

**Statement of objection to LOT 1 PS 542433T P/Newham LOT 9LP 3017 P/Newham 1427
Rochford Road Newham Vic 3442**

**Siting of dwelling, outbuilding and access on a site that is covered by RCZ1, ES04 and
SL01 overlays.**

The development of the site is not appropriate in a *Rural Conservation Zone 1* and is covered by many other overlays.

The proposed works will adversely affect the significance, character and appearance of the iconic Hanging Rock environs. Hanging Rock (HR) is the backdrop to this property and is a cultural icon. The building would be visible from the rock (even though The Design Response Statement in *Proposed use and development of a dwelling Report* says “*the building will not be visible from the summit of Hanging Rock*”) and detract from HR’s significance as a tourist site. See picture from Hanging Rock and site marked in orange. Picture 1.



In the MRSC 20.07 Strategic Directions 21.07.3 Sustainable Rural land management/
Environmental living. *The shire will remain a rural shire healthy natural resource base, soil
based agricultural; activity, native flora and fauna and **DISPERSED** rural dwellings.*

Surely dispersed means away from other dwellings, not next to. It is very near [REDACTED]
[REDACTED] See Picture 3 from fence line at [REDACTED], showing proposed
building envelope and the two existing buildings nearby.

The proposed building will adversely affect the significance of the heritage landscape. (SLO1) The appearance of the proposed buildings near a back-fence line is not in keeping with the character of this heritage area. It is in an area of historical, landscape & environmental significance (ES04) and this should not be detracted from by this type of development. We are not a suburb; we are in a rural conservation zone.

We should note that in [REDACTED] to protest the siting of the dwelling at [REDACTED], for the above reasons. So it is hypocritical to now want to build close to that site.

- To ensure that land use within water supply catchments, most particularly proclaimed catchments, will not compromise water quality.

Firstly I would like to point out the *incorrect siting* of the water course on the planning overlay - see sheets with blue arrows correcting water flow.

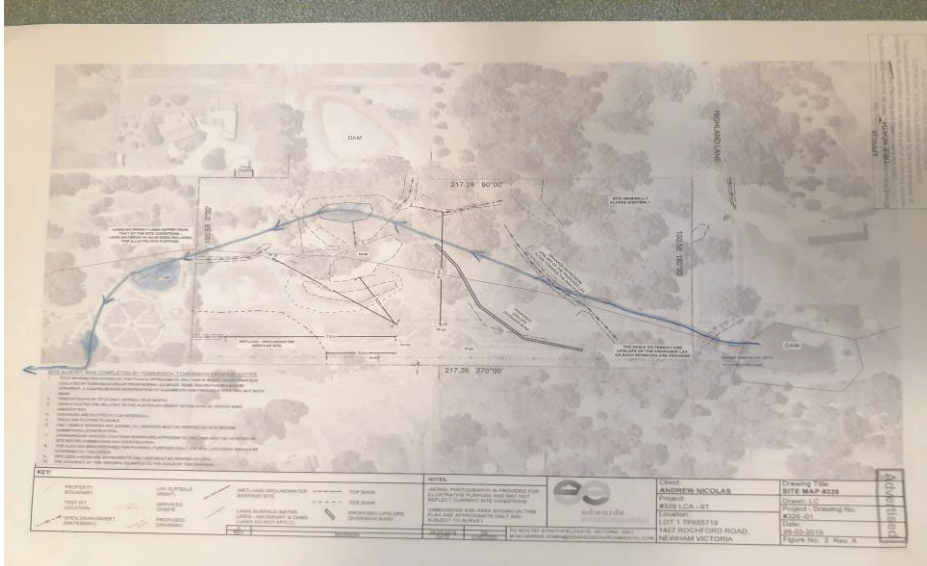
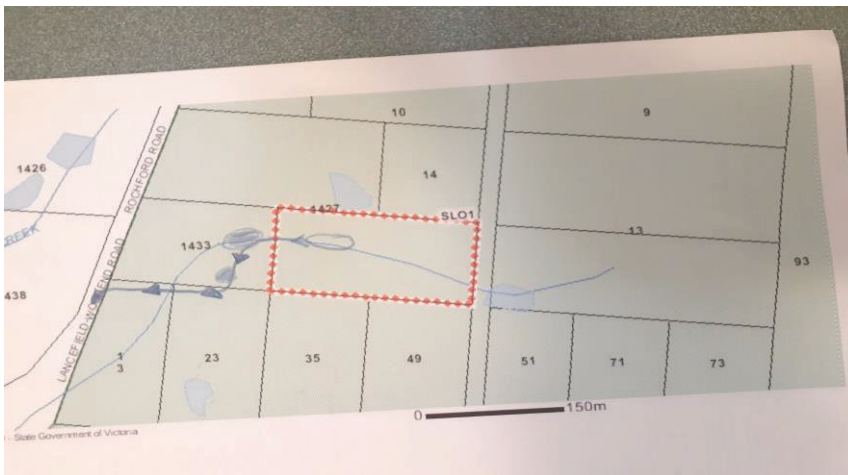


Fig 1,2,3.





the location of the dwelling to our East boundary places it directly in an area where there is consistent fall towards the mapped drainage line. Any failure of the water treatment system at the site of the house or shed significantly increases the risk of adversely impacting the water quality of the Eppalock Water Supply Catchment.

The report from Land Capability Assessment (by Edwards Environmental), table on *Risk assessment of site characteristics assessments* claims a “minor” constraint (1 in 100 years chance of a flood). See picture from 2011 flood coming down to our orchard from the land on 1427 Pic 2. This clearly shows the issue to be major rather than minor. In the next table on gradient, the report claims there is moderate constraint re soil moisture. We would argue that for the majority of the year, there is significant soil moisture. This table also states that there is a minor constraint on soil drainage, that ground drains rapidly. This is not true. Throughout the year the drainage is consistently poor.

We would question the timing of the soil samples (15 February 2020, generally our hottest month) and the visits of the Coliban water officer as they suggest there is no likelihood of a flood in 100 years.



Picture 2

- To ensure that the character and landscape values of the area are protected

Can we be assured that any possible purchasers will abide by all these revegetation timelines and planting and the on-going contract on the secondary treatment system with qualified technician will be honoured?

The applicants are not members of Newham Landcare so how serious are they about revegetating the land? We would query their plant choice & nursery choice, as the Goldfields nursery does not necessarily stock our indigenous plant varieties.

Other grounds of Objection

1. Change to the amenity of our property

We bought this property 16 years ago because it had an excellent view of Macedon Ranges and Hanging Rock and there was no over-development of any of the surrounding properties.

The location of the building envelope application places the tanks & house [REDACTED] [REDACTED] This means the development will be obvious from our recreation area near the dam, the gazebo and locally famous rose garden.

It would negate any chance of [REDACTED] [REDACTED] as the building & shed will be present in all photos. (see photo from fence line Picture 3.)



The orange line is the site of the proposed building, the pink are the buildings nearby and the yellow is the top of Hanging Rock. 16 years ago the rose garden and associated landscaping were located to an area where there was no building near nor visible from [REDACTED] [REDACTED]

Any planting in the swampy area to the north of the site, (circled blue) will not succeed as the winter rains will drown any plantings in that area. Note again picture of 2011 flood coming from 1427 Lot 1.

2. Size & bulk of the proposed amended dwelling.

The building & shed cannot be adequately screened from our garden and recreational areas as planting will not succeed in that swampy spot. And the Country Fire Authority (CFA) conditions & to the Bushfire Management Overlay mean that the owner cannot adequately screen the dwelling and sheds.

3. Potential noise and reflected lighting of occupied buildings.

If the permit is allowed there will potential for significantly increased noise and lighting.

4. Glare in all seasons.

The proposed building and shed faces [REDACTED] property on the west elevation. This will cause glare to our property as the building cannot be adequately screened from our recreational area.

5. Drainage and additional septic requirements issues with plans

The aerial view of the property shows that there is a watercourse less than 60 metres from the proposed house & shed. (See earlier corrections to watercourse siting on maps). It goes across [REDACTED] then along [REDACTED] Road to end up in an inadequate drainage system running across Rochford Road.

On the north/west boundary the property drains through 1427 Rochford Road's property towards [REDACTED] In winter this northern boundary is a swamp area. [REDACTED] to try to alleviate this extensive run off.

Additional septic outflow close to [REDACTED] from the building could mean the sewer lines leaking through [REDACTED] (See earlier picture of flood in orchard Picture 2.)

With the intended filling in of part of the dam on Lot 1 1427 Rochford Rd - The water coming through from the smaller dam on Lot 1427 would increase the amount to our dams and to the [REDACTED]

6. Flora & Fauna affected –

RCZ1 Rural Conservation Zone

- **To protect the unique flora, fauna and landscapes that are fundamental to the character and biodiversity of the area from inappropriate land use and development**

In regard to above dot point, the flora on the property under discussion should be investigated as we have a wide variety of native wildflowers (Chocolate lilies, milkmaids, native peas, and bulbine lilies and kangaroo grass) on our property and the soil and conditions are similar on parts of the adjacent property. We question whether there has been adequate scrutiny of the native flora on the proposed site?

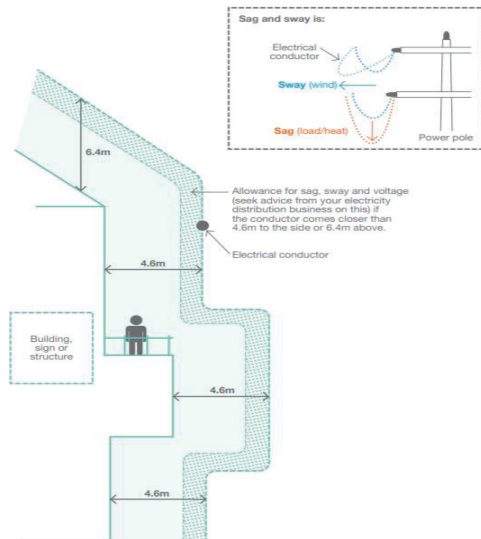
Our property is frequently visited by koalas, echidnas and occasional kangaroos. We have planted many native trees, in particular manna gums, which the koalas are partial to. We had hoped to create a corridor for wildlife to Hanging Rock. We are aware on the last count of koalas at the Rock where three were found. As we have one koala that appears to [REDACTED] [REDACTED] it would be a great pity to put a stop to this corridor by the overdevelopment on this site. The proposed relocated building is in the direct line for animal access to the Hanging Rock Reserve.

7. Electricity Line

In 2009 the Power lines going through [REDACTED] 1427 Lot 1 failed and the live wires fell across [REDACTED].

According to the rules from the Energy Safe Victoria website the distance from

Figure 1: Sag and sway distances



a property must be no less than 4.6 metres. Thus the siting of the building near powerlines is in contravention of this regulation.

8. Site ongoing future.

[REDACTED] earlier this year and expressed our concern that the building site would be problematic to us. We understand that they would wish to sell this property with a planning permit. The potential buyers may not be willing to adhere to the siting, planning and maintenance as mention in all reports.

Conclusion

- **Siting of dwelling, outbuilding and access on a site that is covered by RCZ1, ES04 and SL01 overlays.**
 - To ensure that land use within water supply catchments, most particularly proclaimed catchments, will not compromise water quality.
 - To ensure that the character and landscape values of the area are protected
- **Change to amenity [REDACTED]**
- **Size & bulk of proposed amended building**
- **Potential noise and reflected lighting of occupied buildings**
- **Glare in all seasons**
- **Drainage and additional septic requirements issues with amended plans**
- **Flora & Fauna affected (Rural Conservation Zone)**
- **Powerline issues**
- **Site ongoing future**

[REDACTED]

[REDACTED]

Objection to Grant a Planning Permit

Objection Enquiries:
Phone: (03) 5421 9699
Web: www.mrsc.vic.gov.au

This form is to assist in making an objection as outlined in the *Planning and Environment Act 1987*.

Privacy notice

Council is collecting the information on this form so that it may consider your objection in accordance with its legislative powers and functions. Council can only disclose any information collected in accordance with these powers and functions. Please be aware that Council may provide copies of this objection to interested parties. Visit Council's website to view our Privacy Policy.

Objector details

Provide details of the objector
The person you want Council to
communicate with about your

Planning Application details

Provide the Planning
Application Number

PLN/

2020/159

The land

Address of the land

Street No: 1427	Street Name: Rochford Road
Lot No: 1	Title details (CA, LP, PS, CP, TP) no. 3017
Township: Newham	Postcode: 3442

Reason for your Objection

Prior to lodging an objection please make sure you clearly understand what is proposed. You can inspect the application at the Macedon Ranges Shire Council's Office or on mrsc.vic.gov.au/Build-Plan/Planning-Permits-Approvals-Forms/Object-to-an-application. Under the *Planning and Environment Act 1987*, an objection can be dismissed if it is evident the objection has been made to secure or maintain a direct or indirect commercial advantage.

Attach additional page/s if there is insufficient room.

Rural Conservation Zone: The proposal is inconsistent with the purpose of the RCZ, specifically: To encourage development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality.

Significant Landscape Overlay: Fails to meet requirements. Schedule 1 of the SLO notes the need to site and design any proposed structure to minimise visual intrusion through landscaping, and tree planting to screen buildings and works.

When we were [redacted], Council officer [redacted] told us that, given its proximity to Hanging Rock, and the potential visual impact, we must site the dwelling in such a way as to ensure that no more than 50% of it was visible to visitors on top of Hanging Rock. Applying this consistent approach to the proposed dwelling, we believe that the majority of it will be visible to visitors on the Rock, particularly as there are minimal trees in the line of sight. Please refer to the attached mock-up view from Hanging Rock, from a photo taken in 2016. There is currently no screening vegetation on the applicant's property: any screening trees are located on [redacted] to the south. There are now fewer of these trees screening the proposed location, as clearing has occurred as recently as within the last month – perhaps even since officers viewed the current proposed site from Hanging Rock summit. Refer to photo attached showing recent clearing to the N/W corner of [redacted].

We also now have the Statement of Planning Policy, whereby managing land use, development and infrastructure to ensure that significant landscapes, views, and vantage points are conserved and enhanced is a strategy that must be considered under **Objective 1:** To ensure the declared area's natural and cultural landscapes are conserved and enhanced. The proposed dwelling will be one more visible house detracting from the landscape value from the overlooking Hanging Rock.

Setback & Character: surrounding dwellings, whilst not all centrally located within their land, are generally a reasonable distance from their boundaries, with setbacks of at least 10m. The proposed dwelling is planned to be 3.5 metres from the southern boundary, which is inconsistent with surrounding setbacks. The land is over 5 acres; it is unclear as to why the dwelling must be on the proposed site, so close to any boundary. The proposal would result in detrimental impacts to the natural and rural landscape values and character of the locality.

Wastewater management: We are particularly concerned about the siting of the effluent field, which is also 3.5m from the property's southern boundary. How will wastewater be contained to the property? There is a watercourse running east-west close to the boundary and netcom cable path between our property and that of the applicant, evidenced by the large patch of wetland rush vegetation in the south-west portion of the property. The treatment effluent field is uphill of this area, with a risk of this entering the watercourse. This area is within the Cobaw Biolink, with vegetation protection overlays that must be taken into consideration.

In conclusion: This proposal is inconsistent with state and local planning policy and does not satisfy the purpose of the Rural Conservation Zone, Macedon Ranges Planning Scheme, or Statement of Planning Policy. It will result in a detrimental impact on the visual amenity, vistas and landscape values in the area, and pose an unacceptable risk to the water catchment area.

How will you be affected by the granting of a Planning Permit

Attach additional page/s if there is insufficient room.

Amenity and privacy: the proximity of the proposed dwelling will directly impact on our amenity in terms of noise, lighting, vehicle movements and intrusion on privacy – particularly as [redacted].

If the proposed dwelling were approved, we would request that screening vegetation be planted along the [redacted].

Wastewater management: We are not confident that the siting of the effluent field so close to the southern boundary will ensure all wastewater is contained to the property. Our property is downhill of the site, with obvious risks to human and environmental health.

Objectors Signature

This form must be signed

Signature:	<input type="text"/>	<input type="text"/>
Date:	<input type="text"/>	

Lodgement

To ensure Macedon Ranges Shire Council considers your objection, ensure the Council receives your objection by the due date on the notice. Council will send you an acknowledgement letter upon receipt of your objection.

Lodge the completed and signed form by:

Mail:
Macedon Ranges Shire Council
PO Box 151
Kyneton Vic 3444

In Person:
Any Council Office

Email: mrsc@mrsc.vic.gov.au

Further important information:

If you object prior to the Responsible Authority determining the application, the Responsible Authority will notify you of its decision.
If the application is to be determined at a Council Meeting, a copy of your objection will form part of the report which is available for public viewing.
If, despite your objection, the Responsible Authority decides to Grant a Permit, you can appeal against the decision. Details of appeal procedures are set out on the back of a Notice of Decision which you will receive provided you have lodged the objection prior to the determination of the application.
If the Responsible Authority refuses the application, the applicant can also appeal. The provisions are set out on the Refusal to Grant a Planning Permit which will be issued at that time.

For help or more information

Telephone: Planning (03) 54 21 9699
Website: www.mrsc.vic.gov.au

[REDACTED]

From: [REDACTED]
Sent: Friday, 2 October 2020 1:15 PM
To: Macedon Ranges Shire Council
Cc: [REDACTED] Cr Bill West
Subject: Objection to PLN/2020/159 1427 Rochford Road Newham
Attachments: IMG_6541_markup2.jpg; Clearing.jpg; IMG_5632.JPG; 1427 Rochford Road objection.pdf

To whom it may concern:

Please find attached our objection to PLN/2020/159.

Attached images are:

1. Simulation of view of proposed dwelling from Hanging Rock summit (photo from 2016 - note screening vegetation is now reduced)
2. View of north-west corner of [REDACTED] showing clearing of trees previously screening proposed dwelling site
3. Extent and location of rush growth in south-west area of the applicant's property, indicating location of watercourse downhill from proposed dwelling and effluent field (photo taken facing east along property boundary).

Thank you for your consideration.

[REDACTED]
[REDACTED]

