

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Saturday, 20 June 2020 12:40 PM
To: [REDACTED]
Subject: Objection to proposed tower on Mt Gisborne Summit

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

We object to the tower proposed by Western Water NBN Tower
We support the Friends of Mt Gisborne Bushlands
We are local residents living [REDACTED]

Regards
[REDACTED]

14th June 2020

Objection to the proposed Telecommunications Tower at Mount Gisborne

Attention Mr Christo Crafford

Planning Department Macedon Ranges Shire Council.

Dear Sir

I object to the application seeking to construct a telecommunication tower and building facilities room at the summit of Mount Gisborne by Western Water.

Mount Gisborne is in the process of a rezoning to Public Conservation and Resource Zone by the Macedon Ranges Shire Council.

The primary roles of bushland reserves are to protect its biodiversity and provide habitat for wildlife. The reserve will have an environmental management plan providing direction for protecting and enhancing the conservation values of the reserve and managing threats. *DELWP's Planning for Biodiversity, December 2017 guidance note advises that reserves established for conservation purposes should be zoned PCRZ. As such, it is recommended that most Council managed bushland and conservation reserves be zoned PCRZ. In accordance with the guidance note, the PCRZ is the appropriate replacement zone.*

Previously Western Water utilised an existing tower near the summit to relay their SCADA "Systems Control and Data Acquisitions" to their switching room located nearby in the adjacent private property.

That tower collapsed on the 10th July 2019 and Western Water clearly used other alternative infrastructure to continue to download SCADA information

Please note the damage caused by Western Water or contractors to a large area near the summit to facilitate maintenance to the previously leased tower, that caused significant damage to flora and the access track.

They are now seeking to obtain a lease for the construction of a new tower that will include tower footing preparations to the rocky outcrop of the summit, along with mentioned building facilities.

All Telecommunication Towers once in place are actively sought by other organizations to utilise that acquisition, therefore obtaining financial benefits for the lessee, which potentially opens the access track to other companies

MRSC denied an application from NBN to construct a tower in the vicinity of the summit, and one assumes that this was in line with discussions to bring the Mount Gisborne Reserve Zoning into line with other council owned Bushland Reserves.

The Victorian Governments Distinctive Areas and Landscape legislation also comes into play

- a) To recognise the importance of distinctive areas and landscapes to the people of Victoria and to protect and conserve the unique features and special characteristics of those areas and landscapes.
- b) To enhance the conservation of the environment in declared areas including the habitats, ecosystems, and biodiversity of declared areas; and
- c) To enable the integration of policy development and decision making for declared areas under Statement of Planning Policy; and
- d) *To recognise the connection and stewardship of traditional owners to land in the declared areas.*

The applicant makes no mention of having access to Victorian Public Services Trunk Mobile Radio “Located at Mount Macedon” that the MFB and CFA and Police and other Public Utilities access.

The existing adjacent private property that houses Western Waters switching building sites must have a declared power easement to operate that SCADA information, it begs the question why that easement could not be accessed by the NBN for the Sky Muster Service.

Note: Line of site communications with Mount Blackwood should be significant to cover South Gisborne, and that same tower covers SP-AusNet’s Scada system and houses both Telstra and Optus coms.

I reject the assumption that Western Water must re-establish a Telecommunications Tower at Mount Gisborne in their name.

I question the applicants right to seek a lease at Mount Gisborne.

Yours Sincerely

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Monday, 15 June 2020 7:28 AM
To: Christo Crafford <[REDACTED]>
Subject: FW: OBJECTION TO PROPOSED TELECOMMUNICATION TOWER AT MT GISBORNE

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

From: [REDACTED]
Sent: Thursday, June 11, 2020 8:02 AM
To: [REDACTED]
Subject: RE: OBJECTION TO PROPOSED TELECOMMUNICATION TOWER AT MT GISBORNE

Good morning [REDACTED]

Sorry for late reply.

You have my support in whatever action the Friends of Mt Gisborne Bushland Reserve Undertake in regards to this new proposal.

Regards

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 08 June 2020 12:04
To: ;
Subject: OBJECTION TO PROPOSED TELECOMMUNICATION TOWER AT MT GISBORNE

Dear neighbours who objected successfully to the proposed NBN tower,

Western Water has lodged an application with Macedon Ranges Shire Council to erect a new telecommunications tower near the summit of Mt Gisborne on the same site as the previously collapsed tower.

The committee of the Friends of Mt Gisborne Bushland Reserve has examined the application (attached) very carefully and have decided to lodge an objection (also attached).

We'd be grateful for your support either in backing the committee's objection or submitting one of your own to mrsc@mrsc.vic.gov.au

The person at Council dealing with the application is Christo Crafford in Planning. His contact number is

[REDACTED] it may be best to contact him via his email

[REDACTED] if you have any questions.

Objections need to be lodged by next Monday 15 June.

With best regards,

Sent: Monday, 19 October 2020 7:25 PM
To: Christo Crafford; Planning
Subject: RE: PLN/2020/165

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Hi Christo

Thanks again for the feedback and with a couple hours' notice I submit the following (which is slightly more than expected once I got into the detail):

The community have a great opportunity to reassess this mast and therefore continual (4-6 times a year as per planning submission report) maintenance access to the mast with information that was not known in the 1980's. This area is culturally significant because:

1. The peak of Mt Gisborne is a conservation reserve, containing Scoria Cone Woodland Ecological Vegetation Class. This vegetation type includes a number of species with specific and important cultural uses such as Drooping She-oak (*Allocasuarina verticillata*) and Blackwood (*Acacia melanoxylon*). This reserve is not physically within the study areas but it provides landscape context, and importantly broader landscape views. Volcanic peaks across the district, like Mt Gisborne, are documented as important navigation, meeting and cultural points through the local landscape. A previous survey of the peak by the Wurundjeri Narrap Team in 2012 identified a number of quartz flakes around the peak.
<https://www.mrsc.vic.gov.au/files/assets/public/council/news/your-say/gis-futures/gisborne-futures-wurundjeri-cultural-values-report-v1.1.pdf>
2. State significant landform - Mount Gisborne erupted over a long period of time and had the most complex extrusive history of any Victorian volcano. At this site, there is outcrop of three lava types and several other sites eg - Breakneck Hill include lava from Mount Gisborne. The varieties of lava issued from this vent are not found together at any other single eruption point in the state. http://vro.agriculture.vic.gov.au/dpi/vro/portreg.nsf/pages/werribee_gg_significance_tv4

I am a member of Gisborne Landcare and we would like Council to consider not approving the application due to the following:

- Had the public known the rich history of Mt Gisborne, I believe the tower would not have been approved and due to the above should not be approved.
- Grandfather rights doesn't apply to this situation, as hinted at with the application (comparing the previous pole to the new pole), and should not be considered in the planning approval and it should be considered under its own right.
- The Vegetation Impact Assessment as submitted as part of the permit application is limited in details which is likely to result in a negative outcome for the Gisborne Community.

Should the planning permit be approved, can you please consider the following:

- Tower erection is not considered "maintenance" and subject the a permit.
- Native vegetation will be removed and should be subjected to a permit.
- High point in the area and is likely the local Wurundjeri people used the place. Whilst not an aboriginal sensitive place, it would be prudent to require Western Water to engage a heritage advisor to at least complete a desktop due diligence assessment to ensure no areas will be impacted upon.
- Whilst the area is known to contain FFG Act and EPBC Act Species, a detailed assessment of the area has not been completed. It would be prudent to have Western Water to conduct a pre-works assessment with an ecologist and level 5 arborist to ensure all vegetation is protected as per the submission Vegetation Impact Assessment. Any FFG Act and EPBC Act Species to be GPS recorded and a post erection inspection to be conducted to ensure the species remain. Improvement plan if they are not.
- Recommend the arborist and ecologist is available on site when the cranes are ascending and descending the access track. This would also allow "micro-siting" to be undertaken from a scientific stance and minimise impact. (not withstanding micro-siting is an undefined word within the report)
- Recommend the Eucalypt in Plate 3 of the Vegetation Impact Assessment is considered for Offset as the limb to be pruned could be considered greater than 1/3 of the canopy.
- An offset assessment using DELP is conducted, including any significant trees and vegetation.

- Reestablishment plan is prepared as part of the permit and consulted with the Friends of Mt Gisborne.
- “Planks of wood or similar are recommended” within the Vegetation impact Assessment. DELWP don't usually recommend load spreading devices when protecting native vegetation, however it would be prudent to either specify what is acceptable based on scientific research or Western Water to Trial products with an ecologist to ensure a product is used which will genuinely minimise harm (the report is to be made available to the Friends of Mt Gisborne).
- Any compaction or damage to native vegetation should be rectified immediately after the works have been completed. How this would be completed would form part of a permit condition.
- It is clear from the Environmental Management Plan <https://www.mrsc.vic.gov.au/files/assets/public/strategies-amp-plans/mt-gisborne-reserve-management-plan.pdf> that the tower maintenance activities have introduced weeds (referencing plate 26 on page 35). A weed management plan of the access track and tower site should be a condition of the permit that lasts for 5 years and is provided to the Friends of Mt Gisborne.
- A permit condition should also include a Western Water complaints handling process and defined response times which is publicly available and provided to Friends of Mt Gisborne.
- Planning permit to limit maintenance access to 4-6 times a year.
- Planning permit to reference to ensure works and maintenance activities are carried out as per the Environmental Management Plan and the Access to Infrastructure at Mount Gisborne Reserve, Gisborne.
- Planning permit to require a review of the Access to Infrastructure at Mount Gisborne Reserve, Gisborne to the satisfaction of the Friends of Mt Gisborne.

Please let me know if you have any questions or feedback.
Cheers

From: Christo Crafford <ccrafford@mrsc.vic.gov.au>
Sent: Monday, 19 October 2020 12:55 PM
To: [REDACTED]
Subject: RE: PLN/2020/165

[External Email] This email was sent from outside the organisation – be cautious, particularly with links and attachments.

Hi [REDACTED]

The public advertising for this application has been completed, however if you can forward any submission to me in the next day or two it can still be included in the list of submissions.
Please note that Council has already received a submission from the friends group and that will be considered as part of the consideration of the application.

Regards,

Christo Crafford

Coordinator Statutory Planning
Macedon Ranges Shire Council
T 03 5421 9673 | F 03 5422 3623
TTY call 133677, then ask for 03 5421 9673
PO Box 151 Kyneton Victoria 3444
Email: ccrafford@mrsc.vic.gov.au
Web: www.mrsc.vic.gov.au

#InThisTogether

We are here for you at this challenging time.
For COVID-19 updates, information and support, visit
mrsc.vic.gov.au/coronavirus

From: [REDACTED]
Sent: Monday, 19 October 2020 12:07 PM
To: Planning <planning@mrsc.vic.gov.au>; Christo Crafford <ccrafford@mrsc.vic.gov.au>
Subject: PLN/2020/165

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Hi
When is the public advertising finished on the above mentioned planning application?

I am having a look at this on behalf of the friends group and just wanted to know how long I have.
Cheers

[REDACTED]

[REDACTED]

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This is an objection to the application by Western Water to construct a 17.5mtr tower at the summit of Mount Gisborne Bushland Reserve. We received advice from the MRSC Finance Department that they are considering the application under a “reinstatement” process.

This application is being applied to a lease that is due to expire in 2021, which was issued nearly 40 years ago to Silvercom.

Therefore, we assert that this is not a reinstatement of an existing permit/lease but that it is a new application and lease for a new applicant and should be treated as such.

Over a number of years we have requested the details and conditions of the lease prompted by incidents such as;

- Approx. 5 years ago, in a conversation with a Western Water employee at the Reserve who was extending the tower whilst adding new antenna and communication units, he stated that Western Water had taken over the lease from Silvercom as it was surplus to Silvercom needs and that a permit wasn't needed for the works being carried out.
- Late February 2018, unauthorised works were discovered at the reserve that had caused significant damage to the vegetation along the track and at the summit.
- Mid July when the tower collapsed on 10/7/2019 we discovered the extent of infrastructure that had been attached since its' initial construction.

Details of the lease have never been provided as we were always informed that it was deemed commercially sensitive information. After the tower collapsed we were told that the lease would expire in December 2021.

On the 19th May 2020, we conducted a search of the Online Planning Applications Register to obtain further details to those provided by the Shire's Finance Department. The application was not available.

As the Council intends using a reinstatement process we submit the following;

- This application process lacks robustness in that it does not afford open scrutiny or opportunity for appropriate assessment against current planning legislation.
- The proposed tower at the summit is not sited to minimise visual impact and will have significantly more than a minimal impact on the amenity of the area. Nor is it located to minimise any interruption to a significant view of a landmark, vista or a panorama.
- It fails to comply with the Macedon Ranges Statement of Planning Policy and the Significant Landscape Overlay which covers the Reserve.
- The details of the application provided by the Finance Department seem to be inconsistent and do not meet;

- With the objectives and strategies of Clause 11.03-5S (Distinctive Areas and Landscapes).
- With the objectives and strategies of 12.05-1S (Environmentally Sensitive Areas).
- With the objectives and strategies of Clause 12.05-2S (Landscapes).
- With the objectives and strategies of Clause 21.05-2 (Significant Environments and Landscapes).
- with the purpose and decision guidelines of its Public Conservation Resource Zoning
- Clause 22.01 (Macedon Ranges and Surrounds), in particular policies with respect to landscape and geological features.

Further, the location and height is contrary to the provisions of the Significant Landscape Overlay Schedule 2 (Ridges and Escarpments).

The assertion that the replacement tower is going to be smaller than the original, is misleading. Over the years, workers have been observed extending and adding communication infrastructure to the original tower. It is highly probable that the 17.5mtres is taller than the originally approved mast and does not meet the conditions of the original lease.

Within the notification for the proposed tower forwarded by the Council's Finance Department it acknowledges, with no provided detail, Western Water's intent to;

"....efforts to minimise environmental and visual impacts associated with the replacement of the tower."

Despite this statement evidence indicates otherwise i.e.

- In February 2018 the Shire's Environment Department was notified of significant environmental damage due to excessive slashing of the access track and summit of the Reserve. It was established that these works were undertaken by an unauthorised contractor engaged by Western Water. Investigation into this incident resulted in Western Water admitting that it was unaware of the Environmental Management Plan (EMP) even though it had been in existence since 2013.
- For a number of years, we have documented and reported incidents to the Environment Department of damage to the summit and track, such as damage to the roots of mature trees, the Scoria Cone and compaction and erosion of to the Reserve's vegetation.
- As a result of the unauthorised slashing and track damage, an Access Management Plan was formulated after consultation with the Friends Group of Mount Gisborne, Western Water and Officers from the Environmental Department. This has resulted in supposedly limited and monitored access by the Environmental Department, controlling vehicle access.
- Since the collapse and removal of the communication mast it is evident that vehicles are still accessing the summit of the Bushland Reserve to service the two pillar box type structures located at 290 Mt Gisborne Rd next to the

Reserve's southern boundary. This disregards the Access Management Plan and the EMP which state;

Minimise vehicle disturbance within the reserve. Vehicles should not be driven on wet ground and tankers should not be taken on to the site except in an emergency.

It is incongruous to assert that efforts to minimise environmental damage can be achieved when 4 wheel drive maintenance vehicles (sometimes towing a trailer) on a steep track with a hair bend have caused and will continue to cause irreparable environmental damage. Especially as the track is in Scoria Cone Woodland that is listed as an endangered EVC within the Victorian Volcanic Plains Bioregion (DES2012), and classified under the EVC (894).

The Reserve is one of the most intact remnants of Scoria Cone Woodland within Victoria (Ecological Vegetation Class – (EVC 894) and it supports vegetation which is rare, localised and identified as the only site of its type within the Port Phillip and Westernport catchment. It also supports documented (EMP) sites of the Matted Flax-lily listed as an endangered species under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. Despite these features, vehicles have and will continue to traverse the track if this application is granted.

The applicants have stated that they have explored alternatives and determined the summit of Mt Gisborne as the most suitable to meet their needs for optimal coverage. What alternatives have been explored? Why have opportunities to co locate on existing communication towers, or the permanent use of the two antenna erected at 290 Mt Gisborne in response to the collapsed mast not be taken?

The easiest, most cost effective and optimal operating site for a communication tower is at the highest elevation of a selected area. So the location of a tower at Mount Gisborne will always be the preferred site of the applicant.

Below are the towers referred to:



This antenna is located approx. 7 metres from up from the access track and approx. 40 metres from the north boundary at 260 Mt. Gisborne road.



This antenna array is located approx. 15 metres up from the access track and approx. 8 metres from the north boundary fence.

The access track referred to is approx. 250 up from Mt. Gisborne Road and runs in a NNW direction. The photos were taken approx. 30 metres south of the north boundary fence.

There is nothing to indicate that the applicant has given consideration to the Cultural and Heritage Values of the site.

There is no Environmental Impact Statement or statement of how environmental risks will be managed. Documented incidents indicate that the applicant has a history of causing irreparable damage to the Scoria Cone at the Reserve and of failing to comply with environmental management best practices of a habitat supporting declared nationally endangered vegetation.

Approval of a tower at the summit of Mt Gisborne would be setting a precedent and would provide support for any future applications for communication towers within the Shire. This would ultimately result in the proliferation of communication towers on all the highest points throughout the Shire. This is in direct conflict of the Macedon Ranges being declared a Distinctive Area and Landscape (2018).

This is a unique opportunity to rectify an historic and inappropriate planning decision and to afford protection to one of the Shire's most significant bushland sites using current legislative provisions and protections.

Approval of this permit is dependent on the applicant being the holder of the site lease at the Reserve. The lease expiring in December 2021 was issued to Silvercom not Western Water so it is inappropriate to use a reinstatement process to consider any approval.

A lease of this nature (and potential infrastructure development) cannot satisfy the aims and objectives of the Environment Management Plan of Mt Gisborne Bushland Reserve, the Environmental Protection and Biodiversity Act 1999 or the PCRZ zone that Council is currently rezoning Mount Gisborne Bushland Reserve status to or the Shire's Biodiversity strategy 2018.

A lease should not be issued nor a permit for a tower.

We urge council to not approve the provision of a lease or approve this application. Just because a permit can be issued doesn't mean it should.

██

██

████████████████

Christo Crafford

From: [REDACTED]

Sent: Sunday, 14 June 2020 10:36 PM

To: [REDACTED]

Subject: Objection to Proposed Tower at Mt Gisborne Bushland Reserve further details

To Mr Christo Crafford PLANNING DEPARTMENT

As we submitted our objection to a proposed tower at the summit of Mount Gisborne based on the notification from the Finance Department we now wish to submit the following after reading the Planning Permit Submission by Calibre on behalf of Western Water.

We would like the following to be read in conjunction with our first submission.

The applicant makes erroneous statements, fails to address a number of required policies and strategies relevant to this application as well as it lacks details namely from very basic to important elements i.e. construction of the proposed tower is lacking in detail, Mt Gisborne Rd is not a main road, it is not a replacement telecommunications tower as Western Water are not the original holders of the lease nor did they erect the tower 1987 which in fact was originally for a taxi company's communication needs. This application is not a "like for like" replacement.

The application fails to address that when the original tower was built the Reserve was not a designated Bushland Reserve but now that it is. It fails to refer to the Environmental Management Plan 2103 which has a recommendation to look for opportunities to remove all towers from the Reserve and transfer them to farmland.

All the applicant does is recommend that as they could not find a site that gives them "optimal coverage" (with no detail) and that they desire the recommendation to be removed. The request by the applicant to alter a Council adopted document within an application for a planning permit seems highly irregular. It is based on their assertion that they have conducted an investigation and concluded that removal of the infrastructure to another site is not appropriate in order to ensure optimal communications. The application fails to acknowledge that there is no tower at the site and that there hasn't been one there since 10th July, 2019. It appears that the applicant is assuming the right to recommend altering Council adopted plans, EMP 2013 as well as the Access EMP 2018 and disregards the Macedon Ranges Statement of Planning Policy which articulates that: *"in decision making the highest priority is given to the significant landscapes that define the declared area as represented in the Landscape domain, the Biodiversity and environment domain, and the Water catchments and supply domain."*

The applicant has not addressed;

- That the status of the Reserve has changed (significantly) since 1987 and that Council has over several years supported a priority for environmental protection for the Reserve - in the EMP 2013 (not referred to in the application), the Access to Infrastructure at Mount Gisborne July 2018, the Biodiversity Study and the Landscape Study, all of which recognise the Reserve's high environmental, geological, and landscape significance.

- As a result of the Landscape Study Assessment a new and larger Significant Landscape Overlay is proposed for Mt. Gisborne - Volcanic Cones and Rises (proposed SLO6). This study and recommended change are not acknowledged.
- The Distinctive Areas and Landscapes legislation or approved Statement of Planning Policy (2019).
- That the proposed tower constitutes a “threatening process” as per the EMP 2013 which identifies sites of the Matted Flax-lily which is listed as an endangered species under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999.

We request that the above matters be considered in conjunction with submission dated 23/5/2020



5 June 2020

OBJECTION BY FRIENDS OF MOUNT GISBORNE BUSHLAND RESERVE TO PROPOSED TELECOMMUNICATIONS TOWER NEAR SUMMIT OF MT GISBORNE

The Friends of Mount Gisborne Bushland Reserve lodges this objection to the proposed installation of a new telecommunications tower near the summit of Mount Gisborne and within the boundaries of the Bushland Reserve.

PRELIMINARY POINTS

This is a unique opportunity to rectify a longstanding and inappropriate planning decision and to afford protection to one of the state's most significant bushland sites using current legislative provisions and protections.

Before dealing with the application itself, we note that approval of this permit is dependent on the applicant being the holder of the site lease at the Reserve. The lease, which expires in December 2021 was issued to Silvercom not Western Water so it is inappropriate to use a reinstatement process to consider any approval.

A lease of this nature involving infrastructure development cannot satisfy the aims and objectives of the Environment Management Plan of Mt Gisborne Bushland Reserve, the Environmental Protection and Biodiversity Act 1999 or the PCRZ rezoning that Council is currently in the process of following through on for Mount Gisborne Bushland Reserve, or the Shire's Biodiversity strategy 2018.

This application is from a new lease holder and due diligence would show that under current Federal, State and adopted strategies of Macedon Ranges Shire, a lease should not even be considered. In addition it constitutes a "threatening process" under the Federal Environment Protection and Biodiversity Conservation Act.

Just because a lease existed in the past, does not mean a new lease should be considered. The lease previously given was granted at a time when the need for environmental protections had not been fully recognised at local authority level. Since that time, new studies, new legislation and an improved understanding of the importance of bushland reserves has changed the parameters under which the council must now act.

The Friends therefore argue that if a lease is disallowed then no permit may be issued

APPLICATION

The application has been prepared by Calibre Professional Services Pty Ltd and lodged with the Planning Department of MRSC with a covering letter dated 5 May 2020 headed: "Application for a Planning Permit – 198 Mount Gisborne Road, Gisborne (Lot RES LP111376) We act on behalf of Western Region Water Corporation (Western Water) in relation to the above."

However, as will be seen, the application also purports to advocate for the needs of the CFA without any evidence of written support from that organisation. In fact the Friends of Mt Gisborne Bushland Reserve have been informed by the CFA (Region 2) that the so-called temporary communications

facility sited in a neighbouring property and established following the collapse of the Silvercom tower is adequate for their communication needs.

The applicant relies heavily on the fact that the replacement tower is going to be smaller than the original. There are three points we wish to raise here.

1 The size of the tower in the context of certain of the environmental dangers it presents is not relevant.

2 The application's focus on the size of the tower is misleading and ignores the fact that it is not sited to minimise visual impact and will have significantly more than a minimal impact on the amenity of the area. Nor is it located to minimise any interruption to a significant view of a landmark, vista or a panorama, and thus fails to comply with the Macedon Ranges Statement of Planning Policy and the Significant Landscape Overlay which covers the Bushland Reserve.

3 Over the years, workers have been observed extending and adding communications infrastructure to the original tower. It is highly probable that the 17.5 metres proposed in the application is taller than the originally approved mast, and does not meet the conditions of the original lease.

The Friends' objections from here on will be detailed in relation to specific clauses in the application. The Friends' responses will be *in blue italics*.

2 INTRODUCTION Paragraph 5 A temporary alternative has been implemented, with antennas located on two existing site huts however this outcome can only be temporary as it is not as reliable with significant risks of failure during an emergency. *As stated above, The Friends contend that this assertion is not valid for the CFA and this creates the suspicion that it is less than accurate for Western Water. As well, the application only presents assertions by Western Water without any technical proof of testing to demonstrate "significant risks of failure during an emergency".*

4.1 Replacement Telecommunications Tower Paragraph 5. The replaced tower will be reconstructed at the same location and will restore sustainable and reliable communications services to Western Water, the CFA and the two concrete dispatching companies. *The Friends are bemused by the mention of "two concrete dispatching companies" in the context of what purports to be an application to deal with the alleged demands during emergency situations. This admission reveals that the tower also has a commercial purpose but this fact has not been elaborated in the application. How much of the height of the proposed tower is down to this present commercial element and how much will the height be increased as additional commercial elements are added in future? Furthermore, the diagrams on pages 8 and 9 and in Appendix C give no indication of the proposed users of the various antennae.*

Page 9 Purpose of the proposed replacement tower

Paragraph 2 To provide a microwave link and to restore the quality of SCADA (real time data) communications link from Sunbury (Jacksons Hill) to the disaster recovery centre located at Rosslynne should the head office server room fail. *And yet in Paragraph 5 the application states “Western Water operates its own independent radio system separate to the likes of Telstra or other telcos. In doing this, the company provides a robust system which can be internally maintained.” Can Western Water provide evidence of times when their “robust system” has failed? In any case the application makes no acknowledgement of consideration of other technologies such as new generation mobile phones or satellite communication through the NBN Sky Muster Service.*

Page 10 Paragraph 6 From a CFA perspective, the previous tower was pivotal in providing voice communications to all the surrounding Mount Gisborne area and the Mount Macedon aspects. It also provides critical communications to the Incident Control Centre covering all major incidents, including bushfires which are expected to only become more frequent in the coming years and decades. The new tower will ensure CFA preparedness and warning systems will be in place for the foreseeable future. *As stated earlier the Friends challenge the veracity of this assertion.*

Page 10 Siting Paragraph 5 The replacement tower cannot be placed closer or within the adjacent property as the existing planted trees will inhibit the operation of the Microwave links. Microwave radios rely on unobstructed line of site (sic?) and therefore any other location near or in the adjacent property would require an increased tower height higher than the original or removal of vegetation. *There is no mention of negotiations with the owner of this property with regard to removal of some vegetation. Has this been done? Photo 9 towards the end of the application shows that the tops of three non-indigenous trees could be lopped to allow line of sight.*

4.2 Environmental impact Page 10 Paragraph 4 It is expected that the tower will require minimal maintenance on an ongoing basis. This will include access from the neighbouring property for the majority of inspections (4-6 times per year) and access via the existing track limited to two times per year, aside from construction. *Based on past experience the Friends dispute that access via the Bushland Reserve track will be limited to twice a year. Also, no figure has been put on the number of times and with what heavy equipment the site will have to be accessed during construction. This raises major concerns for the Friends with regard to damage to the track and to the Bushland’s Reserve’s flora, as well as importation of invasive species on vehicles.*

There is no acknowledgement of the Bushland Reserve’s Environmental Management plan 2013 and the recommendations it contains that access with vehicles is in conflict with the recommendations and the long-term conservation of the Bushland Reserve. There is no evidence of an Environmental Survey of the impact on the Bushland Reserve that will occur because of the required access and the development of infrastructure. For example, as EMP2013 documents cite, the Matted Flax-lily that is found on the Bushland Reserve, is listed as an endangered species under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999. The “threatening processes” referred to in the Act have not been addressed by the applicant to demonstrate that they can comply with the requirements of the Act given the nature of the infrastructure and the required continued access.

The Bushland Reserve is one of the most intact remnants of Scoria Cone Woodland within Victoria (Ecological Vegetation Class – (EVC 894) and it supports vegetation which is rare, localised and identified as the only site of its type within the Port Phillip and Westernport catchment. Irreparable damage could occur to this site with the construction and maintenance of the proposed infrastructure.

4.2 Page 11 Paragraph 3 As part of this application, it is sought to update the Management Plan (Access to Infrastructure at Mount Gisborne Reserve, Gisborne; Atlas Ecology) to remove Point 13 which in summary seeks to “Investigate opportunities to move all summit infrastructure to a neighbouring disturbed farming property”. As explained in this submission, this investigation has now been undertaken and concluded that removal of the infrastructure to another site is not appropriate in order to ensure optimal communications for these authorities. *As argued above, the Friends dispute that a satisfactory investigation has taken place and therefore Point 13 should remain in the Management Plan. The Access Management Plan was developed because of concerns raised by the Friends Group after significant damage was caused to the Bushland Reserve by the applicant. This Management Plan is an adopted council document and it is concerning that the applicant is advocating to change it because it does not suit the applicant’s alleged situation.*

5.1 State Planning Policy Framework (SPPF) Page 14 Clause 12.05-25 Landscapes has the objective “To protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.” The relevant strategies are: • Ensure development does not detract from the natural qualities of significant landscape areas. *The Friends contend that despite the arguments put forward by Western Water with regard to the lower height of the proposed tower, its construction will still constitute an unnecessary intrusion on a significant feature of the landscape.*

5.2 Local Planning Policy Framework (LPPF)

Page 15 Clause 21.05-2 Significant environments and landscapes

- Objective 4: To maintain and enhance the ranges, major hills and ridges as significant visual backdrops to the Shire.
- Avoid development on prominent ridgelines and hilltops and ensure development within view sheds to the Shire’s backdrop of ranges, hills and ridges does not detract from their significance as a land range feature. *The Friends repeat their position as put to Clause 12.5-25 of the SPPF above. The Friends also draw attention to the fact that it was largely because of these policies that the MRSC refused an application by the NBN in 2019 to establish a tower on property in the vicinity of the summit of Mount Gisborne.*

5.3 Zone The site is zoned Public Parks and Recreation Zone *The application does not acknowledge the imminent change of zoning of the Bushland Reserve by the MRSC from PPRZ to PCRZ (Public Conservation and Resource Zone). The Friends note that the rezoning in accordance with Amendment C126macr has been exhibited but not yet finally adopted by Council, so, although officially it does not meet the criteria for being a seriously entertained document which must be considered, the Friends say it should be considered because the study that underpins the Bushland Reserve designation and the rezoning has been approved by Council and the C126macr amendment is giving expression to that.*

The purposes of the rezoning to PCRZ are, among others:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To protect and conserve the natural environment and natural processes for their historic, scientific, landscape, habitat or cultural values.*

In April 2020 the Friends lodged support for this proposed change by Council because of its stronger emphasis on conservation.

Pages 19-20 Clause 42.03 Significant Landscape Overlay – Schedule 2

Statement of nature and key elements of landscape

Ridgelines and escarpments are significant environmental and landscape features of the Macedon Ranges Shire. The landscape character includes moderate to steep sloping hills which often form a transitional region between the true highlands and flatter plains. Within this context, rocky outcrop, ridges and escarpments, often associated with significant watercourses, create distinctive focal and visual elements across the Macedon Ranges. The features identified in this overlay include Jim Jim and Mount Gisborne (Mount Gisborne is relevant to this application).

Mount Gisborne

Mount Gisborne is an ancient volcano vent and a distinct landscape feature viewed from the Calder Highway. The cleared surface of the hills accentuates its form. It is a recognised regional landmark feature and a vista feature from Gisborne. Being comparatively high it can be seen from many points within the Gisborne area. One of the most distinctive attributes of Mount Gisborne, its natural form with patches of eucalyptus, is being eroded by the competing textures and form of buildings and exotic tree plantings on the higher up-slopes. *The Friends argue that the area adjacent to the summit needs no more constructed intrusions. Since the removal of the destroyed tower the summit has been returned to a near pristine appearance, making a visit to it a deeply satisfying experience.*

The EMP 2013 for Mt Gisborne Bushland Reserve has been ignored as part of the application. The application also ignores the MRSC Landscape Assessment Study - Landscape Values for Gisborne (2019). A new and more extensive Significant Landscape Overlay proposed for Mt. Gisborne taking into account Volcanic Cones and Rises (proposed SLO6), has not been acknowledged as part of the application. The application also does not make reference to approved Statement of Planning Policy (2019). This has been adopted by the State Government (2019). There isn't a choice about whether to consider them or not – they MUST be addressed.

Page 21 Paragraph 1 Other sites were considered for the tower, however it was deemed that the required infrastructure would result in taller telecommunication towers in other areas, or significant upgrades at other sites. *The only other sites discussed were those owned by Western Water. No mention was made of the possibility of a tower construction in the*

telecommunications compound beside Woodland Drive nor among the considerable telecommunications infrastructure on Mount Macedon.

SUMMARY of OBJECTIONS

- 1. Failure to validly represent the telecommunication requirements of the CFA;*
- 2. Failure to justify the technical needs for the installation of the tower or to demonstrate the serious consideration of siting on the adjacent property or at non-owned Western Water telecommunications sites;*
- 3. Failure to demonstrate consideration of alternative technologies;*
- 4. Failure to directly address the imminent change of zoning from PPRZ to PCRZ;*
- 5. Failure to adequately address the sensitive nature of the landscape or the potential damage to the Bushland Resort that will be caused by vehicular access.*
- 6. The Friends contend that this is a new tower rather than a replacement one and therefore this application should be advertised. The Friends' understanding is that Silvercom has, or will be, relinquishing the lease and that Western Water presently is only a sub-lessee. If so, Western Water's application for the lease should be classed as a new one from a prospective new lessee.*
- 7. In 2019 MRSC refused an application from NBN to construct a tower in the vicinity of the summit of Mount Gisborne. The Friends believe that this refusal establishes an important precedent.*

██████████

President

Friends of Mount Gisborne Bushland Reserve

██████████ ██████████

DRAFT 2

FRIENDS OF MOUNT GISBORNE NATURE RESERVE

Macedon Ranges Shire Council,
Robertson Street,
Gisborne 3437

8 October 2020

Attention: Christo Crafford – Co-ordinator Statutory Planning

PLN/2020/165 – 198 Mount Gisborne Road, Gisborne (Lot RES LP111376)

Dear Christo,

We refer to the letter dated 1 June 2020 from Calibre Professional Services Pty Ltd (their reference 20-000151-004-L:-AU-FS) and we wish to make the following comments:

1. The first sentence of the letter states “Calibre continues to act on behalf of Western Region Water Corporation (Western Water) in relation to the above.” Clearly they are not acting on behalf of the CFA and yet in their application and in this submission they still claim to speak on behalf of the CFA. If a tower at the summit of Mt Gisborne is so crucial for the telecommunications of the CFA surely it would have made an independent submission or at least been party to Western Water’s. Our information from the CFA stated that the so-called temporary arrangements located at the adjacent property are sufficient for their needs. We believe that Western Water is dishonestly using CFA’s high community status to advance the credibility of their submission. We request that Council independently enquire of CFA how its name has been used to provide backing for this application.
2. The application refers to the construction of a replacement tower. The Friends dispute this as the previous tower was not the property of Western Water. This is a new tower and the application should be treated as such.
3. Much is made in the application that this tower will not be as tall as the previous one. To our knowledge that tower may have originally been not as tall but “grew” as several additions were attached to it. In any case, a tower of any height is an inappropriate installation at such a sensitive location.
4. Nothing has been mentioned in the application about protective fencing for the tower. The previous tower was surrounded by wires running around several star pickets. What is proposed for this installation? Will it be as unsightly as the previous arrangement?
5. Western Water dismisses the use of the Telstra site off Woodland Drive but has made no reference to the use of the site already occupied by them on the neighbouring private property. The removal or lopping of non-native trees at that site will probably provide the lines of sight they talk about. Nor do they discuss any alternative technologies that could be used.
6. The installation of this proposed new tower will require heavy lifting equipment. As well, the continuing maintenance will sometimes require the use of a cherry picker as the proposed plans show no attached ladder as part of the structure. The Friends claim that the unnecessary intrusion of these heavy vehicles into a reserve whose reason for existence is to protect the natural environment should not be permitted. The following are quotes from the Mount Gisborne Nature Reserve’s Environmental Management Plan adopted by Council that emphasise the uniqueness of the site:
“Mount Gisborne Reserve is valued by the community of Gisborne and Gisborne South as an ecologically and geologically significant location that supports flora species of national importance.”

“The reserve features a woodland and open grassland environment that supports a diversity of regionally and locally significant flora and fauna species, including one flora species of national significance – the Matted Flax-lily *Dianella amoena*. Vegetation is dominated by a canopy of Manna Gum *Eucalyptus viminalis* subsp. *viminalis* over a dense ground layer of Common Tussock-grass *Poa labillardierei*. The mid-storey comprises a variety of wattle *Acacia* and shrub species to varying levels of cover. This endangered vegetation community is rare and localised and is the only site of its type in the Port Phillip and Westernport catchment.”

7. The Reserve is currently zoned PPRZ but Council is currently supporting its rezoning to PCRZ. This change should be considered to have reached "seriously entertained document status". The Public Conservation and Resource Zone (PCRZ) reflects the site's ownership and function to protect and conserve the natural environment and natural processes to a more significant degree than that provided by PPRZ. There is no acknowledgement of this imminent change in the application.

For the above reasons and for those detailed in our original objection (attached) the Friends respectfully call on Council to refuse this application.

Yours faithfully

██████████

President

██████████

████████████████████

Christo Crafford

From: [REDACTED]
Sent: Tuesday, 27 October 2020 6:48 AM
To: Macedon Ranges Shire Council
Subject: PLN/2020/165 – 198 Mount Gisborne Road, Gisborne (Lot RES LP111376)

Macedon Ranges Shire Council,
Robertson Street,
Gisborne 3437
Attention: Christo Crafford – Co-ordinator Statutory Planning

Dear Christo,

I wish to lodge my objection to the erection of a new telecommunications tower on the Mount Gisborne Reserve.

I believe the proposed tower is inconsistent with the ecological and amenity values of the Reserve as a resource of the Gisborne community.

Since the demise of the previous tower, such users as there were have found other means to achieve their desired communication needs and thus I believe a new tower is not required.

I respectfully request that the MRSC reject the application for this construction.

Yours faithfully

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

Mount Gisborne Telecommunications Tower construction

Gisborne Landcare Submission

Gisborne Landcare does not support the construction of a replacement tower in Mount Gisborne Reserve. The site is a delicate patch of remnant vegetation that needs disturbance to remain at a minimum. Therefore, any construction activities are not appropriate.

In the 2014 Environmental Management plan for the reserve there was a direction that the previous tower should be removed. That tower has now been removed by a storm. This is within the bounds of the Management Plan, replacing the tower is not.

Mount Gisborne Reserve is an intact patch of Scoria Cone Woodland which is an endangered Environmental Vegetation Class. There are also endangered and threatened species present. Every effort to protect this ecosystem needs to be made. Dragging a massive truck up through it and removing branches so it can fit is not protecting anything. The trucks tires will damage the delicate soils by ripping and compaction. The removal of branches is unnecessary and irreversible damage.

The use of this structure does not even come close to outweighing the damage caused. There is no evidence to suggest that this structure is needed. Technology has now advanced to a point where all of Western Waters communication can be done by satellites or other existing towers.

Christo Crafford

From: Planning
Sent: Wednesday, 17 June 2020 3:58 PM
To: [REDACTED]
Subject: Fw: Planning Permit for Replacement Tower at Mt Gisborne Lot LP111376

From: [REDACTED]
Sent: Tuesday, 16 June 2020 6:03 PM
To: Christo Crafford [REDACTED]
Subject: Planning Permit for Replacement Tower at Mt Gisborne Lot LP111376

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

Hello Chris, my name is [REDACTED] and I own the property at [REDACTED], [REDACTED] to the Mt Gisborne Reserve. I understand that you are looking after the planning permit application for the subject tower.

I am hopeful that this application is successful as I have allowed granted Western Water to erect some temporary facilities on my property to service both theirs and the CFA's telecommunications requirements. The facilities are however temporary.

Recently we objected to new NBN facilities being constructed on Mt Gisborne – a new 45M tower with equipment buildings and associated 650 metre access road, foundations and cuttings. The application was withdrawn. Some may now be considering an objection to the replacement of the facility which was under existing lease provisions since the 1980's.

The purpose of this email is to inquire whether there is anything needed to support the application. I understand from the Western Water SCADA technician and the application that the proposal is a smaller replacement and the infrastructure is substantially existing so the replacement is relatively benign to the environment. Maintenance requirements have been historically infrequent and access mostly via my property.

As such I see little to no detriment to the Reserve's geological, flora and fauna values while providing a beneficial and critical community service. My phone number is [REDACTED] if I can be of any assistance.

Regards,
[REDACTED]