

Council Meeting Minutes

Wednesday 16 December 2020 at 7.00pm
Gisborne Administration Centre
40 Robertson Street, Gisborne

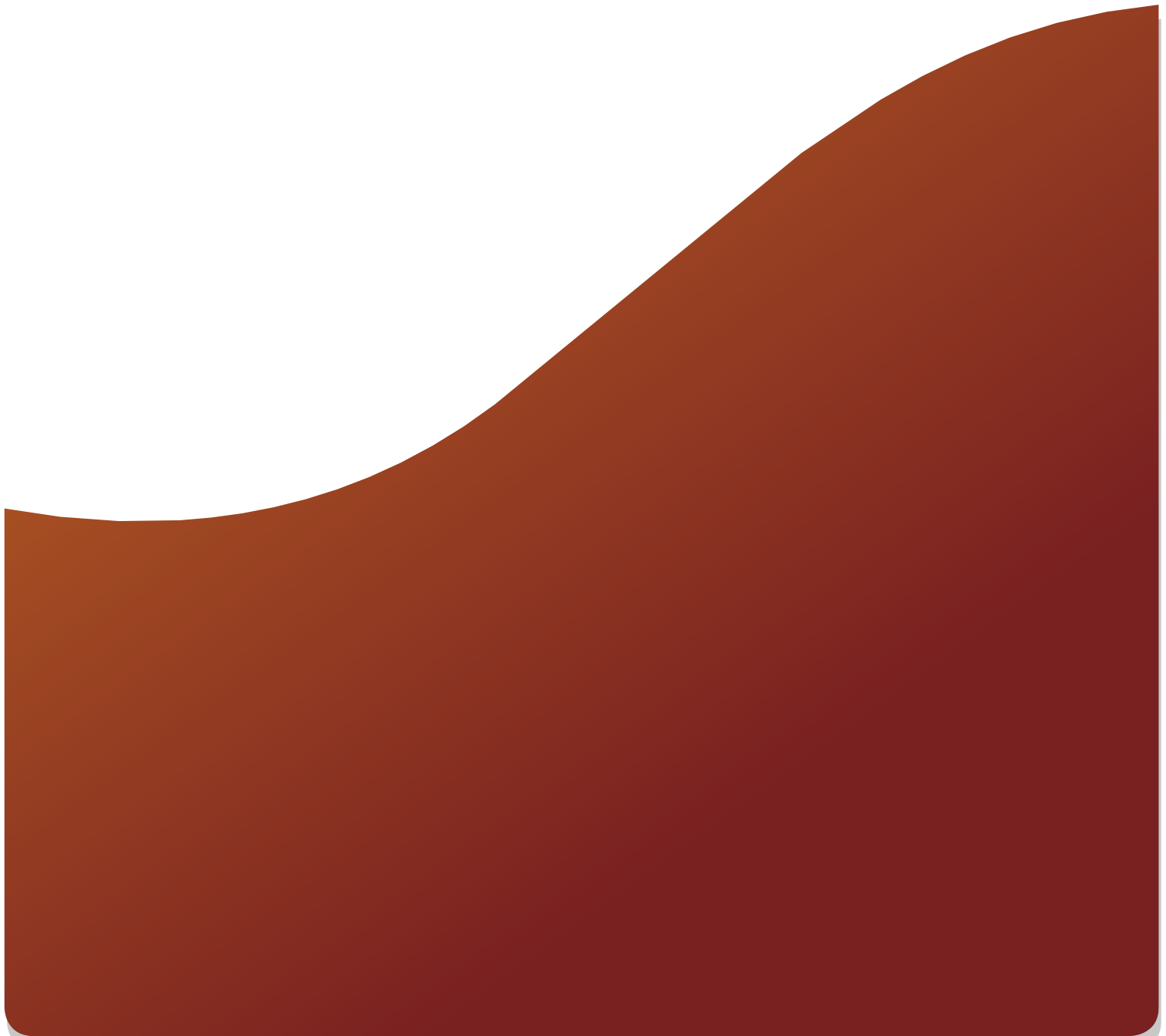


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ACKNOWLEDGEMENT OF COUNTRY

The Mayor, Cr Anderson, gave the Acknowledgement of Country:

To start the official proceedings I would like to acknowledge that Macedon Ranges Shire Council is on Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung Country whose ancestors and their descendants are the traditional owners of this Country. We acknowledge that they have been custodians for many centuries and continue to perform age old ceremonies of celebration, initiation and renewal. We acknowledge their living culture and their unique role in the life of this region.

1. RECORDING AND LIVE STREAMING OF THIS COUNCIL MEETING

The Mayor advised those present that the meeting would be recorded and streamed live on the internet in accordance with Council's *Live Streaming and Publishing Recording of Meetings Policy*, which can be viewed on Council's website.

The recording would be bookmarked, archived and made available on Council's website 48 hours after the meeting.

The Mayor advised that while Councillors were attending the meeting in person, in line with current directions by the Chief Health Officer, face-to-face Council Meetings were not to be held with members of the public in attendance. As such, there was no one present in the public gallery. The Mayor welcomed those watching from home.

The Mayor reminded those present that local government decision making, unlike state and federal government, does not afford the benefit of parliamentary privilege and hence no protection is afforded to Councillors and Council officers for comments made during meetings which are subsequently challenged in a court of law and determined to be slanderous.

2. PRESENT

Cr Annette Death	East Ward
Cr Geoff Neil	East Ward
Cr Bill West	East Ward
Cr Dominic Bonanno	South Ward
Cr Rob Guthrie	South Ward
Cr Anne Moore	South Ward
Cr Jennifer Anderson (Mayor)	West Ward
Cr Janet Pearce	West Ward
Cr Mark Ridgeway (Deputy Mayor)	West Ward

In Attendance

Mr John Nevins	Acting Chief Executive Officer
Mr Tim Nightingale	Acting Director Corporate and Community
Ms Angela Hughes	Director Planning and Environment
Mr Shane Walden	Director Assets and Operations
Ms Sarah Noel	Interim Executive Manager, People, Culture and Performance
Ms Kate Young	Manager, Legal and Corporate Governance
Ms Lauren Reader	Governance Coordinator

Ms Jessica Baguley
Mr Christo Crafford

Senior Governance Officer
Coordinator Statutory Planning

3. APOLOGIES

Nil

4. DECLARATION OF CONFLICTS OF INTEREST

Cr Anderson declared a general conflict of interest in relation to agenda item PE.1 which she had previously declared in writing to the CEO.

5. MAYOR'S REPORT

The Mayor, Cr Anderson, highlighted a number of recent events and activities in the shire:

It has only been three weeks since the last Council meeting, and the new Council was only inducted just over four weeks ago. We have certainly been kept busy learning about what it means to be a councillor, the progress of projects currently underway and determining how we want to progress them working together with staff and the community and attending as many events as we can in a COVID-safe way.

Online Events to assist with governance

Following on from the two-day induction program Councillors attended prior to the last Council Meeting, Councillors have had the opportunity to attend online sessions / workshops offered by the Municipal Association of Victoria, the Alliance for Gambling and Local Government Victoria. Given many of us have busy schedules most have been recorded and made available for viewing at a later date. There is much to learn, and I thank these organisations for providing these sessions and those councillors who were able to attend for their time commitment.

Councillor delegates committee meetings

Due to the COVID-19 pandemic most face-to-face meetings were temporarily suspended, however many meetings have continued via teleconference or video conferencing. Councillors, as delegated representatives, have participated in the following meetings:

- Audit and Risk Committee Meeting
- Agribusiness Forum
- Macedon Ranges Shire Health and Wellbeing Advisory Committee Meeting
- Workspace Board Meeting
- Central Goldfield Library Board meeting
- Loddon Mallee Waste and Resource Recovery Group waste forum
- MAV interim Board meeting

16 Days of Activism Against Gender-Based Violence Campaign

Council proudly continued to support Respect Victoria to deliver its Respect Women, “Call It Out” campaign following on from its launch I mentioned at the November Council Meeting. The campaign was part of the global 16 Days of Activism Against Gender-Based Violence, which ran from 25 November to 10 December 2020.

Community Engagement online sessions

To gain feedback on our draft engagement policy and commence the discussion about deliberative engagement Council held sessions on Monday and Tuesday this week. Feedback and points raised were extremely helpful. Feedback will be considered, and the policy will come back to council for endorsing in 2021.

Podcast Series

Council enhanced local conversations with the launch of the In This Together podcast in late November. The podcast series shares stories from across the Macedon Ranges Shire about adapting to the COVID-19 pandemic and looking beyond it.

So far the topics have been sustainability, covering topics such as bees and sustainable house design and helping hands, highlighting many of our volunteers, community groups assisting those in need and Council’s hardship policy.

My personal highlight the interviews with Marg Derricott, first ever Daffodil and Arts Festival Queen and now a strong Daffodil and Arts Festival committee member; and staff member Jason and farmer Sam White as they transformed the sessions on regenerative farming to the online platform. Keep an eye out for future podcasts.

International Day of People with Disability

Whilst Council was unable to celebrate the annual dinner dance on International Day of People with Disability on 3 December due to COVID-19, an interview with an inspiring local resident and athlete, Nathan Luke, was broadcast on Council’s website and social media. There is also an opportunity for people to participate in sessions hosted by the Victorian Football Integration Development Association in partnership with Kyneton and Gisborne Football Netball Clubs in 2021.

Living Libraries Infrastructure Program Launch

The Living Libraries Infrastructure Program was launched by Mary-Anne Thomas MP, State Member for Macedon at the Kyneton Library on 4 December 2020. Cr Bill West, our library delegate, attended on behalf of Council. Council was pleased to receive a grant through this program to upgrade the Kyneton Library including a remodelled entrance, roof works and replacement of the heating and cooling system.

Romsey Ecotherapy Park

Mary-Anne Thomas MP, State Member for Macedon, launched the concept designs for the Romsey Ecotherapy Park on 11 December 2020, which available Councillors attended. Attendees were able to view the concept designs whilst undertaking a short tour of the grounds and discussed the project's progress. Stage two of the project, which includes an arts and culture space and a sensory therapeutic space, will become a regionally significant visitor destination. All visitors to the park on the day of the visit had come from outside the shire.

Opening of Council run facilities

With our smaller Romsey and Woodend customer service centres reopening we look forward to the Kyneton and Gisborne centres opening up again for limited hours and services in January 2021. Please check the website for details and ring ahead, if possible, as you may need to make an appointment.

Our outdoor pools in Lancefield and Woodend have also opened for the summer season. They only open if the Bureau of Meteorology predicts the temperature to be over 26 at 4pm the day prior. They are both closed on Christmas Day, but open and free on Australia Day. Take advantage of the season ticket available at a discount price if ordered and paid for by 24th December 2020.

Christmas goodies packages

Special Christmas packages are currently being prepared and will be delivered directly to numerous residents (instead of the sit-down event usually held in the Kyneton Town Hall which was cancelled due to COVID-19 restrictions). Volunteers will be delivering local produce, gifts and vouchers, while checking in with community members in the lead up to Christmas.

Township Christmas celebrations, COVID-style

Many of the traditional ways of celebrating Christmas in our communities have had to change due to COVID-19 restrictions or uncertainty. Kyneton Community House had to cancel their makers Christmas market, instead producing an online shop of local makers. Woodend was able to take advantage of easing of restrictions and held a twilight shopping night on 27th November. With food vans, extra seating in the closed-off street so restaurants could serve more people safely, street entertainment and late night shopping, it was a real boost to the community's sense of wellbeing.

Romsey had its annual Christmas tree and lights competition, this year judged by Cr Death and Cr Neil, followed up with two nights of main street illuminations and food vans, where I was able to pop into the Romsey community co-operative shop, that opened earlier in the month with Cr West attending on behalf of Councillors. Malmsbury went online for their carols, which Cr Pearce attended, and I will be opening a restricted bookings-only community carols this weekend in Kyneton.

Thank you to Lauren Reader

This is Lauren Reader's last meeting as our Co-ordinator of Governance after nearly two years at Macedon Ranges Shire Council. She is the officer behind the scenes running our livestreaming, making sure Council meetings run smoothly. She has assisted with our Governance Rules and translating the many new requirements of the *Local Government Act 2020* into our policies and procedures.

She was in charge of the councillor induction programme, which having attended three, I must say was the best I have ever had. Every Mayor needs a Lauren. I will miss her and would like to thank her for all her hard work in the area of governance across all workings of the shire, and welcome the new members to the governance team at the same time.

Seasons Greetings

I would like to take this opportunity to wish everyone a happy, healthy and safe break over the Christmas and New Year period. Thank you to all the efforts of staff at Macedon Ranges Shire Council, both past and present, our individual volunteers and community groups, Councillors (both current and former) and businesses and residents who have worked so hard to help everyone stay connected and supported during the COVID-19 pandemic this year. We know there is still a long road ahead to recovery and hope you all manage to get some well-earned rest.

It was moved by Cr Pearce seconded by Cr Ridgeway that the Mayor's Report be received.

CARRIED

6. PETITIONS

Nil

7. ADOPTION OF MINUTES

Council Meeting: Monday 23 November 2020
Council Meeting: Wednesday 25 November 2020

Officer Recommendation:

That the minutes of the meetings of the Macedon Ranges Shire Council held on Monday 23 November 2020 and Wednesday 25 November 2020 as circulated be confirmed.

It was moved by Cr Guthrie seconded by Cr Death that the Officer Recommendation be adopted.

CARRIED

8. RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF

Summary / Purpose

The purpose of this report is to provide the record of meetings of Councillors and Council staff, which have been held since the last Council Meeting, so that they can be recorded in the minutes of a scheduled Council Meeting.

Policy Context

Rule 31(a) 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.

Background Information

Rule 31(b) specifies the meetings for which a written record will be kept and reported to the next practicable Council Meeting are as follows:

- (i) an advisory committee of the Council, if at least one Councillor is present; or
- (ii) a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be:
 - (i) the subject of a decision of the Council; or
 - (ii) subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee
 but does not include a meeting of the Council, a delegated committee of the Council, a meeting of the audit and risk committee, a club, association, peak body, political party or other organisation.

Rule 31(c) provides that the written record of meetings must include:

- (i) the names of attending Councillors, staff members and other persons;
- (ii) a short title of the matters discussed; and
- (iii) any conflicts of interest disclosed by Councillors or Council staff and whether they temporarily left the meeting whilst the subject matter of their disclosed conflict of interest was discussed.

Note: Only matters that are the subject of discussion and consideration at a meeting will be listed. Incidental updates and information on matters will not be recorded.

This requirement for reporting provides increased transparency and the opportunity for Councillors to check the record, particularly the declarations of conflict of interest.

Report

Outlined below are the details of meetings of Councillors and Council staff held since the last meeting.

1.	Date / Time	Type of Meeting
	19 and 20 November 2020 9.00am – 4.00pm	Councillor Induction
	Venue	Victorian Emergency Management Institute (VEMI), Mount Macedon
	Present – Councillors	Crs Anderson, Bonanno, Death, Guthrie, Moore, Neil, Pearce, Ridgeway, West
	Present – Officers	John Nevins, Shane Walden, John Hausler, Angela Hughes, Sarah Noel, Kate Young, Lauren Reader,

	Leanne Manton
Presenters	Mark Hayes, Maddocks; Phil Shanahan; Coral Ross
Items discussed	<ul style="list-style-type: none"> • Mandatory councillor induction content • Delegations framework • Planning delegations and process and Macedon Ranges Planning Scheme • Gisborne Futures • Climate Change Strategy • Customer Service Charter • COVID-19 support • Council meeting and briefing times • Community engagement and support for Councillors
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>

2.	Date / Time	Type of Meeting
	23 November 2020 6.15pm – 8.15pm	Councillor Briefing
	Venue	Gisborne Administration Centre
	Present – Councillors	Crs Anderson, Bonanno, Death, Guthrie, Moore, Neil, Pearce, Ridgeway, West
	Present – Officers	John Nevins, Shane Walden, John Hausler, Angela Hughes, Sarah Noel, Kate Young, Lauren Reader
	Presenters	Nil
	Items discussed	<ul style="list-style-type: none"> • Agenda review: <ul style="list-style-type: none"> - Councillor committee appointments - Quarterly Report July – September 2020 - Annual Report 2019/20 - Notices of Motion • Other matters: <ul style="list-style-type: none"> - Planning application process - Planning Committee models
	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>

3.	Date / Time	Type of Meeting
	25 November 2020	Councillor Briefing

4.35pm – 5.40pm	
Venue	Gisborne Administration Centre
Present – Councillors	Crs Anderson, Bonanno, Death, Guthrie, Moore, Neil, Pearce, Ridgeway, West
Present – Officers	John Nevins, Shane Walden, John Hausler, Angela Hughes, Sarah Noel, Kate Young, Lauren Reader, Harjinder Singh
Presenters	Nil
Items discussed	<ul style="list-style-type: none"> Statutory Planning Overview
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>

4.	Date / Time	Type of Meeting
	1 December 2020 9.30am – 1.25pm	Councillor Briefing
	Venue	Gisborne Administration Centre
	Present – Councillors	Crs Anderson, Bonanno, Death, Guthrie, Moore, Neil, Pearce (online), Ridgeway, West
	Present – Officers	John Nevins, Shane Walden, John Hausler, Angela Hughes, Sarah Noel, Kate Young, Lauren Reader, Rob Ball, Michelle Wyatt, Harjinder Singh, Christo Crafford
	Presenters	Angela Clelland, Omera Partners
	Items discussed	<ul style="list-style-type: none"> Omera Session for Permanent CEO Recruitment Cool Changes Woodend 3442 Macedon Ranges Sports Precinct & Macedon Ranges Shared Trails Project Planning matters <ul style="list-style-type: none"> PLN/2020/165 – 198 Mount Gisborne Road, Gisborne Submitters Committee Agenda Review <ul style="list-style-type: none"> PLN/2015/204 – 2-4 Davy Street, Woodend PLN/2019/573 – Edgecombe Road, Kyneton Council Meeting Agenda Review <ul style="list-style-type: none"> Australia Day Awards Notices of Motion Proposal to name Kyneton laneway
	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 Anderson declared a conflict of interest in relation to Submitters Delegated Committee Agenda Review item PLN/2015/204.</p> <p>Did they leave the meeting? Yes</p>

Conflicts of interest declared by officers	Nil Did they leave the meeting? N/A
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5.	Date / Time	Type of Meeting
	8 December 2020 9.00am – 12.45pm	Councillor Briefing
	Venue	Gisborne Administration Centre
	Present – Councillors	Crs Anderson, Bonanno, Death, Guthrie, Neil, Pearce (online), Ridgeway, West
	Present – Officers	John Nevins, Shane Walden, John Hausler, Angela Hughes, Sarah Noel, Kate Young, Lauren Reader, Gary Randhawa, Cam Macfarlane, Bob Elkington, Rob Ball, Isobel Maginn, Christo Crafford, Harjinder Singh, Travis Harling
	Presenters	Damien Wells, Danny McLean, Coliban Water
	Items discussed	<ul style="list-style-type: none"> • Asset Management Plan & Accounting • Draft Business Case & Master Plan – Woodend Community Centre • Kyneton Urban Design Framework UDF & Proposed Consultation Process • Proposed Naming of Kyneton Laneway • Proposed NBN Lease – Riddells Creek Recreation Reserve • Presentation by Coliban Water • Planning Matters: <ul style="list-style-type: none"> - PLN/2020/121 Hamilton & Lyle Street, Gisborne - PLN/2019/573 – Edgecombe Road Kyneton • Hanging Rock • Budget • Permanent CEO recruitment process
	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	No Did they leave the meeting? N/A
	Conflicts of interest declared by officers	No Did they leave the meeting? N/A

Officer Recommendation:

That Council endorse the record of meetings of Councillors and Council staff as outlined in this report.

It was moved by Cr Pearce seconded by Cr Ridgeway that the Officer Recommendation be adopted.

CARRIED

9. DEPUTATIONS AND PRESENTATIONS TO COUNCIL

Suspension of Standing Orders

7.19pm It was moved by Cr Neil and seconded by Cr Guthrie that standing orders be suspended to receive a report from the outgoing Chair of the Audit and Risk Committee, Brian Collins, and to present Mr Collins with a Certificate of Appreciation for his many years of service.

CARRIED

Mr Collins presented a report to Council on the performance of the Audit and Risk Committee over the past year, and was presented with a Certificate of Appreciation for his many years of service.

Resumption of Standing Orders

7.27pm It was moved by Cr Ridgeway and seconded by Cr West that standing orders be resumed.

CARRIED

7.27pm Having previously declared a conflict of interest in relation to agenda item PE.1, the Mayor, Cr Anderson left the meeting. The Deputy Mayor, Cr Ridgeway, assumed the chair.

10. DIRECTOR PLANNING AND ENVIRONMENT REPORTS:

Report No: Report Title:

**PE.1 Application for extension of time for Planning Permit
 PLN/2015/204 – 2-4 Davy Street, Woodend**

Purpose and Overview

The application seeks to extend the time allowed under Condition 70 of Planning Permit PLN/2015/204 by two years to complete the approved development. The permit was issued on 11 January 2017 and is to expire on 11 January 2021 if the development has not been completed by this date.

Planning Permit PLN/2015/204 allows the development of the land for fourteen (14) double storey dwellings, construction of associated buildings and work (earthworks, roadworks and fencing), and removal of vegetation including two (2) non-native trees within the Davy Street road reserve, construction of works within the Black Gum Reserve (outlet drains and reserve). The permit was issued on 11 January 2017 at the direction of the Victorian Civil and Administrative Tribunal (VCAT).

The application has been referred to the North Central Catchment Management Authority (NCCMA).

Key issues to be considered are whether there there have been any changes to relevant planning controls or planning policy, the likelihood of a permit being

granted if a fresh application was made for the proposal, the total elapsed time, taking into account whether the originally imposed time limit was adequate, whether the landowner is seeking to 'warehouse' the permit (that is, store the permit without intending to act upon it) and intervening circumstances which bear upon the grant or refusal of the extension request.

Officers have assessed the application and consider it appropriate. It is recommended that the request for an extension of time be approved.

Recommendation

That Council approves an extension of time to Planning Permit PLN/2015/204 for a period of two years.

It was moved by Cr Guthrie seconded by Cr Moore

That Council refuses to extend the time allowed under Planning Permit PLN/2015/204 to complete the development.

CARRIED

7.37pm Cr Anderson returned to the meeting and assumed the chair.

Report No: Report Title:

PE.2 Application for Planning Permit PLN/2019/573 – Edgecombe Road, Kyneton

Purpose and Overview

The application is to subdivide the land, currently in four lots with an area of 65ha. The land is partly in a commercial zone and partly in a rural residential zone. The subdivision is proposed to comprise 25 commercial lots and 18 rural living lots. However two of the rural living lots will be required to be consolidated into one lot resulting in an overall forty two (42) lot subdivision.

The application was advertised and fifteen (15) submissions were received. This includes ten objections and five submissions in support.

Key issues to be considered relate to the suitability of the proposed lots sizes and lot layout, the impact of the subdivision upon the surrounding land including the use of the land for agriculture and generation of traffic. Future development of these lots will be the subject of further approvals and does not form part of this application.

The application has been assessed against the relevant provisions of the Macedon Ranges Planning Scheme and is considered appropriate. On balance it is considered that the subdivision is in keeping with the relevant provisions of the Planning Policy Framework, Local Planning Policy Framework, zone, overlay, particular provisions and general provisions. It is recommended that the application be approved subject to the following conditions.

Recommendation

That Council issue a Notice of Decision to grant a planning permit for the Subdivision of four (4) lots into forty two (42) lots and drainage reserve in four (4) stages, creation of a vehicular access to a Road Zone, Category 1, removal of native vegetation and creation of easements for the land at Lot 1 PS 331532T, Lot 1 PS 439378A and Lots 1 & 2 PS 315372D, Edgecombe Road, Kyneton subject to the following conditions:

1. Prior to the certification of the Plan of Subdivision for Stage 1 under the *Subdivision Act 1988*, three copies and an electronic copy of amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be generally in accordance with the plans prepared by Douglas Gow, titled Retail Fuel Developments, dated 12.06.20, but modified to show:
 - a) An amended plan of subdivision showing the proposed Lot 265 and Lot 266 consolidated to form a single Lot.
 - b) Landscape plans as required under Conditions 2 and 3.
 - c) An amended plan of subdivision showing all the engineering plan changes as required under Condition 10.
 - d) A detailed dimensioned Tree Protection Plan that illustrates the tree protection zone of all trees and patches of native vegetation to be retained as required under Condition 26.

2. Prior to the issue of a Statement of Compliance for Stage 1 and in conjunction with the Functional Layout Plan functional layout, three hard copies and a digital copy of a Landscape Masterplan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The landscape Masterplan is to be prepared by a suitably qualified and experienced landscape designer. It is to be drawn to scale and must show:
 - a) The landscaping theme and graphical concepts to be developed for the subdivision.
 - b) The locations of street tree planting in various stages of the subdivision. Trees are to be spaced at a minimum of one tree per lot or every 12 metres, whichever is the lesser, for both Rural Living and Commercial Zones.
 - c) Topography and existing features, including contours for the subject land and any affected adjacent land.
 - d) The location of all trees existing on the site, including any that overhang the site from adjoining land.
 - e) Details of tree protection zones for all trees to be retained on site.
 - f) Any trees proposed for removal from the site clearly designated.
 - g) All areas which will be available for landscaping.
 - h) All proposed entrance treatments, paths (other than footpaths) and proposed amenities. Consideration should be given to providing an amenity area within one of the proposed reserves.
 - i) The principles and graphical concepts of the proposed treatment of any open space and drainage reserves.
 - j) How any landscape requirements or guidelines within Councils Design Guidelines for Industrial & Commercial Development are proposed to be implemented.

3. Prior to the issue of a Statement of Compliance for each stage of the subdivision, three hard copies and a digital copy of a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The detailed landscape plan is to be prepared by a suitably qualified and experienced landscape designer. It is to be generally in accordance with the endorsed Landscape Master Plan but is to focus on the details of any reserve areas and streetscape plantings relevant to each stage. The plan is to be overlaid on the approved Engineering plans to ensure coordination with services and other infrastructure. When approved, the plan will be endorsed and form part of this permit and is to include:

Street trees

- a) Street tree species selection is to tie in with the existing surrounding character and be a mix of native and indigenous species to the approval of the Responsible Authority
- b) Typical cross-sections for each street type, dimensioning tree locations, services offsets as set out in Council's Tree Management Policy, 2019 and any other spatial requirements
- c) A table of offsets for all utility services and street trees.
- d) The following notations:
 - *Tree planting is to occur between April & September to maximise establishment and survival.*
 - *Tree locations shown on this plan are a guide only and may require adjustment to coordinate with final service locations, Powercor requirements, and 'as constructed' infrastructure.*
 - *Street tree locations are to be set-out and approved on site by the Council Landscape Officer prior to installation*
 - *It is the responsibility of the contractor to confirm the location of all underground services prior to commencement of any excavation.*
- e) An advanced Tree Planting Detail with a minimum 52L Greenwell water saver and three (3) hardwood stakes.

Reserves (including basins):

- f) Large canopy trees are to be provided to the perimeter of (but not within) any basin areas with a preference for locally indigenous species.
- g) Trees proposed within lawn areas are to be a minimum of three metres apart (including mulch/waterwell) to facilitate mowing machinery or consolidated within mulched garden beds.
- h) All grassed areas are to be a minimum grade of 1:5, preferably 1:6, to allow for maintenance by mowing machinery.
- i) Any gradients 1:4 and greater are to be planted with a mix of native and indigenous grasses and groundcovers at a sufficient density to discourage weed growth.
- j) Species for gradients adjacent to and, within waterways and basins must be locally indigenous.
- k) Seed for grassed reserves (areas to be mowed) is to be a 'drought tolerant mix' including a summer species, such as Kikuyu, with Ryegrass as a base.
- l) Seed for retarding basins is to be a native species mix tolerant of periodic inundation.

- m) All interfaces to public areas are to be separated by bollards or post and rail fencing with access provided e.g. removable bollard or gate for maintenance vehicles.

Reserve Furniture

- n) All reserve furniture is to be submitted and shown in a Schedule to Parks and Gardens for final approval along with the Landscape plan.
- o) Details of all proposed bollards, fencing and access for maintenance are to be provided and approved as part of the endorsed Landscape package.

Landscape Maintenance

- p) Confirmation that landscaping shown on the endorsed landscape plans will be maintained to the satisfaction of the Responsible Authority for a period of two (2) years from the practical completion of the landscaping. During this period, any dead, diseased or damaged plants or landscaped areas are to be repaired or replaced during the period of maintenance and must not be deferred until the completion of the maintenance period.

Notes:

- Information regarding Councils preferred street trees, fencing, furniture style and materials can be requested from the Parks and Gardens Unit.
- In addition to the Landscape Plans, applicants must submit for approval a proposed maintenance schedule and projected costs. This schedule will also be used to ensure the proposed maintenance program is consistent with Council standards and to calculate a 35% Landscape Maintenance Liability bond. It will also be useful for the developer in preparing budget projections for the 2 year maintenance requirement.
- Council must be notified in writing 2 weeks before landscape construction is planned to commence to arrange a pre-construction site meeting/inspection. This is to ensure the areas set aside for open space and tree planting are consistent with those on approved plans, that the site is adequately prepared to protect significant features, and to establish a schedule of inspections during the development phase.
- An additional site inspection will occur when construction is completed, to establish Practical Completion of the works and mark the commencement of the two (2) years maintenance period. This inspection will ensure that the site was developed according to the approved plan. Council must be notified of, and approve any changes to the approved works which are identified as necessary during the construction period. As constructed drawings will be required if any changes are made to the approved works.
- Council will inspect the works thereafter at intervals throughout the maintenance period however must be notified in writing 3 months prior to the end of the maintenance period to schedule a final site inspection. Any defects identified during the final inspection will be detailed and forwarded to the applicant for rectification. The developer must undertake rectification works if the site has not been maintained to Council's satisfaction.
- Final hand over will occur with the developer providing Council with, the maintenance history of the site.

4. Prior to the issue of a Statement of Compliance for each Stage the landscaping works shown on the endorsed plans must be carried out, completed and thereafter maintained to the satisfaction of the Responsible Authority.
5. Prior to the issuing of the Statement of Compliance for each Stage of the 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 stage pursuant to Section 18 of the *Subdivision Act 1988*.
6. Before the Statement of Compliance for the Plan of Subdivision for Stage 1, the owner of the lot 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) No native vegetation as identified in the Tree Protection Plan and forming part of permit PLN/2019/573 may not be removed unless with the prior written consent of the Responsible Authority.
 - b) Wildlife friendly fencing only is to be installed for boundary fencing between Lots 257, 258, 259 and 260 in consultation with the Council's Environment Unit unless with the prior written consent of the Responsible Authority.
 - c) At the time buildings are constructed on residential lots, potable water for domestic use and firefighting purposes must be provided on each residential lot.
 - d) Within 6 months of the development operating on Lot 104, Lot 105 and Lot 106, a post development Transport Impact Assessment report must be submitted to and approved by Macedon Ranges Shire Council and the Department of Transport. The Transport Impact Assessment must include the following:
 - i. An assessment on the operation of Edgecombe Road and the intersection of Edgecombe Road-Saleyards Road-Pipers Creek Road.
 - ii. Identify any mitigation measures that may be required to improve operation of Edgecombe Road and the intersection of Edgecombe Road-Saleyards Road-Pipers Creek Road.

Within 18 months of the development operating, or any such time as agreed with the Macedon Ranges Shire Council and the Department of Transport, the mitigation measures as outlined in the post development Transport Impact Assessment must be constructed to the satisfaction of and at no cost to the Macedon Ranges Shire Council and the Department of Transport or any other Responsible Authority.

- e) Res No.1, Lot 102, Lot 103, Lot 104 and Lot 105 are to be designed and developed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).
- f) The ongoing implementation of the Waterway Management Plan as required under Condition 30.

Prior to a Statement of Compliance being issued:

- a) **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.**
 - b) **The owner must pay all costs (including Council's costs) associated with the preparation, execution, registration and (if later sought) cancellation of the Section 173 Agreement.**
- 7. The owner of the land must enter into an agreement with:**
- a) **A telecommunications network or service provider for the provision of telecommunication 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.**
- 8. Before the issue of a Statement of Compliance for the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:**
- a) **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**
 - b) **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.**
- 9. Measures must be undertaken to minimise any loss of amenity to the neighbourhood from the development caused by dust, noise, the transport of materials to and from the land and the deposit of mud and debris on public roads, to the satisfaction of the Responsible Authority.**

MRSC Engineering Conditions

- 10. Prior to the certification of the Plan of Subdivision for the Stage 1, an amended Subdivision Layout Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and submitted electronically as a PDF. The plan must be generally in accordance with the submitted plan but modified to show:**
- a) **A relocated drainage reserve along the southern boundary of Lot 106. The Kyneton Commercial Estate Stormwater Management Plan, Revision C prepared by Water Modelling Solutions Pty Ltd dated August 2020 must be amended to comply with Clause 53.18 of the Planning Scheme.**

- b) **Western boundary of Lot 104, Lot 105 and Lot 106 is modified such that future signalised intersection upgrade can be accommodated in accordance with Drawing No. V149970-06-P1 prepared by GTA Consultants.**
 - c) **Northern boundary of Lot 103 is modified to accommodate sufficient road verge width within the Pipers Creek Road reserve.**
 - d) **Reconstruction of Pipers Creek Road is included in Stage 1.**
 - e) **Road cross sections as shown on the Landuse Masterplan are amended.**
11. **Prior to the submission of Engineering Plans and certification of the relevant plan of subdivision for each stage, a Functional Layout Plan for the subdivision or the stage of subdivision 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. The Functional Layout Plan must be drawn at a scale of 1:500 to acceptable standards and an electronic copy (PDF) must also be provided. The functional layout plan must generally incorporate the following:**
- a) **A fully dimensioned subdivision layout, including proposed street names, lot areas, lot numbers, open space areas, and widths of street reservations.**
 - 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.**
 - d) **Details of tree protection zones for all trees to be retained on site.**
 - e) **Any trees proposed for removal from the site (including dead trees) clearly designated.**
 - f) **Typical cross-sections for each street type, dimensioning individual elements, services offsets and any other spatial requirements.**
 - g) **Intersections with interim and/or ultimate treatments.**
 - h) **A table of offsets for all utility services and street trees.**
 - i) **Location and alignment of kerbs, indented parking spaces, footpaths, shared paths, bus stops and traffic controls.**
 - j) **The proposed minor drainage network and any land required for maintenance access.**
 - k) **The major drainage system, including any basin, wetland, silt pond, and/ or piped elements showing preliminary sizing.**
 - l) **Provision of a gross pollutant trap (GPT). The GPT must be located within the development site and will become the responsibility of the land owner to maintain.**
 - m) **Overland flow paths (1 in 100 year ARI) to indicate how excess runoff will safely be conveyed to its destination.**
 - n) **In the case overland flow (1 in 100 year ARI) is draining into Edgecombe Road, written consent must be obtained from Department of Transport.**
 - o) **Drainage outfall system (both interim and ultimate), indicating legal point of discharge and any access requirements for construction and maintenance.**
 - p) **Preliminary location of reserves for electrical kiosks.**
 - q) **Works external to the subdivision, including both interim and ultimate access requirements.**
 - r) **Proposed linkages to future streets, open space, regional path network and surrounding land.**

- s) **The location, height, width and form of all retaining walls.**
 - t) **Splays on all corner lots.**
12. **Prior to the commencement of works for each stage of the subdivision, Engineering Plans for the relevant stage of works must be submitted to and approved by Responsible Authority including plan checking and supervision fees. The Engineering Plans will not be considered until the Functional Layout Plans for the relevant stage 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) **All necessary computations and supporting design documentation for any structure, civil and drainage infrastructure and geotechnical investigation report.**
 - b) **Details of works must be consistent with the approved functional layout plan, submitted landscape plan and lodged plan of subdivision.**
 - c) **Details of any cut and fill earthworks including retaining walls.**
 - d) **Fully sealed pavements with kerb and channel, to dimensions generally in accordance with the approved functional layout plan, including traffic management devices where appropriate.**
 - e) **Provision of concrete footpaths/shared paths in all streets and reserves.**
 - f) **Any traffic management or traffic calming devices.**
 - g) **Traffic management measures to discourage vehicle entering into residential area from the commercial subdivision.**
 - h) **Underground drains incorporating features to prevent litter, sediments and oils from entering the drainage system and/or cut-off drains to intercept stormwater runoff from adjoining properties.**
 - i) **Underground stormwater drainage to each lot in the subdivision within own boundaries.**
 - j) **Water sensitive urban design measures.**
In the case any wetlands or drainage basin incorporates embankment wall, ANCOLD dam standard must be satisfied.
 - k) **Provision for all services and conduits (underground) including alignments and offsets.**
 - l) **Provision of public street lighting and underground electricity supply within all streets and reserves where appropriate.**
 - m) **A new sealed crossover for each lot. Crossovers should be a minimum of 10 metres from any intersection, 1 metres from any power pole, sign or service pit and an absolute minimum of 3 metres from any street tree.**
 - n) **Vehicle exclusion measures within reserves while maintaining maintenance vehicle access.**
 - o) **Temporary turnaround areas within the site for waste collection vehicles at the temporary dead end of any road.**
 - p) **Traffic control measures including street name signs.**
 - q) **A separate signage and line marking identifying the road layout, proposed signs, line-marking, RRPMS and a sign schedule.**
 - r) **Survey details of the canopy trunk location and size of trees to be retained and associated tree protection zone.**
 - s) **Permanent survey marks, levelled to the Australian Height Datum and coordinated to the Australian Map Grid.**
 - t) **Splays at all intersections, to suit the road functions.**

13. Prior to issue of a Statement of Compliance for each stage of the subdivision, all works shown on the approved Engineering Plans must be constructed or carried out all to the satisfaction of the Responsible Authority.
14. Prior to the commencement of works, an “Asset Protection Permit” must be obtained from Council for any of the following circumstances:
 - a) Entering a building site by means of a motor vehicle having a gross weight exceeding two tonnes.
 - b) Occupying a road for works.
 - c) Connecting any land to a stormwater drain.
 - d) Opening, altering or repairing a road.
 - e) Opening, altering or repairing a drain.
 - f) Accessing a building site from a point other than a crossover.
 - g) Construct/repair/widen/remove any crossover.
15. At least 14 days prior to commencement of works for each stage of the subdivision, a Site Management Plan must be submitted to and approved by the Responsible Authority. The Site Management Plan must contain the following:
 - a) Name and contact details of appointed Civil Contractor and Superintendent.
 - b) Existing condition survey of all existing assets including private properties
 - c) Construction Management Plan
 - d) Traffic Management Plan
 - e) Environmental Management Plan
 - f) Occupational Health & Safety and Job Safety Analysis Plans
 - g) Council issued Asset Protection Permit
 - h) Council approved Engineering PlansAll works must be carried out generally in accordance with measures set out in the above documents approved by the Responsible Authority.
16. The subdivision is to be provided with a drainage system to a design approved by the Responsible Authority and such that:
 - a) The subdivision as a whole is provided with a legal point of discharge approved by the Responsible Authority and any other statutory authority from which approval must be received for the discharge of drainage.
 - b) Stormwater runoff from all buildings, tanks and paved areas must be drained to a legal point of discharge.
 - c) All drainage courses or outfall drainage lines required to the legal point of discharge and which pass through lands other than those within the boundaries of the subdivision must be constructed at no cost to the Responsible Authority.
 - d) All drainage courses located within allotments must be contained within expressed drainage easements.
 - e) The flow paths of a 1 in 100 year ARI storm need to be determined and the subdivision designed such that no private property is inundated.
 - f) The drainage system must have provision for runoff from the upstream catchments and include any downstream works necessary to manage flows from the subdivision.

- g) Objectives of the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999) are satisfied.
17. Prior to the issue of Statement of Compliance for Stage 1 of the subdivision, a Maintenance Management Plan must be submitted to and approved by the Responsible Authority where appropriate for all Water Sensitive Urban Design infrastructure. The Maintenance Management Plan must include:
- A schedule of assets.
 - A maintenance regime for the maintenance period of two (2) years.
 - A record of the maintenance works undertaken during the maintenance period must be submitted to the Responsible Authority prior to handover.
- Any defects occurring during the maintenance period must be repaired by the operator of this Permit to the satisfaction of the Responsible Authority.
18. Prior to the issue of a Statement of Compliance for each stage of the subdivision, all land to be filled and to be used for a dwelling must be filled and compacted in accordance with Australian Standard AS3798:2007. The results of the tests must be produced and be to the satisfaction of the Responsible Authority.
19. Land required for road widening or right of way flaring for the ultimate design of any intersection or roadway must be transferred to or vested as 'road' in Macedon Ranges Shire Council at no cost to the acquiring agency.
20. Prior to the issue of a Statement of Compliance for each stage of the subdivision, the following 'as-constructed' documentation for road, drainage and public open space assets must be submitted to and approved by the Responsible Authority:
- As-constructed drawings in hardcopy A3 format that include all alterations made during construction.
 - As-constructed drawings in AutoCAD (2000) and Acrobat PDF formats that include all alterations made during construction.
 - Asset information in digital format and in the form of a schedule of quantities.
21. The subdivision is to be constructed in accordance with Macedon Ranges Shire Council's Policy Engineering Requirements for Infrastructure Construction (June 2010).
22. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into drains or watercourses. Soil erosion control measures must be employed throughout the development works in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995) to the satisfaction of the Responsible Authority.

Note:

- The Defect Liability Period for drainage and road infrastructure assets commences from the date of Acceptance of Works and extend for a minimum period of 12 months or other agreed period.

Environment Unit Conditions***Remnant native vegetation***

23. Prior to the issue of a Statement of compliance for Stage 4, the identified patches of native vegetation within 4 metres of a shared property boundary on lots 257, 258, 259, 260 must be offset with native vegetation offsets. A DELWP Native Vegetation Removal report must be submitted to offset the native vegetation. Refer to <https://nvim.delwp.vic.gov.au/>

Remnant Native Vegetation Conservation Management Plan

24. Prior to certification of the Plan of Subdivision for Stage 1, the applicant must submit a Conservation Management Plan for the remnant native vegetation proposed to be retained on the property. The Plan must include:
- Weed control program
 - Pest animal control program
 - Fencing plan

Wildlife Friendly Fencing

25. Wildlife friendly fencing is to be installed for boundary fencing for lots 257, 258, 259 and 260 in consultation with the Council's Environment Unit.

Tree Protection Plan

26. Prior to certification of the Plan of Subdivision for Stage 1, a detailed dimensioned Tree Protection Plan must be submitted that illustrates the tree protection zone of all trees and patches of native vegetation to be retained.
27. Prior to subdivision development commencing (including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings), a native vegetation protection fence must be erected around all native vegetation to be retained within 15 metres of the works area. The temporary vegetation fencing must be erected to the satisfaction of the Responsible Authority. This fence must be erected at:
- a) A radius of 12 times the diameter of the tree trunk at a height of 1.4 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree; and
 - b) Around the patch(es) of native vegetation at a minimum distance of 2 metres from retained native vegetation.
 - c) The tree protective fencing must be constructed of start pickets and paraweb or similar, to the satisfaction of the responsible authority. The protection fence must remain in place until all subdivision works are completed and must be erected around areas to be retained to protect surrounding vegetation. The tree protection fencing must form a visual and physical barrier and include signage clearly marked "Vegetation Protection Zone – No Entry" on all sides. Any trees, vegetation or waterways near the development site and/or construction areas must be included in the tree protection zone.

Tree Management Plan

28. Prior to subdivision development commencing a Tree Management Plan (TMP) must be submitted that sets out the tree protection measures for all retained native vegetation. The measures must be followed through all phases of demolition and construction. It must include details of construction staging, an assigned project arborist, and an inspection timeframe with a compliance checklist demonstrating how this will be

undertaken to minimise potential impact upon any native vegetation to be retained.

Waterway Restoration Plan

29. Prior to certification of the Plan of Subdivision for Stage 1, a Waterway Management Plan must be submitted to the Responsible Authority. The plan must outline restoration actions for Post Office Creek for the two lots, including the removal of noxious weeds, revegetation and pest animal management. The associated works in the plan must be completed prior to the sale of any lot.

The Waterway Restoration Plan must include:

- a) **Native Vegetation**
 - A mapped site plan detailing native vegetation identified along the riparian zone and in the waterway
 - A plant survey of Post Office Creek along the riparian zone and within the waterway
 - A plant species list of identified native plants
- b) **Revegetation Plan**

The revegetation plan must include:

 - Plant species list (pre 1750 EVC Benchmark)
 - Density of plantings per sqm
 - Location of plantings (plant species specific)
 - Details of how the site will be prepared prior to planting
 - Revegetation equipment – e.g. tree protection guards and stakes
 - Two year management schedule
 - Wildlife friendly fencing along waterway where fencing is proposed
- c) **Weed Management**
 - A mapped site plan showing noxious weeds along the riparian zone and in the waterway
 - A plant species list of the identified noxious weed species
 - Method/s of control for each species
 - A schedule of weed control works
 - A two year post weed removal maintenance program
- d) **Pest Control**
 - Survey of rabbit burrows and populations
 - Proposed rabbit control, including timing
 - A two year or ongoing treatment program
- e) **Fencing**
 - Setback at least 20 metres from both sides of the Post Office Creek, calculated from the waterway top of bank. To align with the boundary fencing where appropriate.
 - Stock exclusion fencing is to be installed along the waterway corridors. Boundary fencing must not cross over the waterways as to provide a continuous corridor.
- f) **Compliance Reporting Framework and Checklist**
 - A Reporting Framework and Checklist consistent with the table included in the the MRSC Land Management Plan. Refer to

<https://www.mrsc.vic.gov.au/Live-Work/Environment/Land-Management/Sustainable-Land-Management#section-4>

Waterway Management Plan

30. Prior to the commencement of works, a Waterway Management Plan must be submitted for the ongoing management of Post Office Creek and be secured on title with a Section 173 Agreement. The plan is to include a program of works for the purchaser to undertake on an ongoing basis, including noxious weed removal and pest animal management.

Construction Environment Management Plan

31. Before on-ground works commence, a Construction Environment Management Plan is to be submitted to the satisfaction of the Responsible Authority. The development must be conducted in accordance with the endorsed plan. The environmental management plan is to include but is not limited to:
- Overview of construction methods including management zones and construction zones, site preparation, access, construction activities, schedule and timing of works, and contractor briefing
 - Management Structure and Roles including an environmental audit process
 - Applicable planning and legislative requirements
 - Environmental considerations; management of and/or mitigation of impacts on:
 - Surface water pollution
 - Erosion and sediment
 - Waterway crossings
 - Terrestrial ecology
 - Aquatic ecology
 - Land management, reinstatement and rehabilitation
 - Visual impacts
 - Dust, odour and air quality
 - Noise and vibration
 - Waste management
 - Hazardous materials
 - Environmental incidents and emergencies
 - Fire hazards

Health Unit Conditions

32. A further LCA for each lot that is not connected to reticulated sewerage will be required to determine the site suitability for primary or secondary wastewater disposal and to determine the sizing and siting of the septic system and effluent irrigation lines.
33. Once each of the proposed residential lots is to be developed, an 'Application to install a septic tank' must be submitted to Council's Environmental Health Department to ensure the proposed wastewater treatment and disposal system is installed as per the LCA and the EPA Code of Practice – Onsite Wastewater Management 891. 4 (2016).

Note:

- The Land Capability Assessment (LCA) by Provincial Geotechnical Pty Ltd dated 27 February 2020, reference 13756A, has been conducted for the

site. The assessor has concluded that wastewater can be managed on each of the proposed allotments and either primary or secondary wastewater disposal is suitable (depending on the lot).

Coliban Water Conditions

34. Prior to the Statement of Compliance being issued, the proposed Lot 265 and Lot 266 must be consolidated to form a single Lot.
35. Prior to the Statement of Compliance being issued, a Landscape Management Plan (LMP) must be provided for Lot 102, and for the new single Lot formed by 265 and 266. The LMP must include:
 - a) Management actions for the removal of the Gorse infestation within the identified riparian area of Post Office Creek and the converging waterway.
 - b) Revegetation of the riparian area, including a planting schedule of all proposed trees, shrubs and ground covers of the appropriate Ecological Vegetation Class (EVC).
 - c) A timeline of actions for the completion of weed management and revegetation works within 5 years of the development starting.
36. Prior to the Statement of Compliance being issued, the owner shall enter into an agreement placed on proposed Lot 102, and the new single Lot formed by consolidating Lots 265 and 266, with the Responsible Authority under Section 173 of the *Planning and Environment Act* requiring that:
 - a) The actions provided for in the endorsed Land Management Plan must be carried out and thereafter maintained to the responsible authority's satisfaction.
37. Prior to the Statement of Compliance being issued, the owner shall enter into an agreement placed on proposed Lots 210, 250, 251, 252 and 264 with the Responsible Authority under Section 173 of the *Planning and Environment Act* requiring that:
 - a) A suitably formatted Landscape Plan must be included with a development application to provide for enhancement of the biodiversity of the area, including to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries.
 - b) The Landscape Plan must provide a planting schedule of all proposed trees, shrubs and ground covers of the appropriate Ecological Vegetation Class (EVC) and a timeline for the completion of works.
38. The owner shall be responsible for all costs and fees applicable for the preparation and the registration of the agreements on the relevant titles created by the subdivision of the land, and must provide evidence of registration of the Agreement to Coliban Water within three months of this occurring.

Note:

- Coliban Water will require a new or amended Land Capability Assessment with site specific details for any development applications to treat wastewater onsite.

Goulburn-Murray Water Conditions

39. Any plan submitted for Certification must show that lots in close proximity to Post Office Creek have suitably sized wastewater disposal areas which meet setback distances of at least 100m from Post Office Creek.
40. Prior to the Statement of Compliance being issued the proposed Lot 265 and Lot 266 must be consolidated to form a single Lot.
41. Prior to the Statement of Compliance being issued a Landscape Management Plan must be provided for Lot 102 and the new single Lot formed by 265 and 266. The LMP must include:
 - a) Management actions for the removal of the Gorse infestation within the identified riparian area of Post Office Creek and the converging waterway.
 - b) Revegetation of the riparian area including a planting schedule of all proposed trees, shrubs and ground covers of the appropriate Ecological Vegetation Class (EVC).
 - c) A timeline of actions for the completion of weed management and revegetation works within 5 years of the development starting.
42. Prior to the Statement of Compliance being issued, the owner shall enter into an agreement placed on proposed Lot 102 and the new single Lot formed by 265 and 266 with the Responsible Authority under Section 173 of the *Planning and Environment Act* requiring that:
 - a) The actions provided for in the endorsed Land Management Plan must be carried out and thereafter maintained to the responsible authorities' satisfaction.
43. Prior to the Statement of Compliance being issued, the owner shall enter into an agreement placed on proposed Lots 210, 250, 251, 252 and 264 with the Responsible Authority under Section 173 of the *Planning and Environment Act* requiring that:
 - a) A suitably formatted Landscape Plan must be included with a development application to provide for enhancement of the biodiversity of the area, including to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries.
 - b) The Landscape Plan must provide a planting schedule of all proposed trees, shrubs and ground covers of the appropriate Ecological Vegetation Class (EVC) and a timeline for the completion of works.
44. The owner shall be responsible for all costs and fees applicable for the preparation and the registration of the agreements on the relevant titles created by the subdivision of the land and must provide evidence of registration of the Agreement to Coliban Water and Goulburn-Murray Water within three months of this occurring.

Notes:

- Goulburn-Murray Water will require an amended Land Capability Assessment with site specific details for any development applications to treat wastewater onsite.
- A separate Works on Waterway permit for any works within the bed and banks of any designated waterway must be obtained directly from the North Central Catchment Management Authority. Please contact

North Central CMA on telephone (03) 5440 1896 to obtain a full understanding of the North Central CMA's requirements.

North Central Catchment Management Conditions

45. Prior to certification a waterway management and drainage easement must be created in favour of North Central CMA and registered on title. The easement must be located generally in accordance with the 1% AEP flood extent provided in the Kyneton Commercial Estate Floor Risk Assessment (2020). No buildings are permitted within this easement, with the exception of the approved buildings on lots 104 and 105.
46. Prior to certification a suitable restriction must be placed on title stipulating that fencing must be open style post and wire or post and rail in areas that are in the waterway management and drainage easement.
47. Prior to certification a suitable restriction is to be placed on the title which specifies the minimum floor level of any new dwelling(s) on any allotment that is affected by the 1% AEP flood extent. The minimum floor level must be no lower than 600 mm above the applicable 1% AEP flood level(s).
48. Prior to commencement of works, plans of any culverts under the access road off Pipers Creek must be submitted to the North Central CMA and the responsible authority for approval.
49. Unless otherwise agreed in writing with the Responsible Authority and the North Central CMA, the proposed development must not reduce the available flood storage on the site. A cut and fill balance ratio of 1.3:1 must be achieved on the site. That is, the volume of cut shall exceed the fill by 30%. Any proposed cut must be self-draining. Prior to the commencement of works detailed plans and computations demonstrating how this condition will be achieved must be provided to the North Central CMA for approval.
50. Prior to the Statement of Compliance being issued a Landscape Management Plan must be provided for Lots 102, 265 and 266. The LMP must include:
 - a) Management actions for the removal of the Gorse infestation within the identified riparian area of Post Office Creek and the converging waterway.
 - b) Revegetation of the riparian area including a planting schedule of all proposed trees, shrubs and ground covers of the appropriate Ecological Vegetation Class (EVC).
 - c) A timeline of actions for the completion of weed management and revegetation works within 5 years of the development starting.

Note:

- Flood levels for the 1% AEP (100-year ARI) flood event have been estimated for this area under provisions of the *Water Act 1989*. The applicable 1% AEP flood level for the location described above grades from 510.0 metres AHD down to 506.5 metres AHD, which was obtained from Kyneton Commercial Estate Floor Risk Assessment (2020), which was prepared by Water Modelling Solutions.

CFA Conditions***Roads***

51. 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.
52. 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.
53. Dead end roads and cul-de-sac's more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided); T or Y heads of dimensions specified by the CFA may be used as alternatives.
54. 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 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
55. Curves must have a minimum inner radius of 10 metres.

Notes:

- CFA is unaware if a reticulated water supply is to be provided to this development.
- CFA advises that a fire hydrant system within the road reserves on a reticulated water supply (should it be provided) will not provide satisfactory coverage to these allotments.

Powercor Conditions

56. 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.
57. 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.
58. 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.
59. 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.

60. 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 power lines 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

Downer Condition

61. The plan of subdivision submitted for certification must be referred to AusNet Gas Services in accordance with Section 8 of the Subdivision Act 1988.

Department of Transport (VicRoads) Conditions

62. Before the plan of subdivision is submitted to the Responsible Authority for certification under the Subdivision Act 1988:
- a) The functional layout plan (FLP) of the Heathcote-Kyneton Road (Edgecombe Road) must be submitted to and approved by the Department of Transport (Head, Transport for Victoria). The FLP must be generally in accordance with the plans (By GTA Consultants, dated the 20th August 2020) to show (but not limited to) the following:
- i. The removal of the southernmost proposed pedestrian crossing facility into the service station.
 - ii. Extension of the pedestrian path into the fast food restaurant and relocation of the arterial road crossing facility to not cross onto the existing crossover of 55 Edgecombe Road, Kyneton.
 - iii. Removal of the proposed right turn treatment (immediately north of the southbound Saleyards Road right turn lane) and the proposed service road entry point.
 - iv. Relocation of the local side road pedestrian crossing points to be located away from the arterial road (at the narrow section of the corner splays).
 - v. The provision of two, Auxiliary Left Short (AUL(S)) turn treatments at the proposed northern most intersection and the service road entry point (located immediately south of the

- northern side road) in accordance with Austroads (2017) Guide to Road Design Part 4A, Figure 8.3.
- vi. A footpath from the northern proposed road to link to the existing
 - vii. Indicative flag lighting in accordance with AS1158.
 - viii. All existing and proposed line marking, signage, services, vegetation, accesses (including the removal of all redundant access gates) etc.
 - ix. The swept path analysis of the following vehicles turning to and from subject land with Edgecombe Road:
 - (1) A 19-metre length single articulated truck with 0.5 metre clearances on both sides of the vehicle; and
 - (2) A 26-metre length b-double (without clearances).
 All swept path turning movements must be made from within the respective turn lane.
 - b) All proposed arterial road intersections must have a minimum 5 metre by 5 metre splay.
 - c) Any land set aside as Road must be labelled “ROAD” on the plan of subdivision; and
 - d) All land to be vested as road or reserve, for which the:
 - i. Responsible Authority is to be responsible, must be vested in the name of the *Macedon Ranges Shire Council*; or
 - ii. Head, Transport for Victoria is to be responsible, must be vested in the name of the *Head, Transport for Victoria*.
63. Prior to the issue of a Statement of Compliance:
- a) A Road Safety Audit must be undertaken upon the Department accepting the FLP and prior to the commencement of the Detailed Design Plan in accordance with VicRoads’ Road Safety Audit Policy. The audit findings and the consultant’s responses to the findings must be provided to the Department for review and approval. Any mitigating works arising out of the audit must be carried out to the satisfaction of and at no cost to the Department.
 - b) The following works must be completed to the satisfaction of and at no cost to the Department:
 - i. All right and left turn treatments (north of Pipers Creek Road).
 - ii. Any required relocation of services.
 - iii. Any required vegetation removal.
 - iv. Any required flag lighting as required under AS1158.
 - v. Any other works as required by the Department.

Notes:

- *The increase in discharge of any drainage onto the arterial road reserve from the subject land is not permitted unless approved in writing by the Department of Transport (Head, Transport for Victoria).*
- *Separate ‘detailed design’ approval (fees and charges apply) and the specifications of these are required under the Road Management Act. For the purposes of this application the works will include provision of:*
 - *Channelised Right (CHR) and Auxiliary Left Short (AUL(S)) turn treatments; and*
 - *Any other works in the arterial road reserve.*

- Please forward details marked attention to Paul Diss on:
nr.mailbox@roads.vic.gov.au
Further information regarding Department of Transport' consent to work within the road reserve can be found on the Department of Transport Website:
<https://www.vicroads.vic.gov.au/business-and-industry/design-and-management/working-within-the-road-reserve>
or by telephoning Tracy Kearns on (03) 5434 5148.

Expiry condition

64. This permit will expire if one of the following circumstances applies:
- a) The plan of subdivision for Stage 1 is not certified within two years of the date of this permit.
 - b) The plan of subdivision for Stage 2 is not certified within four years of the date of this permit.
 - c) The plan of subdivision for Stages 3 and 4 is not certified within six years of the date of this permit.
 - d) The plan of subdivision for each Stage is not registered at Land Registry within five years of the certification of the subdivision for that Stage.

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

It was moved by Cr Ridgeway seconded by Cr Pearce

- A. That Council issue a Notice of Decision to grant a planning permit for the Subdivision of four (4) lots into forty two (42) lots and drainage reserve in four (4) stages, creation of a vehicular access to a Road Zone, Category 1, removal of native vegetation and creation of easements for the land at Lot 1 PS 331532T, Lot 1 PS 439378A and Lots 1 & 2 PS 315372D, Edgecombe Road, Kyneton subject to the following conditions:
1. Prior to the certification of the Plan of Subdivision for Stage 1 under the *Subdivision Act 1988*, three copies and an electronic copy of amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be generally in accordance with the plans prepared by Douglas Gow, titled Retail Fuel Developments, dated 12.06.20, but modified to show:
 - a) An amended plan of subdivision showing the proposed Lot 265 and Lot 266 consolidated to form a single Lot.
 - b) Landscape plans as required under Conditions 2 and 3.
 - c) An amended plan of subdivision showing all the engineering plan changes as required under Condition 9.
 - d) A detailed dimensioned Tree Protection Plan that illustrates the tree protection zone of all trees and patches of native vegetation to be retained as required under Condition 26.
 - e) The Post Office Creek riparian area be shown as Public Open Space (POS). This open space to comprise the riparian area (encumbered

land plus 5% of public open space contribution) along the full length of the creek through the proposed development with public access and car parking available from Pipers Creek Road.

- f) The full details of the approved CHMP 16167 to be shown in the plan titled: Restrictions on Use of Land Plan.
2. Prior to the issue of a Statement of Compliance for Stage 1 and in conjunction with the Functional Layout Plan functional layout, three hard copies and a digital copy of a Landscape Masterplan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The landscape Masterplan is to be prepared by a suitably qualified and experienced landscape designer. It is to be drawn to scale and must show:
- a) The landscaping theme and graphical concepts to be developed for the subdivision.
 - b) The locations of street tree planting in various stages of the subdivision. Trees are to be spaced at a minimum of one tree per lot or every 12 metres, whichever is the lesser, for both Rural Living and Commercial Zones.
 - c) Topography and existing features, including contours for the subject land and any affected adjacent land.
 - d) The location of all trees existing on the site, including any that overhang the site from adjoining land.
 - e) Details of tree protection zones for all trees to be retained on site.
 - f) Any trees proposed for removal from the site clearly designated.
 - g) All areas which will be available for landscaping.
 - h) All proposed entrance treatments, paths (other than footpaths) and proposed amenities. Consideration should be given to providing an amenity area within one of the proposed reserves.
 - i) The principles and graphical concepts of the proposed treatment of any open space and drainage reserves.
 - j) How any landscape requirements or guidelines within Councils Design Guidelines for Industrial & Commercial Development are proposed to be implemented.
3. Prior to the issue of a Statement of Compliance for each stage of the subdivision, three hard copies and a digital copy of a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The detailed landscape plan is to be prepared by a suitably qualified and experienced landscape designer. It is to be generally in accordance with the endorsed Landscape Master Plan but is to focus on the details of any reserve areas and streetscape plantings relevant to each stage. The plan is to be overlaid on the approved Engineering plans to ensure coordination with services and other infrastructure. When approved, the plan will be endorsed and form part of this permit and is to include:

Street trees

- a) Street tree species selection is to tie in with the existing surrounding character and be a mix of native and indigenous species to the approval of the Responsible Authority

- b) Typical cross-sections for each street type, dimensioning tree locations, services offsets as set out in Council's Tree Management Policy, 2019 and any other spatial requirements
- c) A table of offsets for all utility services and street trees.
- d) The following notations:
 - *Tree planting is to occur between April & September to maximise establishment and survival.*
 - *Tree locations shown on this plan are a guide only and may require adjustment to coordinate with final service locations, Powercor requirements, and 'as constructed' infrastructure.*
 - *Street tree locations are to be set-out and approved on site by the Council Landscape Officer prior to installation*
 - *It is the responsibility of the contractor to confirm the location of all underground services prior to commencement of any excavation.*
- e) An advanced Tree Planting Detail with a minimum 52L Greenwell water saver and three (3) hardwood stakes.

Reserves (including basins):

- f) Large canopy trees are to be provided to the perimeter of (but not within) any basin areas with a preference for locally indigenous species.
- g) Trees proposed within lawn areas are to be a minimum of three metres apart (including mulch/waterwell) to facilitate mowing machinery or consolidated within mulched garden beds.
- h) All grassed areas are to be a minimum grade of 1:5, preferably 1:6, to allow for maintenance by mowing machinery.
- i) Any gradients 1:4 and greater are to be planted with a mix of native and indigenous grasses and groundcovers at a sufficient density to discourage weed growth.
- j) Species for gradients adjacent to and, within waterways and basins must be locally indigenous.
- k) Seed for grassed reserves (areas to be mowed) is to be a 'drought tolerant mix' including a summer species, such as Kikuyu, with Ryegrass as a base.
- l) Seed for retarding basins is to be a native species mix tolerant of periodic inundation.
- m) All interfaces to public areas are to be separated by bollards or post and rail fencing with access provided e.g. removable bollard or gate for maintenance vehicles.

Reserve Furniture

- n) All reserve furniture is to be submitted and shown in a Schedule to Parks and Gardens for final approval along with the Landscape plan.
- o) Details of all proposed bollards, fencing and access for maintenance are to be provided and approved as part of the endorsed Landscape package.

Landscape Maintenance

- p) Confirmation that landscaping shown on the endorsed landscape plans will be maintained to the satisfaction of the Responsible Authority for a period of two (2) years from the practical completion of the landscaping. During this period, any dead, diseased or damaged plants or landscaped areas are to be repaired or replaced during the period of maintenance and must not be deferred until the completion of the maintenance period.

Notes:

- Information regarding Councils preferred street trees, fencing, furniture style and materials can be requested from the Parks and Gardens Unit.
 - In addition to the Landscape Plans, applicants must submit for approval a proposed maintenance schedule and projected costs. This schedule will also be used to ensure the proposed maintenance program is consistent with Council standards and to calculate a 35% Landscape Maintenance Liability bond. It will also be useful for the developer in preparing budget projections for the 2 year maintenance requirement.
 - Council must be notified in writing 2 weeks before landscape construction is planned to commence to arrange a pre-construction site meeting/inspection. This is to ensure the areas set aside for open space and tree planting are consistent with those on approved plans, that the site is adequately prepared to protect significant features, and to establish a schedule of inspections during the development phase.
 - An additional site inspection will occur when construction is completed, to establish Practical Completion of the works and mark the commencement of the two (2) years maintenance period. This inspection will ensure that the site was developed according to the approved plan. Council must be notified of, and approve any changes to the approved works which are identified as necessary during the construction period. As constructed drawings will be required if any changes are made to the approved works.
 - Council will inspect the works thereafter at intervals throughout the maintenance period however must be notified in writing 3 months prior to the end of the maintenance period to schedule a final site inspection. Any defects identified during the final inspection will be detailed and forwarded to the applicant for rectification. The developer must undertake rectification works if the site has not been maintained to Council's satisfaction.
 - Final hand over will occur with the developer providing Council with, the maintenance history of the site.
4. Prior to the issue of a Statement of Compliance for each Stage the landscaping works shown on the endorsed plans must be carried out, completed and thereafter maintained to the satisfaction of the Responsible Authority.
5. Before the Statement of Compliance for the Plan of Subdivision for Stage 1, the owner of the lot 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) No native vegetation as identified in the Tree Protection Plan and forming part of permit PLN/2019/573 may not be removed unless with the prior written consent of the Responsible Authority.
 - b) Wildlife friendly fencing only is to be installed for boundary fencing between all residential lots, allowing access for wildlife to the adjoining Golf Course and the neighbouring Bald Hill Reserve in consultation with the Council's Environment Unit unless with the prior written consent of the Responsible Authority.

- c) At the time buildings are constructed on residential lots, potable water for domestic use and firefighting purposes must be provided on each residential lot.
- d) Within 6 months of the development operating on Lot 104, Lot 105 and Lot 106, a post development Transport Impact Assessment report must be submitted to and approved by Macedon Ranges Shire Council and the Department of Transport. The Transport Impact Assessment must include the following:
 - i. An assessment on the operation of Edgecombe Road and the intersection of Edgecombe Road-Saleyards Road-Pipers Creek Road.
 - ii. Identify any mitigation measures that may be required to improve operation of Edgecombe Road and the intersection of Edgecombe Road-Saleyards Road-Pipers Creek Road.

Within 18 months of the development operating, or any such time as agreed with the Macedon Ranges Shire Council and the Department of Transport, the mitigation measures as outlined in the post development Transport Impact Assessment must be constructed to the satisfaction of and at no cost to the Macedon Ranges Shire Council and the Department of Transport or any other Responsible Authority.

- e) Res No.1, Lot 102, Lot 103, Lot 104 and Lot 105 are to be designed and developed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).
- f) The ongoing implementation of the Waterway Management Plan as required under Condition 30.
- g) Development of all commercial buildings must fully meet Council’s “Design Guidelines for Industrial & Commercial Development”.
- h) Lots 102, 265 and 266 (or as consolidated) must only be used and developed in accordance with the Conditions of the approved Aboriginal Cultural Heritage Management Plan Number 16167.
- i) Applications for development on the Rural Living Zoned land must include landscaping plans to plant species that are indigenous to the area, are bird attracting and/or provide habitats for native animals to ensure an increase in biodiversity of the area.
- j) Applications for development of all land must display sustainable and environmentally sensitive building designs and use of materials.
- k) The Post Office Creek riparian area including Public Open Space (POS) to be vested in Council within 5 years. The riparian area including POS area to be developed as a usable parkland with the provision of some car parking and made accessible to public from Pipers Creek Road prior to vesting in Council. The area must be improved as required under Conditions 34, 40 and 49 of this permit.

Prior to a Statement of Compliance being issued:

- a) 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.
- b) The owner 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 an agreement with:
 - a) A telecommunications network or service provider for the provision of telecommunication 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.
7. Before the issue of a Statement of Compliance for the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
 - a) 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
 - b) 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.
8. Measures must be undertaken to minimise any loss of amenity to the neighbourhood from the development caused by dust, noise, the transport of materials to and from the land and the deposit of mud and debris on public roads, to the satisfaction of the Responsible Authority.

MRSC Engineering Conditions

9. Prior to the certification of the Plan of Subdivision for the Stage 1, an amended Subdivision Layout Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and submitted electronically as a PDF. The plan must be generally in accordance with the submitted plan but modified to show:
 - a) A relocated drainage reserve along the southern boundary of Lot 106. The Kyneton Commercial Estate Stormwater Management Plan, Revision C prepared by Water Modelling Solutions Pty Ltd dated August 2020 must be amended to comply with Clause 53.18 of the Planning Scheme.
 - b) Western boundary of Lot 104, Lot 105 and Lot 106 is modified such that future signalised intersection upgrade can be accommodated in accordance with Drawing No. V149970-06-P1 prepared by GTA Consultants.
 - c) Northern boundary of Lot 103 is modified to accommodate sufficient road verge width within the Pipers Creek Road reserve.

- d) Reconstruction of Pipers Creek Road is included in Stage 1.
 - e) Road cross sections as shown on the Landuse Masterplan are amended.
 - f) A Traffic Management Plan to the satisfaction of the Department of Transport and the Responsible Authority demonstrating how the traffic along Edgecombe Road from the freeway interchange (proposed location of service station) as well from Saleyards Road intersection will be managed. The plan must also reflect how traffic along Edgecombe Road facing the commercial section of the proposed development will be managed.
The Applicant will make a financial and/or in-kind contribution to the implementation of the Traffic Management Plan as negotiated to the satisfaction of the Department of Transport and the Responsible Authority.
10. Prior to the submission of Engineering Plans and certification of the relevant plan of subdivision for each stage, a Functional Layout Plan for the subdivision or the stage of subdivision 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. The Functional Layout Plan must be drawn at a scale of 1:500 to acceptable standards and an electronic copy (PDF) must also be provided. The functional layout plan must generally incorporate the following:
- a) A fully dimensioned subdivision layout, including proposed street names, lot areas, lot numbers, open space areas, and widths of street reservations.
 - 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.
 - d) Details of tree protection zones for all trees to be retained on site.
 - e) Any trees proposed for removal from the site (including dead trees) clearly designated.
 - f) Typical cross-sections for each street type, dimensioning individual elements, services offsets and any other spatial requirements.
 - g) Intersections with interim and/or ultimate treatments.
 - h) A table of offsets for all utility services and street trees.
 - i) Location and alignment of kerbs, indented parking spaces, footpaths, shared paths, bus stops and traffic controls.
 - j) The proposed minor drainage network and any land required for maintenance access.
 - k) The major drainage system, including any basin, wetland, silt pond, and/ or piped elements showing preliminary sizing.
 - l) Provision of a gross pollutant trap (GPT). The GPT must be located within the development site and will be become the responsibility of the land owner to maintain.
 - m) Overland flow paths (1 in 100 year ARI) to indicate how excess runoff will safely be conveyed to its destination.
 - n) In the case overland flow (1 in 100 year ARI) is draining into Edgecombe Road, written consent must be obtained from Department of Transport.
 - o) Drainage outfall system (both interim and ultimate), indicating legal point of discharge and any access requirements for construction and maintenance.

- p) Preliminary location of reserves for electrical kiosks.
 - q) Works external to the subdivision, including both interim and ultimate access requirements.
 - r) Proposed linkages to future streets, open space, regional path network and surrounding land.
 - s) The location, height, width and form of all retaining walls.
 - t) Splays on all corner lots.
11. Prior to the commencement of works for each stage of the subdivision, Engineering Plans for the relevant stage of works must be submitted to and approved by Responsible Authority including plan checking and supervision fees. The Engineering Plans will not be considered until the Functional Layout Plans for the relevant stage 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) All necessary computations and supporting design documentation for any structure, civil and drainage infrastructure and geotechnical investigation report.
 - b) Details of works must be consistent with the approved functional layout plan, submitted landscape plan and lodged plan of subdivision.
 - c) Details of any cut and fill earthworks including retaining walls.
 - d) Fully sealed pavements with kerb and channel, to dimensions generally in accordance with the approved functional layout plan, including traffic management devices where appropriate.
 - e) Provision of concrete footpaths/shared paths in all streets and reserves.
 - f) Any traffic management or traffic calming devices.
 - g) Traffic management measures to discourage vehicle entering into residential area from the commercial subdivision.
 - h) Underground drains incorporating features to prevent litter, sediments and oils from entering the drainage system and/or cut-off drains to intercept stormwater runoff from adjoining properties.
 - i) Underground stormwater drainage to each lot in the subdivision within own boundaries.
 - j) Water sensitive urban design measures.
In the case any wetlands or drainage basin incorporates embankment wall, ANCOLD dam standard must be satisfied.
 - k) Provision for all services and conduits (underground) including alignments and offsets.
 - l) Provision of public street lighting and underground electricity supply within all streets and reserves where appropriate.
 - m) A new sealed crossover for each lot. Crossovers should be a minimum of 10 metres from any intersection, 1 metres from any power pole, sign or service pit and an absolute minimum of 3 metres from any street tree.
 - n) Vehicle exclusion measures within reserves while maintaining maintenance vehicle access.
 - o) Temporary turnaround areas within the site for waste collection vehicles at the temporary dead end of any road.
 - p) Traffic control measures including street name signs.
 - q) A separate signage and line marking identifying the road layout, proposed signs, line-marking, RRPMS and a sign schedule.

- r) **Survey details of the canopy trunk location and size of trees to be retained and associated tree protection zone.**
 - s) **Permanent survey marks, levelled to the Australian Height Datum and coordinated to the Australian Map Grid.**
 - t) **Splays at all intersections, to suit the road functions.**
12. **Prior to issue of a Statement of Compliance for each stage of the subdivision, all works shown on the approved Engineering Plans must be constructed or carried out all to the satisfaction of the Responsible Authority.**
13. **Prior to the commencement of works, an “Asset Protection Permit” must be obtained from Council for any of the following circumstances:**
- a) **Entering a building site by means of a motor vehicle having a gross weight exceeding two tonnes.**
 - b) **Occupying a road for works.**
 - c) **Connecting any land to a stormwater drain.**
 - d) **Opening, altering or repairing a road.**
 - e) **Opening, altering or repairing a drain.**
 - f) **Accessing a building site from a point other than a crossover.**
 - g) **Construct/repair/widen/remove any crossover.**
14. **At least 14 days prior to commencement of works for each stage of the subdivision, a Site Management Plan must be submitted to and approved by the Responsible Authority. The Site Management Plan must contain the following:**
- a) **Name and contact details of appointed Civil Contractor and Superintendent.**
 - b) **Existing condition survey of all existing assets including private properties**
 - c) **Construction Management Plan**
 - d) **Traffic Management Plan**
 - e) **Environmental Management Plan**
 - f) **Occupational Health & Safety and Job Safety Analysis Plans**
 - g) **Council issued Asset Protection Permit**
 - h) **Council approved Engineering Plans**
- All works must be carried out generally in accordance with measures set out in the above documents approved by the Responsible Authority.**
15. **The subdivision is to be provided with a drainage system to a design approved by the Responsible Authority and such that:**
- a) **The subdivision as a whole is provided with a legal point of discharge approved by the Responsible Authority and any other statutory authority from which approval must be received for the discharge of drainage.**
 - b) **Stormwater runoff from all buildings, tanks and paved areas must be drained to a legal point of discharge.**
 - c) **All drainage courses or outfall drainage lines required to the legal point of discharge and which pass through lands other than those within the boundaries of the subdivision must be constructed at no cost to the Responsible Authority.**
 - d) **All drainage courses located within allotments must be contained within expressed drainage easements.**
 - e) **The flow paths of a 1 in 100 year ARI storm need to be determined and the subdivision designed such that no private property is inundated.**

- f) **The drainage system must have provision for runoff from the upstream catchments and include any downstream works necessary to manage flows from the subdivision.**
 - g) **Objectives of the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999) are satisfied.**
16. **Prior to the issue of Statement of Compliance for Stage 1 of the subdivision, a Maintenance Management Plan must be submitted to and approved by the Responsible Authority where appropriate for all Water Sensitive Urban Design infrastructure. The Maintenance Management Plan must include:**
- a) **A schedule of assets.**
 - b) **A maintenance regime for the maintenance period of two (2) years.**
 - c) **A record of the maintenance works undertaken during the maintenance period must be submitted to the Responsible Authority prior to handover.**
- Any defects occurring during the maintenance period must be repaired by the operator of this Permit to the satisfaction of the Responsible Authority.**
17. **Prior to the issue of a Statement of Compliance for each stage of the subdivision, all land to be filled and to be used for a dwelling must be filled and compacted in accordance with Australian Standard AS3798:2007. The results of the tests must be produced and be to the satisfaction of the Responsible Authority.**
18. **Land required for road widening or right of way flaring for the ultimate design of any intersection or roadway must be transferred to or vested as ‘road’ in Macedon Ranges Shire Council at no cost to the acquiring agency.**
19. **Prior to the issue of a Statement of Compliance for each stage of the subdivision, the following ‘as-constructed’ documentation for road, drainage and public open space assets must be submitted to and 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 (2000) 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.**
20. **The subdivision is to be constructed in accordance with Macedon Ranges Shire Council’s Policy Engineering Requirements for Infrastructure Construction (June 2010).**
21. **No polluted and/or sediment laden runoff is to be discharged directly or indirectly into drains or watercourses. Soil erosion control measures must be employed throughout the development works in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995) to the satisfaction of the Responsible Authority.**

Note:

- The Defect Liability Period for drainage and road infrastructure assets commences from the date of Acceptance of Works and extend for a minimum period of 12 months or other agreed period.

Environment Unit Conditions

Remnant native vegetation

22. Prior to the issue of a Statement of compliance for Stage 4, the identified patches of native vegetation within 4 metres of a shared property boundary on lots 257, 258, 259, 260 must be offset with native vegetation offsets. A DELWP Native Vegetation Removal report must be submitted to offset the native vegetation. Refer to <https://nvim.delwp.vic.gov.au/>

Remnant Native Vegetation Conservation Management Plan

23. Prior to certification of the Plan of Subdivision for Stage 1, the applicant must submit a Conservation Management Plan for the remnant native vegetation proposed to be retained on the property. The Plan must include:
- Weed control program
 - Pest animal control program
 - Fencing plan

Wildlife Friendly Fencing

24. Wildlife friendly fencing is to be installed for boundary fencing for all lots in consultation with the Council's Environment Unit.

Tree Protection Plan

25. Prior to certification of the Plan of Subdivision for Stage 1, a detailed dimensioned Tree Protection Plan must be submitted that illustrates the tree protection zone of all trees and patches of native vegetation to be retained.
26. Prior to subdivision development commencing (including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings), a native vegetation protection fence must be erected around all native vegetation to be retained within 15 metres of the works area. The temporary vegetation fencing must be erected to the satisfaction of the Responsible Authority. This fence must be erected at:
- a) A radius of 12 times the diameter of the tree trunk at a height of 1.4 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree; and
 - b) Around the patch(es) of native vegetation at a minimum distance of 2 metres from retained native vegetation.
 - c) The tree protective fencing must be constructed of start pickets and paraweb or similar, to the satisfaction of the responsible authority. The protection fence must remain in place until all subdivision works are completed and must be erected around areas to be retained to protect surrounding vegetation. The tree protection fencing must form a visual and physical barrier and include signage clearly marked "Vegetation Protection Zone – No Entry" on all sides. Any trees, vegetation or waterways near the development site and/or construction areas must be included in the tree protection zone.

Tree Management Plan

27. Prior to subdivision development commencing a Tree Management Plan (TMP) must be submitted that sets out the tree protection measures for all retained native vegetation. The measures must be followed through all phases of demolition and construction. It must include details of construction staging, an assigned project arborist, and an inspection timeframe with a compliance checklist demonstrating how this will be undertaken to minimise potential impact upon any native vegetation to be retained.

Waterway Restoration Plan

28. Prior to certification of the Plan of Subdivision for Stage 1, a Waterway Management Plan must be submitted to the Responsible Authority. The plan must outline restoration actions for Post Office Creek for the two lots, including the removal of noxious weeds, revegetation and pest animal management. The associated works in the plan must be completed prior to the sale of any lot.

The Waterway Restoration Plan must include:

- a) **Native Vegetation**
- A mapped site plan detailing native vegetation identified along the riparian zone and in the waterway
 - A plant survey of Post Office Creek along the riparian zone and within the waterway
 - A plant species list of identified native plants
- b) **Revegetation Plan**
The revegetation plan must include:
- Plant species list (pre 1750 EVC Benchmark)
 - Density of plantings per sqm
 - Location of plantings (plant species specific)
 - Details of how the site will be prepared prior to planting
 - Revegetation equipment – e.g. tree protection guards and stakes
 - Two year management schedule
 - Wildlife friendly fencing along waterway where fencing is proposed
- c) **Weed Management**
- A mapped site plan showing noxious weeds along the riparian zone and in the waterway
 - A plant species list of the identified noxious weed species
 - Method/s of control for each species
 - A schedule of weed control works
 - A two year post weed removal maintenance program
- d) **Pest Control**
- Survey of rabbit burrows and populations
 - Proposed rabbit control, including timing
 - A two year or ongoing treatment program
- e) **Fencing**
- Setback at least 20 metres from both sides of the Post Office Creek, calculated from the waterway top of bank. To align with the boundary fencing where appropriate.

- Stock exclusion fencing is to be installed along the waterway corridors. Boundary fencing must not cross over the waterways as to provide a continuous corridor.
- f) **Compliance Reporting Framework and Checklist**
- A Reporting Framework and Checklist consistent with the table included in the the MRSC Land Management Plan. Refer to <https://www.mrsc.vic.gov.au/Live-Work/Environment/Land-Management/Sustainable-Land-Management#section-4>

Waterway Management Plan

29. Prior to the commencement of works, a Waterway Management Plan must be submitted for the ongoing management of Post Office Creek and be secured on title with a Section 173 Agreement. The plan is to include a program of works for the purchaser to undertake on an ongoing basis, including noxious weed removal and pest animal management.

Construction Environment Management Plan

30. Before on-ground works commence, a Construction Environment Management Plan is to be submitted to the satisfaction of the Responsible Authority. The development must be conducted in accordance with the endorsed plan. The environmental management plan is to include but is not limited to:
- Overview of construction methods including management zones and construction zones, site preparation, access, construction activities, schedule and timing of works, and contractor briefing
 - Management Structure and Roles including an environmental audit process
 - Applicable planning and legislative requirements
 - Environmental considerations; management of and/or mitigation of impacts on:
 - Surface water pollution
 - Erosion and sediment
 - Waterway crossings
 - Terrestrial ecology
 - Aquatic ecology
 - Land management, reinstatement and rehabilitation
 - Visual impacts
 - Dust, odour and air quality
 - Noise and vibration
 - Waste management
 - Hazardous materials
 - Environmental incidents and emergencies
 - Fire hazards

Health Unit Conditions

31. A further LCA for each lot that is not connected to reticulated sewerage will be required to determine the site suitability for primary or secondary wastewater disposal and to determine the sizing and siting of the septic system and effluent irrigation lines.

32. Once each of the proposed residential lots is to be developed, an 'Application to install a septic tank' must be submitted to Council's Environmental Health Department to ensure the proposed wastewater treatment and disposal system is installed as per the LCA and the EPA Code of Practice – Onsite Wastewater Management 891. 4 (2016).

Note:

- The Land Capability Assessment (LCA) by Provincial Geotechnical Pty Ltd dated 27 February 2020, reference 13756A, has been conducted for the site. The assessor has concluded that wastewater can be managed on each of the proposed allotments and either primary or secondary wastewater disposal is suitable (depending on the lot).

Coliban Water Conditions

33. Prior to the Statement of Compliance being issued, the proposed Lot 265 and Lot 266 must be consolidated to form a single Lot.
34. Prior to the Statement of Compliance being issued, a Landscape Management Plan (LMP) must be provided for Lot 102, and for the new single Lot formed by 265 and 266. The LMP must include:
- a) Management actions for the removal of the Gorse infestation within the identified riparian area of Post Office Creek and the converging waterway.
 - b) Revegetation of the riparian area, including a planting schedule of all proposed trees, shrubs and ground covers of the appropriate Ecological Vegetation Class (EVC).
 - c) A timeline of actions for the completion of weed management and revegetation works within 5 years of the development starting.
35. Prior to the Statement of Compliance being issued, the owner shall enter into an agreement placed on proposed Lot 102, and the new single Lot formed by consolidating Lots 265 and 266, with the Responsible Authority under Section 173 of the *Planning and Environment Act* requiring that:
- d) The actions provided for in the endorsed Land Management Plan must be carried out and thereafter maintained to the responsible authority's satisfaction.
36. Prior to the Statement of Compliance being issued, the owner shall enter into an agreement placed on proposed Lots 210, 250, 251, 252 and 264 with the Responsible Authority under Section 173 of the *Planning and Environment Act* requiring that:
- a) A suitably formatted Landscape Plan must be included with a development application to provide for enhancement of the biodiversity of the area, including to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries.
 - e) The Landscape Plan must provide a planting schedule of all proposed trees, shrubs and ground covers of the appropriate Ecological Vegetation Class (EVC) and a timeline for the completion of works.
37. The owner shall be responsible for all costs and fees applicable for the preparation and the registration of the agreements on the relevant titles

created by the subdivision of the land, and must provide evidence of registration of the Agreement to Coliban Water within three months of this occurring.

Note:

- Coliban Water will require a new or amended Land Capability Assessment with site specific details for any development applications to treat wastewater onsite.

Goulburn-Murray Water Conditions

38. Any plan submitted for Certification must show that lots in close proximity to Post Office Creek have suitably sized wastewater disposal areas which meet setback distances of at least 100m from Post Office Creek.
39. Prior to the Statement of Compliance being issued the proposed Lot 265 and Lot 266 must be consolidated to form a single Lot.
40. Prior to the Statement of Compliance being issued a Landscape Management Plan must be provided for Lot 102 and the new single Lot formed by 265 and 266. The LMP must include:
 - a) Management actions for the removal of the Gorse infestation within the identified riparian area of Post Office Creek and the converging waterway.
 - b) Revegetation of the riparian area including a planting schedule of all proposed trees, shrubs and ground covers of the appropriate Ecological Vegetation Class (EVC).
 - c) A timeline of actions for the completion of weed management and revegetation works within 5 years of the development starting.
41. Prior to the Statement of Compliance being issued, the owner shall enter into an agreement placed on proposed Lot 102 and the new single Lot formed by 265 and 266 with the Responsible Authority under Section 173 of the *Planning and Environment Act* requiring that:
 - a) The actions provided for in the endorsed Land Management Plan must be carried out and thereafter maintained to the responsible authorities' satisfaction.
42. Prior to the Statement of Compliance being issued, the owner shall enter into an agreement placed on proposed Lots 210, 250, 251, 252 and 264 with the Responsible Authority under Section 173 of the *Planning and Environment Act* requiring that:
 - c) A suitably formatted Landscape Plan must be included with a development application to provide for enhancement of the biodiversity of the area, including to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries.
 - d) The Landscape Plan must provide a planting schedule of all proposed trees, shrubs and ground covers of the appropriate Ecological Vegetation Class (EVC) and a timeline for the completion of works.
43. The owner shall be responsible for all costs and fees applicable for the preparation and the registration of the agreements on the relevant titles created by the subdivision of the land and must provide evidence of

registration of the Agreement to Coliban Water and Goulburn-Murray Water within three months of this occurring.

Notes:

- **Goulburn-Murray Water will require an amended Land Capability Assessment with site specific details for any development applications to treat wastewater onsite.**
- **A separate Works on Waterway permit for any works within the bed and banks of any designated waterway must be obtained directly from the North Central Catchment Management Authority. Please contact North Central CMA on telephone (03) 5440 1896 to obtain a full understanding of the North Central CMA's requirements.**

North Central Catchment Management Conditions

44. **Prior to certification a waterway management and drainage easement must be created in favour of North Central CMA and registered on title. The easement must be located generally in accordance with the 1% AEP flood extent provided in the Kyneton Commercial Estate Floor Risk Assessment (2020). No buildings are permitted within this easement, with the exception of the approved buildings on lots 104 and 105.**
45. **Prior to certification a suitable restriction must be placed on title stipulating that fencing must be open style post and wire or post and rail in areas that are in the waterway management and drainage easement.**
46. **Prior to certification a suitable restriction is to be placed on the title which specifies the minimum floor level of any new dwelling(s) on any allotment that is affected by the 1% AEP flood extent. The minimum floor level must be no lower than 600 mm above the applicable 1% AEP flood level(s).**
47. **Prior to commencement of works, plans of any culverts under the access road off Pipers Creek must be submitted to the North Central CMA and the responsible authority for approval.**
48. **Unless otherwise agreed in writing with the Responsible Authority and the North Central CMA, the proposed development must not reduce the available flood storage on the site. A cut and fill balance ratio of 1.3:1 must be achieved on the site. That is, the volume of cut shall exceed the fill by 30%. Any proposed cut must be self-draining. Prior to the commencement of works detailed plans and computations demonstrating how this condition will be achieved must be provided to the North Central CMA for approval.**
49. **Prior to the Statement of Compliance being issued a Landscape Management Plan must be provided for Lots 102, 265 and 266. The LMP must include:**
 - a) **Management actions for the removal of the Gorse infestation within the identified riparian area of Post Office Creek and the converging waterway.**
 - b) **Revegetation of the riparian area including a planting schedule of all proposed trees, shrubs and ground covers of the appropriate Ecological Vegetation Class (EVC).**

- c) A timeline of actions for the completion of weed management and revegetation works within 5 years of the development starting.

Note:

- Flood levels for the 1% AEP (100-year ARI) flood event have been estimated for this area under provisions of the *Water Act 1989*. The applicable 1% AEP flood level for the location described above grades from 510.0 metres AHD down to 506.5 metres AHD, which was obtained from Kyneton Commercial Estate Floor Risk Assessment (2020), which was prepared by Water Modelling Solutions.

CFA Conditions

Roads

50. 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.
51. 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.
52. Dead end roads and cul-de-sac's more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided); T or Y heads of dimensions specified by the CFA may be used as alternatives.
53. 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 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
54. Curves must have a minimum inner radius of 10 metres.

Notes:

- CFA is unaware if a reticulated water supply is to be provided to this development.
- CFA advises that a fire hydrant system within the road reserves on a reticulated water supply (should it be provided) will not provide satisfactory coverage to these allotments.

Powercor Conditions

55. 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.
56. 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.

57. 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.

58. 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.

59. 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 power lines 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

Downer Condition

60. The plan of subdivision submitted for certification must be referred to AusNet Gas Services in accordance with Section 8 of the Subdivision Act 1988.

Department of Transport (VicRoads) Conditions

61. Before the plan of subdivision is submitted to the Responsible Authority for certification under the Subdivision Act 1988:

- a) The functional layout plan (FLP) of the Heathcote-Kyneton Road (Edgecombe Road) must be submitted to and approved by the Department of Transport (Head, Transport for Victoria).

The FLP must be generally in accordance with the plans (By GTA Consultants, dated the 20th August 2020) to show (but not limited to) the following:

- i. The removal of the southernmost proposed pedestrian crossing facility into the proposed service station.
- ii. Extension of the pedestrian path into the proposed fast food restaurant and relocation of the arterial road crossing facility to

- not cross onto the existing crossover of 55 Edgecombe Road, Kyneton.
- iii. Removal of the proposed right turn treatment (immediately north of the southbound Saleyards Road right turn lane) and the proposed service road entry point.
 - iv. Relocation of the local side road pedestrian crossing points to be located away from the arterial road (at the narrow section of the corner splays).
 - v. The provision of two, Auxiliary Left Short (AUL(S)) turn treatments at the proposed northern most intersection and the service road entry point (located immediately south of the northern side road) in accordance with Austroads (2017) Guide to Road Design Part 4A, Figure 8.3.
 - vi. A footpath from the northern proposed road to link to the existing
 - vii. Indicative flag lighting in accordance with AS1158.
 - viii. All existing and proposed line marking, signage, services, vegetation, accesses (including the removal of all redundant access gates) etc.
 - ix. The swept path analysis of the following vehicles turning to and from subject land with Edgecombe Road:
 - (1) A 19-metre length single articulated truck with 0.5 metre clearances on both sides of the vehicle; and
 - (2) A 26-metre length b-double (without clearances).All swept path turning movements must be made from within the respective turn lane.
- b) All proposed arterial road intersections must have a minimum 5 metre by 5 metre splay.
 - c) Any land set aside as Road must be labelled “ROAD” on the plan of subdivision; and
 - d) All land to be vested as road or reserve, for which the:
 - i. Responsible Authority is to be responsible, must be vested in the name of the *Macedon Ranges Shire Council*; or
 - ii. Head, Transport for Victoria is to be responsible, must be vested in the name of the *Head, Transport for Victoria*.
62. Prior to the issue of a Statement of Compliance:
- a) A Road Safety Audit must be undertaken upon the Department accepting the FLP and prior to the commencement of the Detailed Design Plan in accordance with VicRoads’ Road Safety Audit Policy. The audit findings and the consultant’s responses to the findings must be provided to the Department for review and approval. Any mitigating works arising out of the audit must be carried out to the satisfaction of and at no cost to the Department.
 - b) The following works must be completed to the satisfaction of and at no cost to the Department:
 - i. All right and left turn treatments (north of Pipers Creek Road).
 - ii. Any required relocation of services.
 - iii. Any required vegetation removal.
 - iv. Any required flag lighting as required under AS1158.
 - v. Any other works as required by the Department.

Notes:

- *The increase in discharge of any drainage onto the arterial road reserve from the subject land is not permitted unless approved in writing by the Department of Transport (Head, Transport for Victoria).*
- *Separate ‘detailed design’ approval (fees and charges apply) and the specifications of these are required under the Road Management Act. For the purposes of this application the works will include provision of:*
 - *Channelised Right (CHR) and Auxiliary Left Short (AUL(S)) turn treatments; and*
 - *Any other works in the arterial road reserve.*
- **Please forward details marked attention to Paul Diss on:**
nr.mailbox@roads.vic.gov.au
Further information regarding Department of Transport’ consent to work within the road reserve can be found on the Department of Transport Website:
<https://www.vicroads.vic.gov.au/business-and-industry/design-and-management/working-within-the-road-reserve>
or by telephoning Tracy Kearns on (03) 5434 5148.

Expiry condition

63. This permit will expire if one of the following circumstances applies:
- a) The plan of subdivision for Stage 1 is not certified within two years of the date of this permit.
 - b) The plan of subdivision for Stage 2 is not certified within four years of the date of this permit.
 - c) The plan of subdivision for Stages 3 and 4 is not certified within six years of the date of this permit.
 - d) The plan of subdivision for each Stage is not registered at Land Registry within five years of the certification of the subdivision for that Stage.

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

- B. That councillors be notified of any future residential and commercial planning applications relating to this development.

CARRIED

Cr Moore requested a division

FOR: Cr West, Cr Ridgeway, Cr Pearce, Cr Neil, Cr Death, Cr Bonanno
AGAINST: Cr Anderson, Cr Moore, Cr Guthrie

11. CHIEF EXECUTIVE OFFICER'S REPORTS:

Nil

12. DIRECTOR CORPORATE AND COMMUNITY REPORTS:

Report No: Report Title:

CC.1 Contracts to be awarded as at 16 December 2020

Purpose and Overview

The following report sets out the details of contracts proposed to be awarded from the date of the last report to 16 December 2020 under a delegation from Council. Although this report recommends noting the delegated authority of Council officers, the Council has the power to:

- (a) direct that the Chief Executive Officer award the contract under the direct delegation from Council; or
- (b) specifically grant delegated authority to the Chief Executive Officer.

Recommendation

That Council note that the following contracts will be awarded by Council officers under delegated authority:

- **C21.1092 Romsey Structure Plan**
- **C21.1093 Black Hill Reserve Track and Drainage Works**
- **C21.1094 Shared Trails Project Cultural Heritage Management Plan**

It was moved by Cr Neil seconded by Cr Guthrie that the Officer Recommendation be adopted.

CARRIED

Prior to consideration of agenda item CC.2, Cr Ridgeway declared a general conflict of interest in relation to the item. Cr Ridgeway advised he is the current President of the Rotary Club of Kyneton, which is involved with the Australia Day Breakfast organised by the Lion's Club of Kyneton.

8.17pm Cr Ridgeway left the meeting.

Report No: Report Title:

CC.2 Australia Day Township Celebration Grants 2021

Purpose and Overview

To outline the process for seeking applications for Council's Australia Day Grants and to seek Council's consideration of the 2021 applications.

Four grant applications have been received. The maximum amount that can be awarded for any one event is \$500. Officers recommend funding all four events submitted at a total cost of \$2,000.

Three grant applications were received by Council's extended deadline of Sunday 8 November 2020. A fourth grant application was subsequently received from Baynton Hall Committee, which has previously been funded by Council under the

grant scheme. Funding for all four grant applications can be met within existing resources.

Recommendation

That Council approve the allocation of \$2,000 in Australia Day Grants for the following four applications:

Group:	Lions Club of Kyneton
Event:	Australia Day Breakfast
Time:	8am
Town:	Kyneton
Venue:	Kyneton Mechanics Institute Reserve
Estimated participants:	200–300*
Amount requested:	\$500
Amount recommended:	\$500
Comment:	This event is worthy of receiving full funding
Details of event:	Free community breakfast

Group:	Tylden Hall Committee of Management
Event:	Australia Day Celebrations
Time:	8am
Town:	Tylden
Venue:	Tylden Park playground and barbecue area
Estimated participants:	100*
Amount requested:	\$500
Amount recommended:	\$500
Comment:	This event is worthy of receiving full funding
Details of event:	Free barbecue breakfast
Group:	The GREAT Association Inc.
Event:	Australia Day Celebration
Time:	9am
Town:	Gisborne
Venue:	John Aitken Reserve
Estimated participants:	200–300*
Amount requested:	\$500
Amount recommended:	\$500
Comment:	This event is worthy of receiving full funding
Details of event:	Free barbecue breakfast and entertainment

Group:	Baynton Hall Committee
Event:	Baynton Hall Australia Day Barbecue and Film Evening
Time:	5.30pm
Town:	Baynton
Venue:	Baynton Hall
Estimated participants:	100
Amount requested:	\$500
Amount recommended:	\$500
Comment:	This event is worthy of receiving full funding
Details of event:	Baynton Hall Committee hosts Australia Day celebrations from 5.30pm at Baynton Hall.

	Celebrations include a free traditional barbecue dinner, the annual Baynton Gift, singing of the national anthem, and a viewing of an iconic Australian movie.
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***Note: The Australia Day Township Celebration Grants will be offered on the understanding that the recipient groups will adhere to COVID restrictions regarding attendances at each event. The recipient group will be required to prepare a COVID-Safe Plan for any event covered by this grant, and submitted to Council two weeks in advance of the event.**

It was moved by Cr Guthrie seconded by Cr Moore that the Officer Recommendation be adopted.

CARRIED

8.19pm Cr Ridgeway returned to the meeting.

Report No: Report Title:

CC.3 2021 Australia Day Awards

Purpose and Overview

To provide Council with information about the 2021 Australia Day Award categories and provide Council with details of the nominations so that Council can determine the award winners in each category.

Recommendation

That Council:

- 1. consider the award criteria for each award category as outlined in this report**
- 2. consider the nominations received for the 2021 Australia Day awards**
- 3. determine award winners in each category**

along with any other confidential matters at the conclusion of the open part of this meeting in accordance with section 66(2)(a) of the Local Government Act 2020. For the purposes of section 66(5) of the Local Government Act 2020, the confidential information includes personal information about persons nominated for Australia Day, that if released would result in the unreasonable disclosure of information about any person or their personal affairs.

It was moved by Cr West seconded by Cr Death that the Officer Recommendation be adopted.

CARRIED

Report No: Report Title:

CC.4 Integrated strategic planning and reporting framework approach

Purpose and Overview

To provide an overview of the Strategic Planning and Reporting Framework as outlined in the *Local Government Act 2020* and the proposed plan in place for Council to meet these requirements and deliver a Council Vision, Council Plan, Financial Plan and Asset Plan utilising Deliberative Engagement processes.

Recommendation

That Council note the approach proposed to ensure compliance with the Local Government Act 2020 in relation to the Integrated Strategic Planning and Reporting Framework, and the approach to deliberative engagement.

It was moved by Cr Bonanno seconded by Cr Ridgeway that the Officer Recommendation be adopted.

CARRIED

The Mayor, Cr Anderson, on behalf of all Councillors thanked officers for their work in relation to agenda item CC.4

Report No: Report Title:

CC.5 Report from the Audit and Risk Committee meetings, committee membership and annual report of committee

This report ensures Council transparently discloses a summary of the key matters discussed at the Audit and Risk Committee meetings on 16 September 2020 and 15 October 2020.

The report also ensures the requirements of the Audit and Risk Committee Charter are met by having the Chairperson of the Committee provide an Annual Report to Council inclusive of the Committee's self-assessment of its performance.

The Audit and Risk Committee Annual Report 2020 is attached and the Chairperson; Mr Brian Collins will attend the Council Meeting to present the Annual Report.

It is normal for Council to suspend standing orders, during item 9 (Deputations and presentations to Council) so that the Chairperson may do so.

Recommendation

That Council:

- 1. Note the report together with the minutes from the Audit and Risk Committee meetings on 16 September and 15 October 2020.**

2. **Endorse the appointment of Independent Member, Peter Matthews as Audit and Risk Committee Chairperson from 1 January 2021 to 31 December 2021.**
3. **Note that a recruitment process will begin for a new Independent Member in 2021, for a three year appointment.**
4. **Direct the CEO to write to the outgoing Independent Committee Member, Brian Collins to thank them for their contribution to the Committee.**
5. **Note the Annual Report of the Audit and Risk Committee and thank the Committee for the Report.**

The Acting Director, Corporate and Community sought to make an Amended Officer Recommendation to make a minor grammatical change to recommendation 4.

Amended Officer Recommendation

That Council:

1. **Note the report together with the minutes from the Audit and Risk Committee meetings on 16 September and 15 October 2020.**
2. **Endorse the appointment of Independent Member, Peter Matthews as Audit and Risk Committee Chairperson from 1 January 2021 to 31 December 2021.**
3. **Note that a recruitment process will begin for a new Independent Member in 2021, for a three year appointment.**
4. **Direct the CEO to write to the outgoing Independent Committee Member, Brian Collins to thank him for his contribution to the Committee.**
5. **Note the Annual Report of the Audit and Risk Committee and thank the Committee for the Report.**

It was moved by Cr Neil seconded by Cr Guthrie that the Amended Officer Recommendation be adopted.

CARRIED

Report No: Report Title:

**CC.6 Proposal to name part of an unnamed Kyneton laneway
"Turners Lane"**

Purpose and Overview

To present a proposal to name the southern part of an unnamed laneway that runs between High Street and Market Street, Kyneton "Turners Lane".

Recommendation

That Council:

1. **Approves the naming of the southern part of an unnamed laneway running between High Street and Market Street Kyneton - affecting land parcels Lot 1 TP318437, Lot 2 TP326174, Lot 3 PS441508 and Lot 1 TP22292 and ending at the southern boundary to Lot 2 TP584557 - as "Turners Lane".**
2. **Notes that, if approved, the naming will be submitted to the Registrar for Geographic Names for endorsement and gazettal.**

3. Notes that officers will write to the naming applicant, surrounding property owners and those community members who responded to the public consultation process to advise them of the decision.

It was moved by Cr West and seconded by Cr Moore that the Officer Recommendation be adopted.

It was moved by Cr Pearce and seconded by Cr Death that the motion be amended

That Council:

1. Approves the naming of the southern part of an unnamed laneway running between High Street and Market Street Kyneton - affecting land parcels Lot 1 TP318437, Lot 2 TP326174, Lot 3 PS441508 and Lot 1 TP22292 and ending at the southern boundary to Lot 2 TP584557 - as "Turners Lane" subject to the CEO notifying the Taungurung Land and Waters Council, as the relevant Registered Aboriginal Party, of the proposed naming and having received no objection to the proposal by 1 February 2021.
2. Notes that, if approved, the naming will be submitted to the Registrar for Geographic Names for endorsement and gazettal.
3. Notes that officers will write to the naming applicant, surrounding property owners and those community members who responded to the public consultation process to advise them of the decision.

During debate on the amendment, Cr Neil foreshadowed his intention to move a motion at a later stage.

LOST

Cr Neil moved

That Council:

1. Approves the naming of the whole of the unnamed laneway running between High Street and Market Street Kyneton - affecting land parcels Lot 1 TP318437, Lot 2 TP326174, Lot 3 PS441508, Lot 1 TP22292 and Lot 2 TP584557 - as "Turners Lane".
2. Notes that, if approved, the naming will be submitted to the Registrar for Geographic Names for endorsement and gazettal.
3. Notes that officers will write to the naming applicant, surrounding property owners and those community members who responded to the public consultation process to advise them of the decision.

LAPSED

It was moved by Cr West and seconded by Cr Moore that the Officer Recommendation be adopted.

CARRIED

Report No: Report Title:

CC.7 Update on the proposed transfer of East Paddock, Hanging Rock

Purpose and Overview

This report provides an update on the negotiations undertaken between the State Government and Council for the sale of the East Paddock, Hanging Rock, and seeks to gain approval to disclose the Council valuation of the site.

In a confidential report to Council presented in May 2020, it was recommended that Council reject an offer made by the Department of Environment, Land, Water and Planning (DELWP) to purchase the land. This report provides details on the valuation process and the reasons for Council's decision.

Recommendation

That Council:

- a. **Approve the public disclosure of Council's valuation of the East Paddock site at Hanging Rock;**
- b. **Continue to work with the Department of Environment Land Water and Planning (DELWP) to negotiate a satisfactory outcome to the proposed transfer of the East Paddock; and**
- c. **That the outcome of discussions with DELWP be subject to a report back to Council for Council's consideration.**

It was moved by Cr Neil seconded by Cr West

That Council:

- a. **Approve the public disclosure of Council's valuation of the East Paddock site at Hanging Rock;**
- b. **Retain ownership of the East Paddock; and**
- c. **Advise the State Government representatives that Council will not be continuing discussion regarding the possible sale of the East Paddock land to the State Government; and**
- d. **Continue to work with the State Government on the future enhancement and protection of the Hanging Rock precinct.**

LOST

It was moved by Cr Pearce seconded by Cr Death that the Officer Recommendation be adopted.

During debate, Cr Moore moved and then withdrew an amendment to the motion.

CARRIED

13. DIRECTOR ASSETS AND OPERATIONS REPORTS:**Report No: Report Title:**

AO.1 Consideration of a request for inclusion of road onto the Public Road Register – Service road off Black Forest Drive, Woodend

Purpose and Overview

This report is in response to a customer request (CRM 201240) received by Council to add an approximately 200m long section of private road onto the Register of Public Roads. This section of road is a short service road located off Black Forest Drive, Woodend which currently provides access to two properties being 1002 and 1010 Black Forest Drive, Woodend.

The request was assessed in accordance with the Public Roads Procedure (2018). It is determined that the road would require significant upgrades to meet Council's minimum construction standards. It is therefore recommended that this section of private road not be added to the Register of Public Roads.

Recommendation**That Council:**

- 1. Resolve not to include a service road located off Black Forest Drive, Woodend onto the Register of Public Roads.**
- 2. Resolve that the requester be advised of this Council resolution.**

It was moved by Cr Guthrie seconded by Cr Pearce that the Officer Recommendation be adopted.

CARRIED

Report No: Report Title:

AO.2 Consideration of a request for inclusion of road onto the Public Road Register – Hillsboro Street, Carlsruhe

Purpose and Overview

This report is in response to a request (CRM 200813) received by Council to add an approximately 40 metres long section of private road onto the Register of Public Roads. This road extends from the intersection of Pultney Street and Hillsboro Street to the eastern boundary of 49 Hillsboro Street, Carlsruhe.

The request was assessed in accordance with the Public Roads Procedure (2018). It is determined that the road would require significant upgrades to meet Council's minimum construction standards. It is therefore recommended that this section of private road not be added to the Register of Public Roads.

Recommendation**That Council:**

- 1. Resolve to not include an extension of Hillsboro Street, Carlsruhe onto the Register of Public Roads.**
- 2. Resolve that the requester be advised of this Council resolution.**

It was moved by Cr Ridgeway seconded by Cr Bonanno that the Officer Recommendation be adopted.

CARRIED

Report No: Report Title:

AO.3 Consideration of a request for inclusion of road onto the Public Road Register – Lowe Street, Tylden

Purpose and Overview

This report is in response to a customer request (CRM 202573) received by Council to add approximately 125m long section of private road onto the Register of Public Roads. This section of road, known as Lowe Street, extends from Maxwell Street to the driveway of a dwelling located at 34 Lowe Street.

The request was assessed in accordance with the Public Roads Procedure (2018). It is determined there is merit in this road being included onto the Register of Public Roads. The recommendation is that this section of private road be added onto the Register of Public Roads, subject to the rectification of defects by the requester.

Recommendation

That Council:

- 1. Resolve to include a 125 metre section of road extending from Maxwell Street, Tylden and known as Lowe Street, Tylden onto the Register of Public Roads subject to the rectification of defects by the requester prior to 16 December 2021.**
- 2. Resolve that the requester be advised of this Council resolution.**

It was moved by Cr Ridgeway seconded by Cr Pearce that the Officer Recommendation be adopted.

CARRIED

Report No: Report Title:

AO.4 Petition response – Sealing of Mowbrays Road, Cadello

Purpose and Overview

A petition was presented to Council on 18 August 2020 signed by 38 persons requesting Council seal Mowbrays Road, Cadello, between James Road and Anderson Road.

At the 26 August 2020 Ordinary Council Meeting, Council resolved:
“That a petition signed by approximately 38 persons requesting the sealing with bitumen of Mowbrays Road, Carlsruhe be received and lay on the table until a future meeting of Council at which a report on the matter will be presented.”

This report is provided in response to this Council resolution. It recommends that officers undertake an investigation and consultation process and present a further report to the April 2021 Ordinary Council meeting detailing the outcomes of the investigation and consultation.

Officer Recommendation:

That Council:

1. **Note this report on the tabled petition – Sealing of Mowbrays Road, Cadello;**
2. **Direct that a further report be provided to the April 2021 Scheduled Council Meeting complete with the results of the consultation and analysis of the updated traffic count; and**
3. **Responds to the first named petitioner advising of this Council resolution.**

It was moved by Cr Pearce seconded by Cr West that the Officer Recommendation be adopted.

CARRIED

14. NOTICES OF MOTION

Notice of Motion No. 4/2020-21 – Councillor Neil

That Council direct the Chief Executive Officer to prepare a formal report for consideration at the 24 February 2021 Scheduled Council Meeting on the establishment of a Planning Delegated Committee of Council, including advice regarding the necessary resources to implement, and the relevant delegated powers, duties and functions such a committee would require.

It was moved by Cr Neil seconded by Cr Death that Council direct the Chief Executive Officer to prepare a formal report for consideration at the 24 February 2021 Scheduled Council Meeting on the establishment of a Planning Delegated Committee of Council, including advice regarding the necessary resources to implement, and the relevant delegated powers, duties and functions such a committee would require.

CARRIED

Notice of Motion No. 5/2020-21 – Councillor Ridgeway

That Council direct the Chief Executive Officer to prepare a formal report for consideration at the March 2021 Scheduled Council Meeting on the declaration of a Climate Emergency, including advice regarding the necessary resources to implement, how such a declaration would sit with the Council's current policy platform and any adjustments that would need to be made to policy and strategic priorities

It was moved by Cr Ridgeway seconded by Cr Death that Council direct the Chief Executive Officer to prepare a formal report for consideration at the March 2021 Scheduled Council Meeting on the declaration of a Climate Emergency, including advice regarding the necessary resources to implement, how such a declaration would sit with the Council's current policy platform and any adjustments that would need to be made to policy and strategic priorities.

CARRIED UNANIMOUSLY

Notice of Motion No. 6/2020-21 – Councillor Bonanno

That Council

1. Notes written and video correspondence received from 738 people including school students, principals, and teachers from numerous schools requesting the Gisborne Skatepark be upgraded and expanded;
2. Notes the specific requests for the development of more challenging elements at the skatepark, a pump track, the installation of water taps and the installation of lighting; and
3. Refers these requests to the 2021/22 Council Budget process for consideration

It was moved by Cr Bonanno seconded by Cr Moore that Council

- 1. Notes written and video correspondence received from 738 people including school students, principals, and teachers from numerous schools requesting the Gisborne Skate Park be upgraded and expanded;**
- 2. Notes the specific requests for the development of more challenging elements at the skate park, a pump track, the installation of water taps and the installation of lighting; and**
- 3. Refers these requests to the 2021/22 Council Budget process for consideration**

CARRIED UNANIMOUSLY

Notice of Motion No. 7/2020-21 – Councillor Anderson

That Council:

1. Directs the Chief Executive Officer to write to the (new model) Municipal Emergency Management Planning Committee to request that the Committee consider allowing one Councillor to permanently sit on it.
2. Direct the Chief Executive Officer to include in this letter the context for the request which is that Macedon Ranges Shire Councillors represent the community, and are keen to ensure that their input and knowledge of the area and community is represented on this new Committee.
3. Notes that Council officers thanked the members of the former (old model) Municipal Emergency Management Planning Committee at their last meeting in November 2020.

It was moved by Cr Neil seconded by Cr Ridgeway that Council

- 1. Directs the Chief Executive Officer to write to the (new model) Municipal Emergency Management Planning Committee to request that the Committee consider allowing one Councillor to permanently sit on it.**
- 2. Direct the Chief Executive Officer to include in this letter the context for the request which is that Macedon Ranges Shire Councillors represent the community, and are keen to ensure that their input and knowledge of the area and community is represented on this new Committee.**
- 3. Notes that Council officers thanked the members of the former (old model) Municipal Emergency Management Planning Committee at their last meeting in November 2020.**

CARRIED UNANIMOUSLY

Notice of Motion No. 8/2020-21 – Councillor Neil

That Council:

1. Undertake an audit of school bus stops to ascertain what steps are required to provide weather relief to students; and
2. Seek a report, no later than the February Council Meeting, to install a bus bay and shelter in the vicinity of Reynolds Grove and Melbourne-Lancefield Road Service Road, Romsey. This report should include potential funding options and detail time lines to finalise design, seek relevant approvals and deliver the project before May 2021.

It was moved by Cr Neil seconded by Cr Ridgeway

That Council

1. **Undertake an audit of school bus stops to ascertain what steps are required to provide weather relief to students; which should include prioritisation of when shelters may be installed, interested parties [including schools, Public Transport Victoria (PTV) and Regional Roads Victoria (RRV)] and potential opportunities for advocacy and funding. This audit to be presented as a report at a future Council meeting; and**
2. **Seek a report, no later than the February Council Meeting, to install a bus bay and shelter in the vicinity of Reynolds Grove and Melbourne-Lancefield Road Service Road, Romsey. This report should include potential funding options and detail time lines to finalise design, seek relevant approvals and deliver the project before May 2021.**

CARRIED UNANIMOUSLY

15. URGENT BUSINESS

Nil

Closure of meeting to consider confidential matter

The Mayor, Cr Anderson, noted that as there were no further items to discuss after consideration of the confidential report listed on the agenda that the meeting would not be reopened to the public via the livestream.

It was moved by Cr Guthrie and seconded by Cr Moore that the meeting be closed to the public to consider a confidential report.

CARRIED

The meeting closed at 9.28pm, pursuant to section 66(2)(a) of the *Local Government Act 2020* to consider the following report.

16. CONFIDENTIAL REPORTS**16.1 Australia Day Awards 2021 – Nominees**

The meeting moved out the closed session and re-opened at 9.42pm following a motion moved by Cr Pearce and seconded by Cr Guthrie and carried during the closed session of the meeting.

Closure of Meeting

The meeting closed at 9.42pm

**Councillor Anderson
Mayor**