

MACEDON RANGES PLANNING SCHEME

AMENDMENT C134

PRESCRIBED AMENDMENT

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Minister for Planning who is the planning authority for this amendment.

The amendment has been made at the request of the Macedon Range Shire Council.

Land affected by the amendment

The amendment affects various parcels of land throughout the Shire of Macedon Ranges.

What the amendment does

The amendment implements a combination of correcting obvious and technical errors, clarifying or improving grammar or language, inserting or updating headings, updating references to clauses, changing a description of a department and applying the Road Zone, Category 1 to a declared road in the Macedon Ranges Planning Scheme.

Specifically, the amendment:

Zoning Maps

1. Rezones land forming part of the road reserve of Malmsbury East Road near Malmsbury from Farming Zone (FZ) to Road Zone, Category 1 (RDZ1) as shown on Planning Scheme Map Nos. 5 and 6.

Municipal Strategic Statement

2. Amends Clause 21.02-5 (Housing) of the Municipal Strategic Statement (MSS) to insert a full stop after '... submissive to the environment'.
3. Amends Clause 21.04 (Settlement) of the MSS to replace the reference to 'Clarkefield refer to Clause 21.13-11' with 'Clarkefield refer to Clause 21.13-12'.
4. Amends Clause 21.04 (Settlement) of the MSS to capitalise a 't' in 'the need to respect its character...'
5. Amends Clause 21.04 (Settlement) of the MSS to delete a full stop between 'Mount. Macedon'.
6. Amends Clause 21.05-1 (Biodiversity and native vegetation management) of the MSS to replace 'Limit residential development on existing lots will only be permitted in the Living Forests and Cobaw biolink areas etc.' to 'Permit limited residential development only on existing lots in the Living Forests and Cobaw biolink areas etc.'
7. Amends Clause 21.05-1 (Biodiversity and native vegetation management) of the MSS to replace '... subdivide land or carry works must be ...' with '... to subdivide land or carry our works must be ...'.
8. Amends Clause 21.05-1 (Biodiversity and native vegetation management) of the MSS to replace '... subdivide land or carry out worksin the Cobaw biolionk...' with '... subdivide land or carry out

works in the Cobaw biolink...’.

9. Amends Clause 21.05-1 (Biodiversity and native vegetation management) of the MSS to reformat the bullet points between each application type and the application requirements.
10. Amends Clause 21.05-2 (Significant environments and landscapes) of the MSS to replace ‘Encourage sensitive subdivisions designs ...’ with ‘Encourage sensitive subdivision designs ...’.
11. Amends Clause 21.06-2 (Soil degradation and contamination) of the MSS to delete a full stop in the sentence ‘... sensitive areas. when considering ...’. ...’.
12. Amends Clause 21.06-3 (Bushfire) of the MSS to replace the reference to Clause 52.27-2.3 with Clause 53.02 in ‘Whether residential development in areas without reticulated water supply has provided a static water supply in accordance with Clause 52.27-2.3 for fire fighting purposes.’
13. Amends Clause 21.07-1 (Agriculture) of the MSS to delete a full stop in the sentence ‘... Apply the Farming Zone. to appropriate areas ...’.
14. Amend Clause 21.07-2 (Sustainable rural land management) of the MSS to replace ‘Investigate the location of high quality agricultural land in partnership with Department of Environment and Primary Industries.’ with ‘Investigate the location of high quality agricultural land in partnership with Department of Environment, Land, Water and Planning.’
15. Amend Clause 21.07-3 (Water) of the MSS to replace ‘... Mollison creek (Pyalong) ...’ with ‘... Mollison Creek (Pyalong) ...’.
16. Amend Clause 21.08-1 (Heritage conservation) of the MSS to replace ‘Prepare and implement a Macedon Ranges Shire Heritage Strategy, which identifies a program of heritage studies and reviews as relevant.’ with ‘Implement the Macedon Ranges Heritage Strategy 2014-2018, which identifies a program of heritage studies and reviews as relevant.’
17. Amend Clause 21.09-2 (Rural residential) of the MSS to replace ‘Application requirement’ with ‘Application requirements’.
18. Amend Clause 21.10 (Economic Development and Tourism) of the MSS to replace ‘... and significant landscapes and lifestyle offering.’ with ‘... and significant landscapes and lifestyle offerings.’
19. Amend Clause 21.10-2 (Tourism) of the MSS to replace ‘... values of the land when when considering applications ...’ with ‘... values of the land when considering applications ...’.
20. Amend Clause 21.12-1 (Community development) of the MSS to replace ‘... consistency with disabilitydiscrimination act requirements.’ with ‘... consistency with the requirements of the *Disability Discrimination Act 1992*.’
21. Amend Clause 21.13-8 (Lancefield) of the MSS to replace the Lancefield Township Framework Plan with the correct, adopted version of the plan.

Schedules

22. Delete Schedule 7 to Clause 43.02 (Design and Development Overlay).
23. Amend Schedule 7 to Clause 43.02 (Design and Development Overlay) to update the schedule heading, insert new schedule sections, renumber existing headings and insert the words ‘None specified’ and to replace ‘Transters Close, Riddells Creek’ with ‘Tranter Close, Riddells Creek.’
24. Delete Schedule 4 to Clause 43.04 (Development Plan Overlay).
25. Amend Schedule 4 to Clause 43.04 (Development Plan Overlay) to update the schedule heading, insert new schedule sections, renumber existing headings and insert the words ‘None specified’, replace capital letters where appropriate; to correct references to ‘Clause 21.07-1.1’ with ‘Clause 21.13-1’; to replace ‘%’ with ‘per cent’; to correct spelling mistakes and to update department names.
26. Delete Schedule 14 to Clause 43.04 (Development Plan Overlay).

27. Amend Schedule 14 to Clause 43.04 (Development Plan Overlay) to update the schedule heading, insert new schedule section headings, renumber existing headings and insert the words 'None specified'; to replace '&' with 'and'; to correct the reference to 'Clause 21.07-1.1' with 'Clause 21.13-4' and to delete development plan requirement that has been repeated.
28. Delete Schedule 1 to Clause 44.06 (Bushfire Management Overlay).
29. Insert a new Schedule 1 to Clause 44.06 (Bushfire Management Overlay) to insert a new schedule section heading and renumber existing headings; to correct the reference to Clause 52.47 to Clause 53.02, which changed with the gazettal of Amendment VC148 on 31 July 2018; and to correct the reference to mandatory conditions at Clause 44.06-4 to Clause 44.06-5.
30. Delete Schedule 2 to Clause 44.06 (Bushfire Management Overlay).
31. Insert a new Schedule 2 to Clause 44.06 (Bushfire Management Overlay) to insert a new schedule section heading and renumber existing headings; to correct the reference to Clause 52.47 to Clause 53.02, which changed with the gazettal of Amendment VC148 on 31 July 2018; and to correct the reference to mandatory conditions at Clause 44.06-4 to Clause 44.06-5.

Prescribed amendment

The amendment is a prescribed class of amendment listed in regulation 8 of the Planning and Environment Regulations 2015. The amendment has been prepared under section 20A of the *Planning and Environment Act 1987* (the Act). Exhibition and notification requirements of sections 17, 18 and 19 of the Act do not apply in respect of this amendment.

Where you may inspect this amendment

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:

- Kyneton Council Office, 129 Mollison Street, Kyneton
- Gisborne Council Office, 40 Robertson Street, Gisborne
- Woodend Library, Cnr Forest and High Streets, Woodend
- Romsey Library, 96-100 Main Street, Romsey

www.mrsc.vic.gov.au

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection.