the adequacy and effectiveness of management's practices and potential improvements to those practices.

The Audit and Risk Committee is an important communication forum between the external auditor, internal auditor, management, and Councillors.

**Relevant law**

The Audit and Risk Committee is established in line with the LGA 2020.

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report.

**Relevant regional, state and national plans and policies**

Nil

**Relevant Council plans and policies**

The operation of the Audit and Risk Committee is a legislative requirement, which assists Council to deliver on its priority of strong and reliable government and achieve its vision by following good governance processes. Council has an adopted Charter for the Committee.

**Climate Impact Assessment**

Establishment the Audit and Risk Committee enhances Council's oversight and strategic planning, enabling improved identification and management of risks, including those related to climate change impacts on operations and services.

**Financial viability**

Council's Audit and Risk Committee provides oversight of Council's risk framework effectiveness, including monitoring financial performance, fraud prevention and other key risks. This report makes transparent how the work the Committee undertakes helps to ensure sufficient oversight of these matters, as well as meeting legislative requirements.

**Sustainability implications**

Council's Audit and Risk Committee provides oversight of Council's risk framework effectiveness, including management of environmental risks and the impact of climate change. This report makes transparent how the work of the Committee helps to ensure sustainability is considered by Council in line with strategies, plans and policies, as well as legislative requirements.

**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.

**13 DIRECTOR COMMUNITY REPORTS**

<b>COM.1</b>	<b>SMALL PROJECT GRANTS - DECEMBER 2024</b>
<b>Officer:</b>	<b>Lisa Richards, Community Projects Officer</b>
<b>Council Plan relationship:</b>	<b>1. Connecting communities 2. Healthy environment, healthy people</b>
<b>Attachments:</b>	<b>Nil</b>

**Summary**

The Small Project Grants program supports projects and initiatives that:

- support local needs.
- are unlikely to be funded by other Council funding programs or non-Council funding programs; and
- align with Council Plan priorities.

Council’s Small Projects Grant budget for 24/25 is \$30,000 and not-for-profit groups can apply for a maximum of \$3000 per application.

Applications are assessed against set criteria outlined in the Small Projects Grant guidelines. Funding recommendations are presented monthly at a Scheduled Council meeting for review and/or approval.

Two applications have been received, seeking a total of \$5750.00.00 in funding. The applications have been evaluated against the eligibility criteria and are deemed to be eligible.

**Recommendation**

**That Council:**

- 1. Approves the awarding of a \$3000.00 Small Projects Grant to Woodend Art Group, for their Beginners Learn to Draw and Paint project and**
- 2. Approves the awarding of a \$2750.00 Small Projects Grant to Woodend Golf Club, for Golf Sets for their Women’s Program project.**

---

**Background**

Detailed eligibility and scoring criteria are available in the Small Projects Grant guidelines which is available on Council’s website.

Assessment Process

All applications are assessed by a panel of Council officers that will additionally include subject matter experts depending on the nature of the application and assessed in accordance with Council’s Community Grants Policy.

Applications will be assessed on four broad criteria, which include:

1. Evidence of Need,
2. Alignment to Council priorities

3. Community Benefit
4. Ability to Deliver to Project

### Discussion

Two applications have been received, seeking a total of \$5750.00 in funding. The applications have been evaluated against eligibility criteria and meet program requirements. These applications include:

#### Project 1

*Title/Organisation:* Woodend Art Group Inc

*Project Description/summary:* Beginners Learn to Draw and Paint. This project will provide free learn to draw and paint classes for beginners. The Woodend Arts Group has an experienced tutor to run these classes, and they would run for a term of 8 weeks. The project is directly responding to identified community needs and aims to reduce barriers to participation in creative arts, while also contributing to the growth and ongoing sustainability of the group.

*Consultation and Collaboration:* The group contacted the Community Projects Officer prior to making an application.

*Gender Impact Assessment:* Gender-neutral

*Officer Comments:*

The Woodend Art Group has requested \$3000 to run a free 8-week course in Beginners Learn to Draw and Paint course. The aim of the course is to reduce barriers to participation, encourage participation and social connection through the creative arts and increase membership to support the ongoing sustainability of the group. This project aligns with the Council Plan priorities Connecting Communities and Healthy Environment, Healthy People.

The group has established relationships with the Woodend Neighbourhood House, Rotary and Gem Life and is seeking to engage participants from these partners.

The Assessment Panel supports this project in its aim to address social isolation, reduce financial barriers to participation and encourage community connection.

The panel recommends that the group contact Council's Creative Venues team to discuss further strategies for increasing membership. It is also recommended that a revised risk management plan be submitted as a Condition of Funding.

The Assessment Panel recommends this project for funding on the condition that a revised risk management plan is submitted.

#### Project 2

*Title/Organisation:* Woodend Golf Club

*Project Description/summary:* New Golf Sets for the Women's Program. The purchase of new golf sets for the women's golf program, Changing the Game, will reduce barriers to women's participation in golf, create greater opportunities for inclusivity and promote increased involvement of women in sport.

*Consultation and Collaboration:* Community Projects Officer Lisa Richards consulted with the group following an initial submission that was missing key information. A revised application was submitted during the October grant round.

*Gender Impact Assessment:* Gender-specific

*Officer Comments:* The original application submitted was missing key information affecting eligibility. This information was later provided upon request, satisfying eligibility requirements.

The Woodend Golf Club received a State Government grant as part of the Changing the Game program. The state government grant does not cover the purchase of equipment. The aim of this application is to purchase gender-specific golf sets enabling women to participate in the program. This project aligns with Council Plan priorities Connecting Communities and Health Environment, Health People.

The Assessment Panel recommends this project for funding.

**Innovation and continuous improvement**

Council is committed to innovation and continuous improvement in relation to the Small Project Grants. Officers regularly review the promotion of the program and seek out new ways to encourage new and diverse community groups to access this Small Projects Grant program.

**Relevant law**

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment has been conducted in relation to the subject matter of this report

The Assessment Panel applies a gender lens to their assessment process, and applicants must respond to questions in consideration of gender in relation to their project.

**Relevant regional, state and national plans and policies**

Not Applicable

**Relevant Council plans and policies**

Council Plan 2021-2031

Community Grants Policy

Climate Impact Assessment

How will the recommendation impact on Council’s energy usage and greenhouse emissions profile? No impact to Council’s energy usage and greenhouse emissions profile.

How will the recommendations mitigate risks posed by climate change to Council operations and services? No impact.

How will the recommendation help to prepare the community for future climate scenarios? These are community-building and connecting activities, offering opportunities for community to be active and engaged, which supports preparedness for future challenges such as climate-related emergencies.

**Financial viability**

The table below outlines a summary of the applications to date in the 24/25 financial year.

<b>Applications allocated to date</b>	<b>Funding available</b>	<b>Applications in this report</b>	<b>Amount requested in this report</b>	<b>Amount remaining if approved</b>
1	\$28,495.00	2	\$5750.00	\$22,745.00



**Sustainability implications**

**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.

<b>COM.2</b>	<b>INTEGRATION OF THE MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN, DISABILITY ACTION PLAN, AND COUNCIL PLAN</b>
<b>Officer:</b>	<b>Jayde McBurnie, Coordinator Community and Social Planning</b>
<b>Council Plan relationship:</b>	<b>4. Delivering strong and reliable government</b>
<b>Attachments:</b>	<b>Nil</b>

### Summary

There is an opportunity to integrate the next iterations of the Council Plan, Disability Action Plan and Municipal Public Health and Wellbeing Plan, all of which are due to be renewed by October 2025, to maintain legislative compliance.

This report seeks adoption from Council on the decision to integrate these plans to ensure Council officers can proceed and meet the required adoption timelines.

### Recommendation

**That Council integrates the Council Plan, Disability Action Plan and Municipal Public Health and Wellbeing Plan, into one central Plan for our community.**

### Background

#### Council Plan

The *Local Government Act 2020* requires the Council Plan to be adopted by Council by 31 October in the year following a general election.

#### Municipal Public Health and Wellbeing Plan

Under s26(1), the *Public Health and Wellbeing Act 2008* requires councils to prepare a Municipal Public Health and Wellbeing Plan within 12 months following a general election.

Within s27(2a) of the *Public Health and Wellbeing Act 2008* it is noted that Council can apply for an exemption from complying with s26(1) so long as it addresses matters specified in s26(2) in its Council Plan, to be prepared under section 90 of the *Local Government Act 2020*.

If Council adopts the recommendation to integrate, the matters referenced in s26(2) of the *Public Health and Wellbeing Act 2008* must be included in the Council Plan, these include:

- An examination of data about health status and health determinants in the municipal district.
- Goals and strategies based on available evidence for creating a local community in which people can achieve maximum health and wellbeing.
- Measures to prevent family violence and respond to the needs of victims of family violence in the local community.
- The involvement of people in the local community in developing, implementing and evaluating the Plan.
- Specification of how Council will work in partnership with the Department of Health and any other agencies undertaking public health initiatives, projects and programs to accomplish the goals and strategies identified in the Plan.

Officers note that in adopting the decision to integrate, Councillors acknowledge that the Council Plan will feature these aspects to ensure that the Plan is approved exempt by the Department of Health under s27(2a).

### Disability Action Plan

Under s38(1) of the *Disability Act 2006* Council must ensure that a disability action plan is prepared for the purposes of:

- Reducing barriers to persons with a disability accessing goods, services and facilities.
- Reducing barriers to persons with a disability obtaining and maintaining employment.
- Promoting inclusion and participation in the community of persons with a disability.
- Achieving tangible changes in attitudes and practices which discriminate against persons with a disability.

S38(2) notes that any plan prepared and submitted is to be taken as a Disability Action Plan, and S38(5a) articulates that this can be the Council Plan, so long as it addresses the matters outlined under s38(1).

Officers note that in adopting the decision to integrate, Councillors acknowledge that the Council Plan will feature these aspects to ensure that the Plan is compliant.

While the *Disability Act 2006* does not specify a timeframe for adoption like the previously noted legislation, Council's current Disability Action Plan was adopted on 27 October 2021, and lasts for a period of four years. As such, a new (or alternative) plan needs to be adopted by 27 October 2025.

### **Discussion**

A report submitted to Council on 28 October 2024 titled *Community Directorate Integrated Annual Report 2023-2024 and Action Plan 2024-2025* outlined the completed and remaining actions for both the *Disability Action Plan 2021-2025* and the *Municipal Public Health and Wellbeing Plan 2021-2025*.

This report highlighted the alignment between the goals and actions identified through both plans with the strategic objectives and priorities outlined in the Council Plan. The report also outlined challenges in resourcing the development, implementation and reporting of the respective plans, as well as the significant overlap and duplication across the plans.

These findings highlighted the need for a streamlined approach moving forward, which would be enabled through the integration of these plans, with the Council Plan.

### Risks

- (1) The integrated plan submitted to the Department of Health is not provided an exemption as required under 27(2a).

#### *Mitigation strategy:*

- The Department of Health provides clear guidance notes and checklists to support the provision of exemptions under s27(2a) of the *Public Health and Wellbeing Act 2008*, officers will ensure a successful exemption by following these advice notes closely to ensure that all inclusions such as those under s26(2) are implemented.
- (2) People with disability lose transparency on the specific goals and strategies that relate to delivering on their needs that would otherwise be clearly communicated through a stand-alone plan.

*Mitigation strategies:*

- There is narrative included in the integrated plan which highlights the needs of people with disability and how they are being responded to, [see an example from City of Melton \(page 18\)](#).
  - Symbols are utilised throughout the plan's strategic objectives and priorities to highlight which activities relate to the disability action plan aspect of the integrated plan.
  - The Plan, once adopted:
    - Is translated into accessible formats (i.e. Easy Read), which will also be made available alongside the adopted plan on Council's website.
    - Companion documents/collateral are developed which clearly articulate the priorities that relate to the needs of people with disabilities.
  - Reporting in Council's Annual Report provides a transparent account of work undertaken to progress outcomes for people with disabilities.
- (3) Health, wellbeing and community stakeholders lose sight of regional municipal health and wellbeing priorities that would otherwise be clearly identifiable in a stand-alone plan.

*Mitigation strategies:*

- There is narrative included in the integrated plan which clearly articulates health and wellbeing priorities and their alignment to state and catchment health plans, [see an example from the City of Darebin \(page 34\)](#).
- Symbols are utilised throughout the plan's strategic objectives and priorities to highlight which activities relate to health and wellbeing outcomes, [see an example from the City of Melbourne \(page 14\)](#).
- Companion documents/collateral are developed once the plan is adopted, clearly articulating the priorities related to health and wellbeing.
- Reporting in Council's Annual Report provides a transparent account of work undertaken to progress health and wellbeing outcomes.

**Benefits**

- (1) Streamlined and consolidated use of resources in the plan's development will allow for a more significant investment in developing one strategic plan rather than spreading resources across three.
- (2) Reducing duplication of efforts across numerous plans will facilitate consolidated and collaborative efforts across Council enabling a more significant impact.
- (3) Integration of the Municipal Public Health and Wellbeing Plan and Council Plan allows for greater realisation of Council's roles in addressing health determinants, as they link broadly to many different areas across Council and its core services.
- (4) Integration of the Disability Action Plan and Council Plan allows for greater realisation of Council's roles in addressing access, inclusion, participation and employment, as these relate to many different areas of Council and its core services.
- (5) A centralised point of reference for community members seeking to understand what Council's key priorities are, as opposed to having to review and seek to understand multiple plans, there will instead be one plan they can be directed to.

**Consultation and engagement**

Community engagement and stakeholder consultation will be required to inform the development of the plan/s noted within this report.

Officers intend to deliver targeted engagement with stakeholders associated with disability and health and people with disabilities to ensure their inputs are prioritised to support a successful integration.

**Collaboration**

Recommendations in this report are consistent with advice notes and advice provided by the Department of Health and the Municipal Association of Victoria.

The officers responsible for these separate plans have collaborated on the recommendations provided in this report.

**Innovation and continuous improvement**

This report acts on findings presented to Council within the *Community Directorate Integrated Annual Report 2023-2024 and Action Plan 2024-2025* on 28 October 2024.

**Relevant law**

This report notes that the content relates to options for maintaining compliance with the *Public Health and Wellbeing Act 2008 and Disability Act 2006*.

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report. However, a Gender Impact Assessment may be required on the integrated plan referred to in this report.

**Relevant regional, state and national plans and policies**

[Victorian Public Health and Wellbeing Plan 2023–27](#)

[The Loddon Mallee Population Health Plan 2023-2025](#)

**Relevant Council plans and policies**

The topics included in this report relate to Council's strategic planning framework, Community Vision and Council Plan.

**Climate Impact Assessment**

How will the recommendation impact on Council's energy usage and greenhouse emissions profile? Not applicable.

How will the recommendations mitigate risks posed by climate change to Council operations and services? Not applicable.

How will the recommendation help to prepare the community for future climate scenarios? Not applicable.

**Financial viability**

Not applicable.

**Sustainability implications**

Not applicable.

**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.

<b>COM.3</b>	<b>RECONCILIATION PLAN 2024-2027 DRAFT UPDATE</b>
<b>Officer:</b>	<b>Maria Loriente, Community Partnerships Officer</b>
<b>Council Plan relationship:</b>	<b>1. Connecting communities 2. Healthy environment, healthy people 3. Business and tourism</b>
<b>Attachments:</b>	<b>Nil</b>

### Summary

This report provides an update on the progress of the draft Reconciliation Plan 2024-2027 following further consultation with the three Macedon Ranges Traditional Owner groups.

Officers plan to submit the updated draft Reconciliation Plan for Council consideration in the first half of 2025, to enable appropriate engagement with the newly elected Councillor group.

### Recommendation

**That Councillors note an updated draft Reconciliation Plan will be presented for consideration in 2025.**

### Background

With the Innovate Reconciliation Action Plan approaching finalisation in June 2024, planning commenced for the development of Council's second Reconciliation Plan in late 2023. Council officers engaged a First Nations consultant to assist in the development of the new Reconciliation Plan. Consultations were conducted by the consultant with Traditional Owner Groups, stakeholders and First Nations community between December 2023 and March 2024. Feedback was captured and reported to Council in July 2024. The report captured respondents as either First Nations or Non-First Nations and differentiated between internal and external to the organisation.

The consultant report provided a basis to develop a draft Reconciliation Plan. The draft Plan was presented to Council in July 2024 and received approval to be released for public consultation.

Community consultation of the draft Reconciliation Plan was open for public comment over a four-week period from 25 July to 22 August 2024. This consultation included:

- 'Your Say' online feedback
- media releases
- social media posts
- direct email contact
- face-to-face drop-in sessions for community, 19 and 20 August
- face-to-face drop-in sessions for Council officers, 7 and 8 August

A summary of the feedback with an updated version of the plan was presented to Council in September 2024 following these consultations.

**Discussion**

Based on all feedback received, it was recommended that further formal consultations should be held with the Traditional Owners (TOs) DJAARA (Dja Dja Wurrung Clans Aboriginal Corporation), Taungurung Land and Waters Council (TLaWC) and Wurundjeri Woi-wurrung Cultural Aboriginal Heritage Corporation (Wurundjeri Woi-wurrung).

Reconciliation provides an opportunity to strengthen relationships between First Nations peoples and non-Indigenous peoples to benefit all Australians. Moving forward with the Reconciliation Plan 2024-27 demonstrates Council's sustained commitment and identified vision for Reconciliation.

**Consultation and engagement**Traditional Owner consultation format

The subsequent consultation framework was followed allowing opportunities to incorporate the feedback and time to follow up to confirm the meaningful integration of the recommendations into the Reconciliation Plan.

- (1) Initial meetings to discuss content of actions and deliverables within the Reconciliation Plan, and to seek feedback.
- (2) The Plan is updated to include feedback and resubmitted to Traditional Owner groups prior to second meeting.
- (3) A second optional meeting provides an opportunity to discuss the amended Reconciliation Plan. DJAARA and Wurundjeri Woi-wurrung engaged in a second meeting.

Traditional Owner consultations

Consultation meetings were held with all three Traditional Owner groups between October and November 2024, providing valuable feedback to incorporate into the Reconciliation Plan. The feedback was considered and noted, and the necessary changes were incorporated into the next iteration of the Reconciliation Plan (Appendix 1).

DJAARA

Initial feedback from DJAARA and identified that:

- alignment with Dhelkunya Dja Country Plan 2014-2034 (Dhelkunya Dja) was not immediately clear.
- the Reconciliation Plan should reflect and provide comment on whether the Dhelkunya Dja plan has been considered.
- incorporation and allocation of self-determination principals into planning and decision making.
- procurement actions should consider capabilities of Traditional Owners
- identification of resourcing to support TO engagement
- consideration should be given to the Victorian Aboriginal and Local Government Strategic Framework (VALGS) and the strategic pillars of the Victorian Aboriginal Affairs Framework 2018-2023 (VAAF) and the Self-Determination Reform Framework:
  - prioritise culture.
  - address trauma and support healing.
  - address racism and promote cultural safety.



- transfer power and resources to communities.

The formal consultation on 14 November 2024 with DJAARA representatives provided an opportunity for Council to demonstrate where the above feedback had been incorporated and considered.

Representatives confirmed that DJAARA strategies had been acknowledged throughout the amended Plan. The Reconciliation Plan's alignment to these strategies will allow opportunity for partnership development with DJAARA.

#### Wurundjeri Woi-wurrung Cultural Aboriginal Heritage Corporation

Wurundjeri Woi-wurrung representatives provided the following feedback:

- recommended referencing actions embedded in other plans for consistency and acknowledging existing state-level strategies and resources.
- highlighted the need for clear advocacy processes for First Nations issues and prioritising cultural safety in all practices.
- stressed the importance of cultural awareness training, particularly for managers, leaders, and supervisors of First Nations staff.
- Council urged to recognise the cultural load on First Nations staff and its impact, advocating for processes that account for their availability and capacity.
- recommended conducting an organisational audit to ensure alignment with cultural safety standards and best practices.
- recommended to address Indigenous employment through targeted policies.
- proposed workshops to support First Nations businesses with grants, tenders, and capacity-building opportunities.
- encouraged establishing clear processes for reporting culturally unsafe practices and improving grant support for borderline applications.
- urged Council to consider the tight timelines listed, and whether they align with TO availability.
- advocated for MRSC to consider Kinaway membership to strengthen support for First Nations enterprises.

#### Taungurung Land and Waters Council (TLaWC)

TLaWC provided the following feedback:

- timelines need greater specificity, e.g., "by the end of Year 1 in 2025, accountability for all actions must be demonstrated with no 'ongoing' actions".
- clarify responsibilities, as 24 actions currently sit with one officer.
- success is defined by executive officers completing cultural competency training, connecting with Country, and demonstrating engagement in their roles; senior leaders should actively participate in cultural awareness and competency efforts.
- actions should be specific, measurable, and time-bound, with clear quotas; for example, executives must complete training within Year 1, tied to measurable outcomes.
- leverage existing state-level work by collecting agency documents to refine or remove duplicate actions.

- map and celebrate successes, sharing wins with both the community and the organisation.
- ensure leadership buy-in for budgets and resources; consider including external community members in the working group and compensating them.
- include an action item to secure funding for resourcing the plan if needed.
- incorporate TLaWC recognition dates beyond Reconciliation Week
- ensure the Reconciliation Working Group includes external community members and First Nations peoples.
- align actions with TO plans, priorities, and aspirations, ensuring clarity in the process.

### **Collaboration**

The process to develop the draft Reconciliation Plan 2024-27 has included considerable internal consultation, with individual officers and the Reconciliation Working Group. Formal engagement of the three Traditional Owner Groups, DJAARA (Dja Dja Wurrung Clans Aboriginal Corporation), Taungurung Land and Waters Council, and Wurundjeri Woi-wurrung Cultural Aboriginal Heritage Corporation (Wurundjeri Woi-wurrung) in October and November. Engagement with key stakeholders included First Nations controlled organisations, community and the Macedon Ranges Truth and Reconciliation Group.

### **Innovation and continuous improvement**

The development of this draft Reconciliation Plan 2024-27 has included further consultation and guidance from Reconciliation Australia, Reconciliation Victoria and advice from neighbouring local government areas. Support and consultation with the LGPro Local Government Reconciliation Special Interest Group and the Central Victorian Local Government Reconciliation Network has further assisted with refinement of the draft plan. Throughout this process representation of First Nations staff and a member from Macedon Ranges Truth and Reconciliation Group on the Reconciliation Working Group have provided an authentic cultural lens.

### **Relevant law**

There is a selection of legislative requirements that have been taken into consideration in developing the Reconciliation Plan 2024-27. These include:

- *United Nations Declaration on the Rights of Indigenous People*
- *Native Title Act 1993 (Cth)*
- *Charter of Human Rights and Responsibilities Act 2006 (Vic)*
- *Traditional Owner Settlement Act 2010 (Vic)*
- *Victorian Aboriginal Heritage Act 2016 (Vic)*

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment has been conducted in relation to the subject matter of this report. As of 30 June 2021, the Australian Bureau of Statistics (ABS) estimated that 984,000 First Nations people were living in Australia, making up 3.8% of the total population. There were slightly more males than females in the First Nations population, with a sex ratio of 101 males for every 100 females. However, in age groups over 35 years, females outnumbered males.

According to statistics from the Australian Human Rights Commission, there are notable gender-based differences among Aboriginal and Torres Strait Islander peoples, especially in the areas of workforce participation and caregiving.

Aboriginal men have a higher workforce participation rate (65%) compared to Aboriginal women (51.5%). This indicates that men are more likely to be employed, although both genders face significant barriers such as discrimination and underrepresentation in higher-paying or leadership roles.

A significant difference exists in caregiving roles. 61% of First Nations women have caring responsibilities for someone outside their home. Indigenous women (18%) are more likely than Indigenous men (12%) to provide unpaid care. Additionally, 17% of Indigenous women provide unpaid assistance to someone with a disability, which reflects the disproportionate caregiving load carried by women in these communities.

First Nations women are more likely to take time out of paid work to care for family members compared to both First Nations men and non-Indigenous Australians. This caregiving responsibility can further affect their employment opportunities, career progression, and financial independence.

These statistics highlight the gendered challenges faced by Aboriginal and Torres Strait Islander communities, where women often balance paid work with significant unpaid caregiving roles, which in turn affects their overall participation in the workforce.

Based on findings from the gender impact assessment, it is recommended that, as far as is practical, action is taken to ensure that First Nations women and carers, First Nations staff and community are always considered in the development, implementation or review of the Reconciliation Plan (and its individual actions). Actions will involve ensuring a diverse representation of gender is maintained across working groups, internal and external consultations and review panels.

Relevant regional, state and national plans and policies

- Victorian Aboriginal and Local Government Strategy 2021-2026
- Victorian Department of Environment, Land, Water and Planning (DELWP) – Aboriginal Cultural Safety Framework
- Pupangarli marnmarnepu ‘owning our future’ Aboriginal Self Determination Reform Strategy 2020-2025
- Dja Daj Wurrung Recognition and Settlement Agreement
- Taungurung Recognition and Settlement Agreement

Importantly, the Reconciliation Plan 2024-27 is aligned with Traditional Owners’ priorities, including the:

- Dhelkunya Dja Country Plan 2014-2034
- Taungurung Buk Dadbagi, Taungurung Country Plan
- Taungurung Land and Waters Council Strategic Plan 2021-2025
- The Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation continue the process of developing their Country Plan. The Reconciliation Plan 2024-27 is aligned with the Wurundjeri Woi Wurrung strategic priorities as are understood at this time.

**Relevant Council plans and policies**

The draft Reconciliation Plan 2024-27 aligns with the Council Plan priorities of Connecting communities, Healthy environment, healthy people and Business and tourism. Aspects of the Reconciliation Plan 2024-27 specifically align with the actions in Council's:

- Municipal Health and Wellbeing Plan 2021
- Environment Strategy 2021
- Visitor Economy Strategy 2021
- Economic Development Strategy 2021
- Events Strategy 2021
- Arts and Culture Strategy 2018-2028
- Youth Strategy 2018-2028
- Climate Emergency Plan 2023 – 2030
- Biodiversity Strategy

**Climate Impact Assessment**

In accordance with Council's Zero Net Emissions Plan, Counting-Down-to-Zero and the Climate Emergency Plan, a Climate Impact Assessment has been conducted in relation to the subject matter of this report.

How will the recommendation impact on Council's energy usage and greenhouse emissions profile? The impact of the energy usage and risks to climate change will be minimal as the actions and deliverables of the Reconciliation Plan do not additionally impact operations. In an internal consultation with the Environment Department, it has been noted that the Biodiversity Strategy and Climate Emergency Plan will continue to acknowledge, respect and embed Traditional Owners' perspectives, practices and knowledge, which is reflected in the Reconciliation Plan 2024-27 actions.

**Financial viability**

The actions proposed in the Reconciliation Plan 2024-27 have no financial or resource implications in year one and will be delivered within the endorsed Council budget. As Reconciliation Plan 2024-27 actions are scoped out in the first year and resource implications become clearer, there may be a need to seek either external funding or an internal budget allocation, which will be considered through Council's budget process.

Costs to-date to develop the Reconciliation Plan 2024 are as follows:

- First Nations Consultant: \$23,600
- Consultation with Taungurung Land and Waters Council: \$1,100
- Consultation with DJAARA: \$704.00
- 2 x Consultation with Wurundjeri Woi Wurrung: \$ 850.00

Total spend to date: \$26,254.00.

**Sustainability implications**

There are ongoing beneficial social and wellbeing implications from implementing a Reconciliation Plan. These include building a stronger, connected community, recognition of shared history, and acknowledging and learning from truth-telling.

**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.

**14 NOTICES OF MOTION AND RESCISSION**

<b>No. 69/2024-25: NOTICE OF MOTION - INTERSECTION OF URQUHART STREET AND HIGH STREET, WOODEND</b>
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I, Councillor Janet Pearce, give notice that at the next Meeting of Council to be held on 18 December 2024, I intend to move the following motion:

**That Council writes to The Hon. Melissa Horne MP, Minister for Roads and Road Safety:**

- 1. advising of Council and the community's ongoing daily safety concerns for pedestrians, cyclists and vehicles at the intersection of Urquhart Street and High Street, Woodend;**
- 2. requesting an urgent written response on when a recommendation for treatment to the intersection will be made publicly available for community feedback.**

**15 URGENT BUSINESS**

**16 CONFIDENTIAL REPORTS**

Nil