



**Macedon  
Ranges**  
Shire Council

# **ATTACHMENTS**

**Planning Delegated Committee  
Meeting**

**Wednesday 12 April 2023**



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Macedon Ranges Shire Council  
Attn: Damien Hodgkins  
Senior Statutory Planning Officer  
Via email: [mrsc@mrsc.vic.gov.au](mailto:mrsc@mrsc.vic.gov.au)

Submission 1

D22-166030  
D22-166763

2 Dec 2022  
ND

Re: Objection to PLN/2022/421

Dear Damien,

I wish to lodge my objection in relation to the above-mentioned application, further to your notification please find below my reasons for objection, how I would be affected, as well as suggested ways of addressing concerns.

Reasons for objection:

The development application as applied will have a substantial community impact in relation to **overshadowing, overlooking and loss of privacy**.

There is in addition no provision for **car parking** in the area, and this development will have a disproportionate **impact on traffic**. Given 65 blocks are proposed, and some of them are quite small relative to the area (2000 sq metres), to address parking issues, several street parking spots should be provided to provide clear access, as well as stop parking on verges, gardens and grass. This could be resolved by widening major streets such that a car can park on the street and have two clear lanes for transit as well. This is no justifiable reason as to why in a 50+ block development wider streets have not been provided to enable parking and reduce the impact on through traffic.

In addition, the additional **traffic** in a regional road, without the requirement as part of the permit application to upgrade the surrounding and entry roads will mean ratepayers will be funding the bill in the future for necessary road improvements in the surrounding area – this should include property turning lanes into Harpers Lane from Kyneton Springhill Road, as well as Lauriston Road, as well as sealed with turn off lanes on Harpers Lane. It is unfair for residents to bear the cost of future road upgrades, as a result of these upgrades not being included as part of a condition for approving an application.

Several key trees and **vegetation will be lost**. Given the local landscape and that this zone is part of a transition from a regional town to rural properties, all trees should be maintained, trees lost on block 45, 25, and 33 – which should be retained. Retention of these trees on 45, 25 and 33 would resolve my concerns in relation to large scale vegetation.

In relation to grasslands vegetation, substantial will be lost in this development, having a substantial impact on flora, fauna, and in particular birds and insects in the area – the lack of a green corridor or reserve through the development also means that there is no contiguous landscape suitable for plants, flora, and fauna. Linking reserve to the north to the reserve in the west would allow at least a semi contiguous corridor to allow insects, birds, flora, and fauna to exist in a sustainable way – this would be a suitable resolution to this application

In addition, the **visual bulk** of the buildings is unsuited to the local area, and the size of the blocks do not match any of the existing residential dwelling to either the east or south, meaning a huge increased visual bulk relative to the surrounding area. This visual bulk will also have a substantial negative impact on **noise** in the area. While I note there is building zones, there should also be limitations around height and size to block ratios to ensure appropriate reduction of visual bulk, as well as further reduce impact of noise and public amenity.

Finally, there will be a substantial **negative change to the amenity of the area**, impacting communities and neighbours in the area. The negative change to the amenity of the area is largely due to the blocks being substantially smaller than surrounding areas, this means there is no transition zones and scaling proportionate to the area. The negative change to the amenity of the area is largely due to this lack of consideration to the surrounding areas. Recognising this is a development zone, I am fine with a residential development in this space, however it needs to maintain the same block sizes as surrounding areas, which by and large have a 4000 square metre minimum land size. (Some are smaller, but none smaller than 3000 square metres on the south, and many areas

larger into 12000 square metres on the eastern side). Negative amenity can be resolved by imposing these mandatory minimums size wise.

As far as ways of **addressing these concerns**, the simplest and easiest way to resolve these issues would be to apply the same minimum size to blocks as the surrounding residential areas – in the east this is 3 acres, in the south this is between 3000 square metres at Tilwinda Estate, rising to acreage on the west and south. In addition, adding an additional natural corridor from reserve to the north and reserve to the west would reduce the impact of noise, over shadowing, as well as vegetation loss – but large and small.

This could be achieved practically by doing the following

- Merge blocks 12 & 13, 14 & 15, 16 & 17, 18 & 19, 20 & 21, 22 & 23 meaning each of these blocks has a minimum size of 4650 metres, and average size of around 6000 square metres, providing a suitable interface to the blocks to the east, each of which have an average size of 12,000 square metres
- Merge blocks 4 & 5, 6 & 7, 40 & 41, 39 & 38, 42 & 43, 37 & 36, 35 & 34, 44 & 45, and 32 & 33 creating transition size blocks of a minimum of 4000 square metres, which is the equivalent size of blocks to the south of the estate in Tilwinda.
- Merge blocks 10 & 11, such that block 1, 9 and 10/11 have a size which is a suitable interface to land to the north
- Merge blocks 59 & 60, 58 & 57, 56 & 55, as well as reconfigure and merge blocks 65 & 54 and 53 & 25 to provide interfaces to the blocks to the south which are of larger size
- Merge blocks 26 & 27, 28 & 29, 52 & 51, 50 & 49, 30 & 31, and reconfigure 48/47/46 so that block sizes reflect the character of the surrounding areas at or around 3000 to 4000 square metres, which is the in the middle of the estate, allowing a higher density to the surrounded and a more suitable interface

Note that Macedon Ranges Council planning provisions, including vista protection and town protections for Kyneton encourage building which suits the area, including suitable interfaces with surrounding areas – a mandatory minimum block size for this estate of 3000, and average block size of 4000, rising to larger blocks on the edges to interface with current residential developments would assist in fulfilling the character and protections intended as part of the planning provisions in the local area.

For the purposes of this council application, I also wish to note that the developers of this land have made no attempts to consult, engage or discuss options with residents in the area who had concerns with their former application, which was rejected by Council Officers, Council and at VCAT. I believe that engaging in no local consultation, or seeking feedback from residents prior to submitting an application runs against the intent of the development application process, and may have been done deliberately to frustrate and annoy locals, or more to set up another extended VCAT dispute with residents, recognising the deep financial pockets of a developer, versus the concerns and shallow pockets of local community concerns. It does need to be noted that had the developer spoken to, engaged, consulted or in any way had a discussion with residents, a mutually suitable proposal could have been achieved which meets all objectives. Instead, we have another, high-density, ill-considered repeat of their former planning application – which still fails to meet the interface and concerns raised in the previous VCAT hearing.



2/12/2022

**Maria Nunez**

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**From:** [REDACTED]  
**Sent:** Monday, 5 December 2022 2:07 PM  
**To:** [REDACTED]  
**Cc:** Macedon Ranges Shire Council  
**Subject:** Re: PLN/2022/421 - Council wide concerns

[REDACTED],

Hope this email finds you well, as you may be aware a development application has been lodged in relation to South Kyneton, further to the previous application being rejected by officers, Council itself and VCAT. For background information, I have included a copy of my objection below, which I am most certain will be dealt with by Council Officers, prior to going to Council – that however isn’t the focus of this email (my objection to the development).

There is a couple of larger concerns that stem from this second development application, to which I would appreciate comments from [REDACTED]:

Firstly, there has been discussion for over a decade about a South Kyneton Masterplan – having clarity on this would assist in both applications being made, or objected to, by Council and ratepayers. The discussion in relation to the South Kyneton plan has been circulating in council for over a decade, yet as still we still have had no movement on this plan – what is the Council timelines on this matter? Noting that in past discussions [REDACTED] said it was depending on the Kyneton movement study (and various other studies) such that the South Kyneton plans seems to be perennially on the “back burner”. In this instance, has the Kyneton South Masterplan been developed, it would probably have included minimum block sizes in this area, saving Council and residents quite a bit of time in their objections to this application – in short if they do a minimum of one acre blocks, I for instance would withdraw my objection.

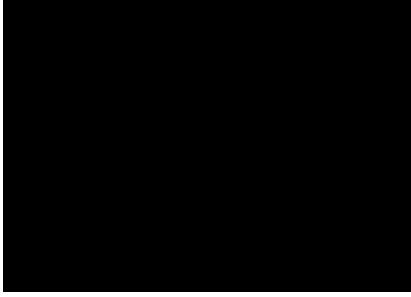
Secondly, [REDACTED] applications to maximise their ability to go to VCAT, irrelevant of local objections and Council officer and Council concerns. Their first development application was timed to coincide with the caretaker period for the last local government election, meaning the decision wasn’t made in time, and a VCAT referral was instigated. [REDACTED] and hope that VCAT referral timelines means the decision is taken [REDACTED]. Would it be possible to get a couple of assurances here from [REDACTED] – one being that Council Officers are instructed to ensure they meet all statutory timelines, and second that [REDACTED] aware of the timelines before the referral\ and action accordingly.

Finally, it is exceptionally poor form for this developer to be again [REDACTED] with timelines to maximise the chances at VCAT – as per point above – it is even worse that they have actually not attempted in any way to engage with any local residents after their last VCAT loss to actually improve their application, engage in feedback, or consultation, or seek a moderated or balanced outcome – would Council be able to express this in discussions, as the developer seems quite [REDACTED] to make Council officers and Councillors [REDACTED].


I look forward to hearing from you,

[REDACTED]

[REDACTED]






Submission 2

D22-175221  
D22-175320

Macedon Ranges Shire Council  
Attn: Damien Hodgkins  
Senior Statutory Planning Officer  
via email [mrsc@mrsc.vic.gov.au](mailto:mrsc@mrsc.vic.gov.au)

Dear Damien,

**Re: Objection to PLN/2022/421**

 to Harpers Lane , I wanted to express my concern in the loss of the heritage and rural feel of Harpers Lane. It has only been a few months but we have gotten to know many of our neighbours and the passion and love they have for Harpers lane is wonderful to see. Hearing of the history and seeing the cobblestone path on our walks, especially after the many rains has cemented a desire to protect the area. One of the reasons we moved to the area was because we had heard and admired how difficult it was for development in the area and that Macedon Ranges has a wonderful reputation for adhering to strict guidelines when it comes to keeping the rural elements. As much as we understand that development is necessary for towns, and we are ourselves on  we hope that we see the same strength when protecting against smaller block development in this rural setting.

**1. HERITAGE**

In a country as young as Australia we seem to take our heritage for granted and even disrespect it at times. One of the reasons we fell in love with Kyneton is because it has a few well maintained old buildings in town. It has projects in place to build an arts precinct, at the old primary school to preserve and make the old school useful again. I can see that the projects are there to protect, but also mindful that some are unexplored. Harpers Lane has a wonderful history which could become a feature to the town rather than one that is covered in bitumen and buried.

With that said I object to the road being widened and covered in bitumen.


**2. RURAL INTERFACE**

To protect the rural interface of Harpers Lane I object to the size of the perimeter properties. A minimum 1 acre allotments would be suitable. Also required is an outline of the fencing per property. That there is a standard across the frontage properties. It is important that Harpers Lane does not begin to look like a suburban street on one side and not being part of the rural aesthetic.

**3. STREET LIGHTING**

The density of street lighting along Harpers Lane is not in keeping with a quiet rural lane. Harpers Lane is not a suburban street and should don't be in the plans of making it a suburban street or thoroughfare.

Thank you Damien. If we can assist in any way please do not hesitate to reach out.





2



Harpers Lane Bridge



Walking along Harpers Lane





T: (03) 5422 0333 | [mrsc.vic.gov.au](http://mrsc.vic.gov.au) | ABN 42 686 389 537

**Objection to a Planning Permit Application**

Any person who may be affected by the grant of a permit may object. Provided your objection is received prior to the application being decided, your objection will be considered and you will be notified of the decision when it is made. This form has been designed to assist with collecting the required information for an objection, but you are not required to use this form.

For assistance completing this form, call Statutory Planning on (03) 5421 9699.

**Objector Details**

Name/s\*: [Redacted]

Phone: [Redacted] Email: [Redacted]

Address: [Redacted]

*\* If multiple people are making this objection please list your preferred contact person first as we will only send correspondence regarding the objection to this person.*

**Planning Permit Application Details**

Application Number: **PLN/ 2022/421**

Property Address: **85 Harpers lane Kyneton 3444**

**PRIVACY COLLECTION NOTICE**

Macedon Ranges Shire Council is committed to protecting your privacy. The personal information you provide on this form is being collected for the primary purpose of registering and considering your objection.

Where required, in accordance with the Planning and Environment Act 1987, a copy of your objection will be provided to:

Available to	Information provided
Council staff and external agencies involved in the planning process.	Full copy of objection.
The applicant for the planning permit and their representatives.	Copy showing objector name/s and address with other personal information redacted.
To any persons who wish to inspect your objection prior to a decision being made for the application.	Copy with all personal information redacted available to view/inspect only.
On Council’s website if the application goes to a Planning Delegated Committee or Council Meeting.	Copy with all personal information redacted.

If your objection contains personal information of any other parties you must gain their consent to include their personal information in your objection and provide them with a copy of this notice.

Your personal information will not be disclosed to any other external party without your consent, unless required or authorised by law. If you wish to gain access to, or alter, any personal information you have supplied on this form, contact us on (03) 5422 0333.

You can access Council’s Privacy Policy at [mrsc.vic.gov.au/privacy](http://mrsc.vic.gov.au/privacy)

**Objection Details**

Ensure that you clearly understand the application prior to objecting. You can view all planning applications at our Gisborne office during business hours. During the 14 day advertising period (where applicable) documents are available to view online at: [mrsc.vic.gov.au/planning-register](http://mrsc.vic.gov.au/planning-register)

**Describe the reason/s for your objection including how you would be affected by the grant of the permit:**

**1. HERITAGE**

In a country as young as Australia we seem to take our heritage for granted and even disrespect it at times. One of the reasons we fell in love with Kyneton is because it has a few well maintained old buildings in town. It has projects in place to build an arts precinct, at the old primary school to preserve and make the old school useful again. I can see that the projects are there to protect and enhance the town but also mindful that some are unexplored. Harpers Lane has a wonderful history which could become a feature to the town rather than one that is covered in bitumen and buried.

With that said I object to the road being widened and covered in bitumen. I request the street to remain gravel and be protected.

**2. RURAL INTERFACE**

To protect the rural interface of Harpers Lane I object to the size of the perimeter properties. A minimum 1 acre allotments would be suitable. Also required is an outline of the fencing per property. There needs to be a standard across the frontage properties. It is important that Harpers Lane does not begin to look like a suburban street on one side and not being part of the rural aesthetic.

**3. STREET LIGHTING**

The density of street lighting along Harpers Lane is not in keeping with a quiet rural lane. Harpers Lane is not a suburban street and should don't be in the plans of making it a suburban street or thoroughfare.

**HOW TO SUBMIT**

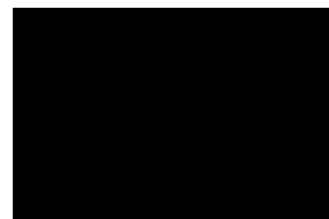
**EMAIL:** Send to [mrsc@mrsc.vic.gov.au](mailto:mrsc@mrsc.vic.gov.au)

**IN PERSON:** Bring this form to one of our service centres.

**POST:** Mail to Macedon Ranges Shire Council, PO BOX 151, KYNETON VIC 3444

Submission 3

D22-175390



Macedon Ranges Shire Council  
Attn: Damien Hodgkins  
Senior Statutory Planning Officer  
via email [mrsc@mrsc.vic.gov.au](mailto:mrsc@mrsc.vic.gov.au)

Dear Damien,

**Re: Objection to PLN/2022/421**

Thank you for the opportunity to tell Council of our objections to the re-submitted proposal for subdividing 85 Harpers Lane. Friends of Kyneton South sets out the points below, being the objections and the basis of objection.

**OUT OF SEQUENCE DEVELOPMENT AND RATEPAYER CONTRIBUTION**

Although FOKS disagrees, we accept the decisions made by the VCAT Tribunal regarding the treatment of Harpers Lane (including sealing and widening), and that no works are required to the Harpers Lane intersection.

However, FOKS have made numerous presentations to Council offering an alternative for access to the proposed subdivision, namely a new road north out of the subdivision directly onto Lauriston Reservoir Road that in the future connects to the south with the existing Blanchfield Road within the Tilwinda estate.

Given the council is now in receipt of the proposed application which maintains the internal road configuration endorsed by VCAT, we request that the Council now reconsider FOKS's application for a road connecting the proposed development to Lauriston Reservoir Road which is better equipped for the construction traffic and future traffic usage.

We ask that this north-south road also be considered in the wider context of pedestrian and bicycle traffic to the train station and the Kyneton township from the whole of South Kyneton, including Tilwinda Estate, Hill Drive, Spring Hill Road, Harpers Lane and any other future developments.

It would be preferred that this cost be borne by the developer however we understand that this is unlikely.

The below picture highlights that unless there is consideration of widening of the lane prior to the commencement of the development how impractical and unsafe it will be.

**RURAL INTERFACE  
LOT SIZE**

An endorsed rural interface design was clearly stated by VCAT within the VCAT ruling (summary point a. of ruling) yet the re-submitted plans fail to meet these in terms of block size at the perimeter.

*VCAT ruling*

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*147....we reject the position of St Leonards Property that in this edge of settlement and township location, the proposed lots do not need to respond to the larger lot and density conditions that prevail in the surrounding area.*

*148 We therefore find that: larger lots should be provided at its perimeter particularly at the interface with Harpers Lane and to the south and east so as to better reflect the open rural feel that is integral to this area's character and to better respect the larger lot pattern of the Hill Drive properties.*

Current adjoining lots on Harpers Lane have a consistent frontage of approximately 100 metres (give or take about 10 metres). We believe that this establishes what constitutes the current "area's character". The current proposal fails to meet the consistency of frontage to uphold the required interface.

#### DRIVEWAYS

On the western side of Harpers Lane opposite the proposed development there is one drive way per lot however the proposal has multiple lots facing onto Harpers Lane (Lots 1-2) & Lots 62-65) each with a driveway. Although there are lots (1 acre lot sizes) with direct access on the south end of Harpers Lane these were approved when there no were other future developments and an impact of an additional 65 households was not contemplated.

The proposed lots across the frontage of Harpers Lane within the immediate rural interface, we believe do not uphold the required interface intended by VCAT and request, in the first instance, that this frontage be reserved for green open space. At a minimum we request the council consider shared driveways where possible for these affected lots and that the crossover treatment is consistent with that of the proposed footpaths and with each other.

#### ROAD ACCESS

Currently there are two (2) local access street external connections with Harpers Lane and a further future road access to Harpers Lane via Wattle Way within the southern end of the development. The two proposed external connection roads are situated on either side of the proposed reserve and in close proximity to each other. It is not stipulated within the drawings or the report if these are to be one way to traffic. Assuming they are not and in keeping with the nearby Tilwinda estate, we would prefer one external connection road minimising the points of entering/exiting traffic, reducing traffic hazards and minimising the visual impact of two roads and associated signage in a transition space interfacing with rural living.

#### STREET LIGHTING

Currently the northern end of Harpers Lane is without street lighting. The proposed density of street lighting along HL again is inconsistent with the current rural interface and character and may have an adverse effect on adjoining/interfacing farmland.

#### INCONSISTENT FOOTPATH MEDIUM AND APPLICATION

We understand that the applicant has offered to continue the road widening and sealing of the lane up to the existing asphalt surface in Harpers Lane near its intersection with Lauriston Reservoir Road. Furthermore, it is proposed to construct a concrete footpath along the site's frontage, and a gravel

footpath to the north up to the existing asphalt part of Harpers Lane near Lauriston Reservoir Road. This, if approved, is creating a patchwork of inconsistent looks, mediums and pedestrian enjoyment further spoiling the rural character and aesthetics of the country lane that we experience there currentl

**HL-LRR INTERSECTION**

The Traffix report states that the hazards with the sight-line of the HL-LRR intersection. Traffix recommends a 60kmh speed limit. We object that the 60kmh limit does not go far enough, given the very obvious hazard is known, measured and documented now multiple times over.

**FLOOD AND STORMWATER MITIGATION REPORT – FAILURE TO DOCUMENT SEEPAGE PROBLEMS AND TO RECOMMEND AGAINST THE SUITABILITY OF SPECIFIC 85 HL BLOCKS FOR HOUSING**

Afflux’s Report models for its recommendation about flood and stormwater mitigation however we suggest that the modelling and data were not site-specific and did not even consider the soil type. These failures were admitted during the VCAT hearing but have not been corrected. Both failures we believe will be detrimental to long term building sustainability. The proposed mitigation is partly efficacious but we object strongly that there are blocks that are unsuitable for housing, particularly blocks proposed for 54-60, 47-53 and 25-26. We suggest that the failures in the Afflux Report are serious enough for Council to commission its food and stormwater mitigation independently.

**PROTECTED LANDSCAPE VALUES OF ADJOINING/INTERFACING PROPERTIES**

We recognise and appreciate that there are single storey dwelling restrictions applying to lots: 1, 2, 8, 9, 44, 45. Given the generous building envelopes we would prefer that this is extended to all lots to ensure the protection of landscape values currently enjoyed by not just all nearby and neighbouring properties but all roadside users.

FOKS has always been open to meeting with any developer to arrive at a mutually acceptable outcome that achieves appropriate, sensitive considered development outcomes. We reiterate this invitation to the developer in this instance and of course will continue to pursue and work with the Council on aligned outcomes.





# Objection to Grant a Planning Permit

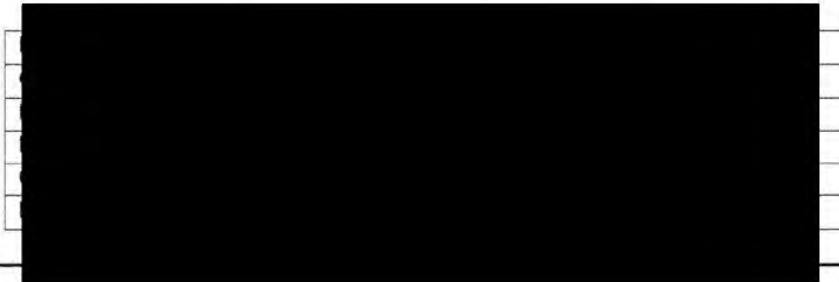
Objection Enquiries:  
 Phone: (03) 5421 9699  
 Web: [www.mrsc.vic.gov.au](http://www.mrsc.vic.gov.au)

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 objection



### Planning Application details

Provide the Planning Application Number

PLN/2022/421

### The land

Address of the land

Street No: 85	Street Name: Harpers Lane
Lot No: 2	Title details (CA, LP, PS, CP, TP) no.: PS 827043
Township: Kyneton	Postcode: 3444

**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 [mrc.vic.gov.au/Build-Plan/Planning-Permits-Approvals-Forms/Object-to-an-application](http://mrc.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.

In its hearing into the previous development application for this property VCAT found '...larger lots should be provided at its perimeter particularly at the interface with Harpers Lane and to the south and east so as to better reflect the open rural feel that is integral to this area's character and to better respect the larger lot pattern of the Hill Drive properties'. The current application has increased the lot size along the Hill Drive boundary by 50 per cent. However, the lot sizes will still be around a quarter of the area of the Hill Drive properties. We consider that the developer has not sufficiently taken into account the VCAT findings. The lots adjoining the Hill Drive properties should be increased in size to at least 6,000 sqm and, at a minimum, have aligned boundaries to the Hill Drive properties.

VCAT stated that it had '...particular concerns about the future development within the layout proposed when viewed from surrounding land to the south and from properties to the east in Hill Drive where the landform is lower and continues to fall eastwards'. The tree boundary for the Hill Drive properties is to be Harkness bottlebrush at 2 metre centres. While this could be an acceptable tree screening when the plants are fully grown, it may take several years for the plants at the proposed 200 mm size to grow to the point where they start to provide a screen. We consider that the plantings should be with more mature plants so that a viable screen is formed in a much shorter timeframe, certainly no longer than two years.

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

Attach additional page/s if there is insufficient room.

Our local amenity would be adversely affected by the proposed subdivision. The relatively small lot sizes would result in more visual clutter and increased noise from the higher density of housing in the subdivision. The character of the area with current spacious lots would be completely changed.

We are concerned about the overland water flows the subdivision. This year with large rainfall and waterlogged ground, the overland water flows onto our property were significant (photographic evidence can be provided). We consider that the lots be required to have all hard areas and outbuildings connected to the stormwater system. In addition, to prevent any overland water flows to reach Hill Drive properties, we consider that there should be a swale drain constructed along the boundary with Hill Drive properties.

**Objectors Signature**

This form must be signed



**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.



SUBMISSION 3

U22-175333

For the attention of Damien Hodgkins, Senior Statutory Planning Officer

Macedon Ranges Shire Council  
40 Robertson Street  
Gisborne 3437  
Via email [mracs@mracs.vic.gov.au](mailto:mracs@mracs.vic.gov.au)  
December 13, 2022

Re Planning application PLN 2022/421

Lot 2 PS 827043V P/Lauriston

85 Harpers Lane, Kyneton 3444

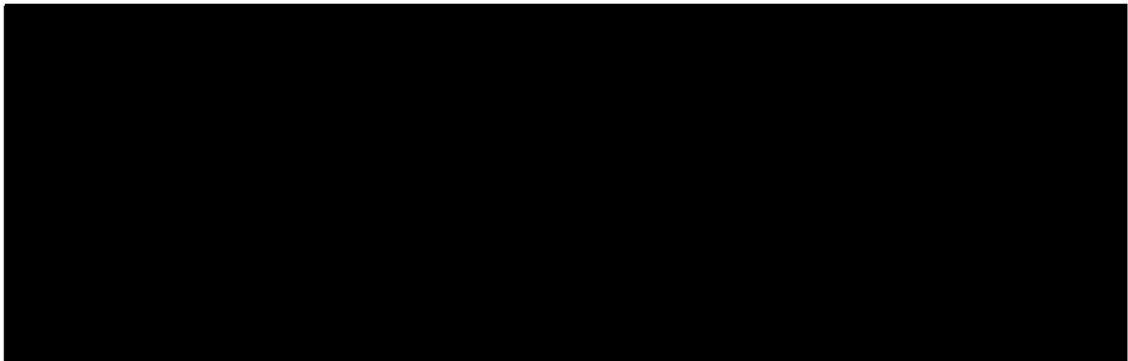
Dear Sir,

As Residents and rate payers who will be severely affected by the subject, incomplete, planning application, we object in the strongest possible terms for the following reasons. Listed below, not in any particular order. We respectfully request Council provide a fair and reasonable approach having regard to the fact that once done it cannot be undone.

- a) The designated blocks around the outside of proposed development should be at least twice the size/ half the number, to provide an appropriate interface with the existing rural landscape.
- b) This proposed development is completely out of sequence with the Kyneton South development plans.
  - b)1 There is no adjacent supporting infrastructure by way of road, sewerage, water, power, access, for this development.
  - b)2 Who pays for this? It should not be the local rate payers. The developer should be funding this.
  - b)3 The development would form a suburban development completely surrounded by a pastoral landscape.
  - b)4 The number of proposed individual driveways into Harpers Lane despoil the feeble attempt to provide a realistic transition between country and the proposed suburbia.
- c) Loss of Amenity
  - c)1 Any Street lighting will totally destroy the night sky current residents enjoy.
  - c)2 Loss/impairment of "Big Sky Views" to, inter alia, Mount Macedon from some existing residences.
- d) No further consideration should be considered by Council, unless and until the developer provides a correct and comprehensive IDM (Infrastructure Design Manual). For structures, fences, colours, paving and the like.
- e) Road Considerations.
  - e)1 Harpers Lane traffic during construction is too narrow for the passing/repassing of heavy vehicles associated with the various aspects of construction.
  - e)2 Roadways on the proposed development are too narrow to permit ease of circulation for heavy vehicles regularly e.g., garbage trucks will need to reverse significant lengths of roadway. Plus, Emergency vehicle requirements particularly in regard to 180-degree changes in direction.

- e)3 Several roads and footpaths lead nowhere to dead ends. Future adjacent development, dependent on redesignation of adjacent land, may well suffer unnecessary inconvenience.
- e)4 The only connection to Kyneton is via Harpers Lane. As such walkers must risk the north end intersection with Lauriston Reservoir Road, which we now note Council recognize the intersection as being potentially dangerous.
- e)5 There is every chance that commuters living on the development will beat an illegal footpath across agricultural land as a short cut to the station.
  
- f) Building envelope plan
  - f)1 Should also incorporate a size limitation for sheds etc. permitted outside the envelope
  - f)2 Buildings within the envelope should be solely for single occupancy, no flats or town houses.
  
- g) Vegetation
  - g)1 Should be (a) native and (b) suitable to the environment The subject location is circa 540 metres above sea level and Kyneton's climate reflects that. Early advice indicates that some of the proposed trees, simply will not survive.
  
- h) Ground/storm water
  - h)1 Much of the development site is of heavy clay with a thin layer of topsoil circa 10-15 mm. As such rainwater which permeates the topsoil tends to cause seepage between the topsoil and the clay. This being based on good local knowledge over many years. The seepage may be such as to cause subsidence on sloping blocks, 12 to 24 and 54 to 65.
  - h)2 Increased runoff from roadways and roofs will increase this risk.
  - h)3 The recent LA Nina event has shown a circa 30% increase in rain fall over the last 12 months.
  - h)4 Climate change will exacerbate this risk.

Your appropriate and professional consideration of the issues set out above will be appreciated to avoid a complete mess in a rural location.



Submission 6

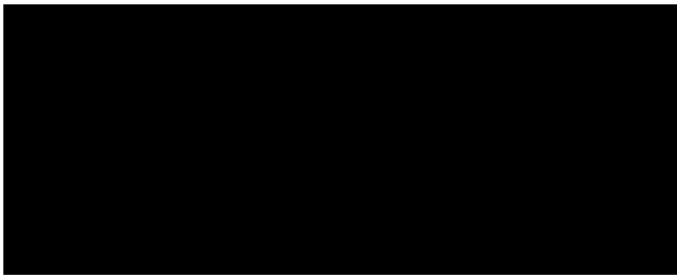
02217510

**Maria Nunez**

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**From:** [REDACTED]  
**Sent:** Tuesday, 13 December 2022 8:50 PM  
**To:** Macedon Ranges Shire Council  
**Cc:** [REDACTED]  
**Subject:** Objection to resubmission for the planning permit for 85 Harpers Lane

Attention of Damien Hodgkins  
 Senior Statutory Planning officer  
 Macedon Ranges Shire Council.



Dear Damien

Reference PLN/2022/421

We are writing in reference to the resubmission for the proposed development at 85 Harpers Lane.

We feel the lot sizes adjacent to Harpers lane need to be a minimum of 1 acre to keep the rural setting and the drive ways not to exit on Harpers Lane. This area ( lots 54-65) was originally designated as wetlands by the council framework for Kyneton South May 2017. So why is it now considered suitable for building on?

The exit/entry road adjacent to lots 60/61 is directly opposite our property. Can there be a one way system so this is the entry to avoid vehicle lights constantly projecting into our property. The proposed street light are not a rural feature and would cause constant light pollution when turned on.

The road is not wide enough for a car and large vehicle to pass. How are site vehicles going to turn into the site? Large vehicles cannot turn right out of Harpers Lane without crossing over the traffic island. The same situation occurs when large vehicles approach from the west. Traffic needs to slow down when approaching Harpers Lane from both directions as the inter section is dangerous. A more acceptable solution may be to create an access/exit road from the northern end of the development directly on to Lauriston Reservoir road nearer the station.

There was no infrastructure design manual, so what are the regulations that denote what type of house, ie single or double story is built and what type of fencing will be erected?

We once again air our concerns regarding the water run off as our E1 easement takes the excess rain water. What specific requirements will be given to the developer re drainage as Kyneton rainfall data was not presented at VCAT? Who would be responsible/accountable if the reservoirs are unable to cope with the excess rain water and our property floods? Surely if every house had to have large water storage tanks, minimum 22,000L it would help. A pressure release valve from a main sewage pipe releases adjacent to reserve 1. Could this be an environmental issue?

Who maintains the reserves and small green area near reverse 2 and the vegetation along Harpers Lane? Why are all the trees not native? How long after the development has been completed will the developer be responsible for the trees and vegetation? When will it all be planted?

We have an [REDACTED] and an easement which floods and hold water. Where exactly would these trees be planted?

We are happy to expand and discuss in more detail our issues.

[REDACTED]

[REDACTED]

Submission /

D22-175411

**Maria Nunez**

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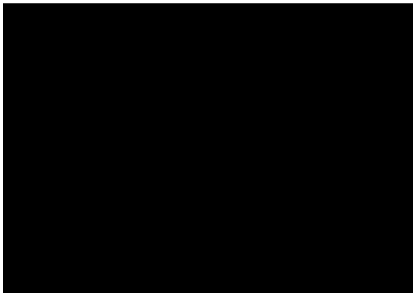
**From:** [REDACTED]  
**Sent:** Tuesday, 13 December 2022 9:49 PM  
**To:** Macedon Ranges Shire Council  
**Subject:** Attn Damien Hodgkin senior statutory planning officer objection to pln 2022/421

On seeing the resubmitted application for planning permit for 85 harpers lane it appears previous concern from residents have not been addressed All access to subdivision is via harpers lane there is no mention as to how this road will carry extra traffic safely given both entrances at laureston road and Springhill rd are dangerous Current speed limits on these roads are excessive for current density it would be impossible to keep the country feel of Kyneton south and impose extra traffic for total subdivision Traffic should be diverted to proximity of railway station on Laureston Reservoir Rd road People of Tilwinda estate and harpers lane and in-fact trentham road have no way to safely walk to Kyneton or rail without walking on roads now.

Drainage issues are evident with every rain on proposed blocks 63 64and 65 what plan exist to cater for drainage

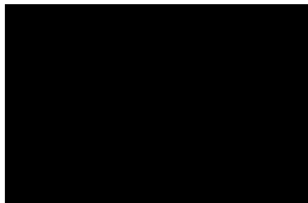
A proper buffer of trees should exist between the proposed subdivision and harpers lane to keep the aesthetic country appeal of harpers lane

A proper thought out plan is needed for harpers lane as I guess this will be the first of a few proposals for subdivision that will directly affect us and our way of life.



Submission 8

D22-175679



Macedon Ranges Shire Council  
Attn: Mr Damien Hodgkins  
Senior Statutory Planning Officer  
via email [mrsc@mrsc.vic.gov.au](mailto:mrsc@mrsc.vic.gov.au)

Dear Damien,

**Re: Objection to PLN/2022/421**

We refer to our recent meeting regarding the latest plan of subdivision for the land on 85 Harpers Lane, Kyneton. We have had some time to have a closer look at the plan and now wish to make five (5) objections against the current version of this plan.

We are worried not only for our own interest, but for all neighbourhood residents.

**1. RURAL INTERFACE**

The rural interface is explicit in the VCAT ruling (summary point a. of ruling) yet the re-submitted plans still fail at the interface, in terms of block size at the perimeter, especially on the Hill Drive side of the proposed development.

In light of VCAT's ruling, we object that the block density on the perimeter is still too high. We object particularly to the density of the blocks on Hill Drive, where there are still 2 blocks proposed along the rear fence of several Hill Drive properties.

*In our case our objection can be addressed practically by the merging of blocks 14-15. This is our preferred position.*

**2 STREET LIGHTING**

The density of suggested street lighting along the main roads within the suggested subdivision is not in keeping with a quiet rural lane. Hill Drive is not a suburban street, and the existing topography will lead to a loss of enjoyment of the current darkness and the stars, and for animals that move at night under the cover of darkness.

*To preserve amenity, the street light density should be lowered in keeping with the reduction of the number of blocks along Hill Drive.*

### 3 BUILDING ENVELOPE PLAN

This plan shows 2 Restrictions:

**Restriction 1** says “No part of a dwelling can be constructed outside of the building envelope.”

That’s fine, but then following this:

**Restriction 2** contradicts the intention of Restriction 1 as follows where it says:  
“Outbuildings may encroach into the rear setback (outside of the building envelope) but must be no closer than 5m to the rear boundary of the lot.”

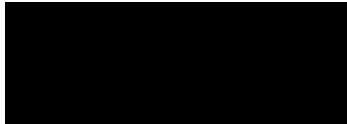
We object to Restriction 2. Any structure should be constructed within the building envelope, and therefore Restriction 2 should be removed.

### 4 LANDSCAPING East boundary

The Developer is suggesting to plant Bottlebrushes i.e. Callistemon Harkness-Harkness Bottlebrush along the East Boundary of the development.  
These bottlebrushes can be a nice screening bush **if they are properly maintained**. If not, they become messy and the purpose of a non-deciduous screening in a couple of years will not be effective/achieved. Maybe another non- deciduous screening can be used?

### 5 Roof Form and Ancillary Structures

We prefer that galvanised roof sheeting or any other reflective roof colours will not be used on any of the dwellings/structures, and that any ancillary services such as water tanks, clothes lines TV antennas, satellites dishes etc. are of a non-reflective colour or material.



Submission 9

D22-176433

Macedon Ranges Shire Council  
Attn: Damien Hodgkins  
Senior Statutory Planning Officer  
via email [mrsc@mrsc.vic.gov.au](mailto:mrsc@mrsc.vic.gov.au)

Dear Damien,

**Re: Objection to PLN/2022/421**

Thank you for the opportunity to tell Council of our objections to the re-submitted proposal for subdividing 85 Harpers Lane. We state them here, explaining our reasons and describing how we are affected. We suggest the amelioration/s that would solve the problems that the subdivision will cause us.

We make eight points. The final one is about failure in the Afflux Report to model seepage along blocks 54-60 because of its failure to pick up appropriate data for dependable modelling. Issues that we see in the Afflux Report are very serious, we believe. We detail this last only because it is a long and detailed point. We are worried for all neighbourhood residents.

**1. RURAL INTERFACE**

The rural interface is explicit in the VCAT ruling (summary point a. of ruling) yet the re-submitted plans fail at the interface still, in terms of block size at the perimeter.

In light of VCAT's ruling, we object that the block density on the perimeter is still too high. We object particularly to the density of the blocks on Harpers Lane east, [REDACTED]

Given our zoning at [REDACTED] PLN/2022/421's adherence with the VCAT ruling is paramount. The negative impact upon amenity is still unacceptable, when the proposed blocks along the eastern side of Harpers Lane are substantially smaller than those along the western side, given VCAT ruled otherwise.

While 85 Harpers Lane is a development zone, and thus the developer can do as he wishes internally to the development, the block sizes at the interface need to be in keeping with the block sizes at the western side of Harpers Lane and its rural character.

*Our objection can be addressed practically by the merging of blocks 61-65. This is our preferred position. Our minimum acceptable position is the merging of block 64 with 65, 63 with 62, and the removal of block 61 with its land redistributed to the newly merged blocks.*

**2. STREET LIGHTING**



The density of street lighting along Harpers Lane is not in keeping with a quiet rural lane. Harpers Lane is not a suburban street. The Australian standards for street lighting strength these days is objectionable and 'overkill' for the amenity of this quiet area, for enjoying the darkness and the stars, and for animals that move at night under the cover of dark.

*To preserve amenity, the street light density should be lowered in keeping with the reduction of blocks along Harpers Lane east and we object to having any lighting at all at, or near to, our two 82 Harpers Lane entrances.*

### 3. HARPERS LANE-LAURISTON RESERVOIR ROAD INTERSECTION

The revised Traffix report states the hazards with sight-line of the Harpers Lane-Lauriston Reservoir Road intersection. Finally. Traffix recommends a 60kmh speed limit.

We object that the 60kmh limit does not go far enough, given the very obvious hazard is known about, measured and documented now multiple times over. [REDACTED] [REDACTED] with council officers [REDACTED], where we re-documented this with new evidence on 19<sup>th</sup> July.

We will not describe it all – yet again -- and FoKS funded our own traffic study for VCAT but could not afford an expert witness appearance, which you are aware of.

We have to reject any weight is warranted to the Traffix argument that there has been no death or accident so far. The VCAT ruling indicates members had some difficulty grasping this hazard but fortunately Traffix finally spells it out in their re-submission this time.

*A 50kmh limit on LRR either side of Harpers Lane with permanent red hazard lights flashing day and night is the measure that 'goes far enough'.*

### 4. LANDSCAPE MASTERPLAN

We have no objection to mixing European and native trees on the Landscape Masterplan. We appreciate a European species (*Acer freemanii* Jeffersred) recommended for Harpers Lane. The basis for this is that we have many eucalypt and European trees species on our property. A small minority of eucalypts are very old but relative to Europeans, native species are the exceptions. It is Europeans that are dependably happier and longer-lasting than eucalypts in South Kyneton. Oak trees readily growing from acorns on this land. We would therefore object to any change to eucalypt plantings along Harpers Lane, despite the excellent examples of eucalypt at the southern end.

### 5. REMOVAL OF POWER-LINE EASEMENT

With the proposed removal of the power line easement along the southern boundary of the development, could we please be told

- where will the power for us at 85 Harpers Lane, and to 1 Wattle Way and Rose Hill come from?
- and can we please be also reassured that there is no plan to run powerlines down Harpers Lane to supply these three two properties. IN other words, with this easement gone, is the plan for the power to be fed underground?

## 6. SEWERAGE LINE ALONG HARPERS LANE

The road drawings appear to believe the sewerage line along the eastern side of Harpers Lane (coming from Tylden and Trentham, we are told) is one metre down. That is partially correct but there is **the pressure valve** opposite 58 HL that is close to the surface, and it leaks and spurts sometimes; and a MRSC contracted roadside mowing hit it recently. The pipe itself may well be a metre or more underneath the length of HL. [REDACTED] can give you more details and having some concern about this seems reasonable so I am mentioning it here in case this helps.

## 7. HERITAGE

We have kept Dannielle Orr informed during 2022 of further evidence of the likely high heritage significance of Harpers Lane. More recently, [REDACTED] both drone footage and photographic evidence showing how extensive the pitching of Harpers Lane was when it was pitched in the nineteenth century. While the 85 Harpers Lane development itself may not have heritage impact, we believe the case has grown only stronger re the heritage significance of Harpers Lane.

In the context of extended rain and storms this Spring, you will be aware that the gravel roads and lanes around Kyneton and across the Shire became almost unnavigable due to the size and density of potholes. I wrote to Dannielle Orr to say that Harpers Lane is NOT full of potholes. There were virtually none. Harpers Lane has been an amazing exception. Starkly so.

Pondering why, when the same gravel that covers other lanes in the Shire is on Harpers Lane, yet Harpers Lane has sustained the heavy rains in an out-of-the-ordinary way, one can ask: has the pitching underneath provided out-of-the ordinary stability for the gravel? These comments are in the context of my (Ruth's) heritage investigation in 2021.

So, to harp on about Harpers Lane route heritage – once again: the above scenario seems to us to heighten the plausibility of the heritage significance of Harpers Lane, now from the perspective of engineering history. Perhaps Harpers Lane is not the only instance of this; but let us rule out that it was not, and is still not, something highly significant.

The level of expenditure on pitching the Lane at the time in the 19<sup>th</sup> c. was extraordinary and we continue to argue that Harpers Lane was the main alternative gold route from and to the diggings to the Trio Road way.

There is also extensive pitching of the former Harpers Lane intersection with LRR which runs through Lynette's property which she will tell you about. There is non-trivial evidence everywhere, Damien.

*Thus, we object to Harpers Lane being paved (i.e. bitumened). Our solution is to leave Harpers Lane as gravel. We are also unwilling and unable to contribute financially to any Harpers Lane paving along our boundary. We have no need for a bitumen road. Nor should anyone who wants to live on Harpers Lane: anyone who wants a paved road can buy a house where there is a paved road.*

## 8. FLOOD AND STORM-WATER MITIGATION REPORT – FAILURE TO DOCUMENT SEEPAGE AND TO RECOMMEND AGAINST THE SUITABILITY OF SPECIFIC 85 HARPERS LANE BLOCKS FOR HOUSING

Afflux's Report conducts modelling to support proposals about flood and stormwater mitigation. The proposed mitigation is partly efficacious but we object strongly that at no point does Afflux address the fact that there are some blocks that cannot be unsuitable for housing based on some basic oversights by Afflux. We object strongly to failures in the quality of Afflux's water report.

It appears that at no point Afflux has advised St Leonard's not to put housing on blocks 54-60, 47-53 and 25-26 or to advise on the seepage and bogginess which will affect housing foundations. Given the data shortcomings in Afflux's report, which we detail shortly, we believe VCAT's ruling has been invalidated.

We are impacted because there will be people who end up buying housing [REDACTED] and we know of the drainage problems not averted by Afflux's proposal. It will be distressing to know of innocent people being taken down, to watch them trustingly buying a house where they ought not to buy a house, and no-one is telling them not to.

**The basic problem is that Afflux's data pick-up has been inappropriate and no amount of fancy modelling acronyms will fix inappropriate data collection.**

We object that Afflux's water engineer heavily influenced VCAT's decision (such that the VCAT ruling says there is no issue). But there is. This year's water at 85 Harpers Lane on these blocks proves it – and last year's water at 85 Harpers Lane also proved it. The Afflux report maps the water flow and seepage in Figure 1, then asserts mitigation is achieved by Figure 47 with some partial modelling in between. Tosh!

*Blocks 54-60 need to be merged and made into a green zone. Investigation into also merging blocks 47-53 to form a green zone. That land has proved far too wet to sustain housing. Assuming no reason can be found to justify housing on those poorly drained blocks i.e. 53 and 54, then blocks 25 and 26 should also be removed and be left as a green zone.*

*A green zone will make the reserve fronting Harpers Lane into an ecologically sustainable reserve. Seepage from blocks 54-60 and 47-53 polluting the proposed reserve planned to be opposite 58 Harpers Lane, destroying the habitat of the birds, frogs and all other creatures there means all those blocks warrant reserve areas.*

*We request that Council to commission its own water report, one that deals with the conceptual and modelling issues and data matters.*

### Details of Afflux's report failures

#### **Data Collection Issue #1**

- p. 13 "Provided in the Appendix (dated 30th March 2020) are email communications between Afflux and NCCMA. These communications confirm that this property does not have a designated waterway through it, a position I agree with."
  - This is an opinion only and it is a false statement, and probably Afflux is so unaware of what they ought to know, that what has happened is 'only' convenient professional oversight. [REDACTED] provided Council photographic evidence. Do we need to re-submit it? Please advise.

5

- Afflux's site visit always was inappropriately timed at 30<sup>th</sup> March 2020 – the driest time of any year. This date has added to the water engineer's poor site familiarity and poor connection with facts. Lockdowns are over and there is no excuse that he has not returned in the wettest months.
- p. 29: 'In the absence of dedicated MUSIC input data for the region, the Koo Wee Rup data (yearly average rainfall 750-850mm) has been used for this high-level assessment. This is based on an estimated yearly average rainfall of 753mm from historical BOM data for Kyneton Post Office (1873-1969). The site has also been cross referenced against Ballarat rainfall and evapotranspiration data. The Koo Wee Rup data...'
  - The water engineer is using totals here, so is not understanding intimately the South Kyneton's rainfall distribution annually, its variability across a 100-year period, and the interaction of rainfall distribution and rainfall variation with South Kyneton's clay pug. It is all the forces bearing upon the seepage and waterlogging.
  - These oversights result in the Afflux Report (conveniently?) overlooking drainage and seepage issues along blocks 54-60.
  - The Report makes it seem as if all problems are mitigated by the pipeline planned under the road along those blocks. That pipeline might partially mitigate stormwater and floodwater but the engineering fails on a basic job – by acquiring only partial knowledge of the 85 Harpers Lane environs.
- Figure 10 is out of date for the 2022 rainfall pattern
- Flow data regression depicted in Fig. 11 – inappropriate data and lazy data pick-up. I believe it is Redesdale (BOM) data that is used here but I cannot see where that basic vital fact is stated and justified explicitly. I may be missing it but I cannot see it.
- Figure 38 is irrelevant to this site
- We cannot help but feel very concerned for Hill Drive residents that this modelling does not understand the geomorphology or rainfall.

#### Data Collection Issue #2

- Afflux's report even admits (now) that there is a rainfall data issue for doing modelling for South Kyneton. Afflux first knew about this **only** at the VCAT hearing – **and only because I** informed VCAT (through our barrister) that there are no dependable BOM data for this South Kyneton modelling exercise that **he** undertook.

I added that his modelling had not taken South Kyneton clay soils into account. One of my areas of expertise is geography. Thus, it appears that I have sufficient expertise to spot a glaring fault as at least he has listened to me!

But Afflux has not adjusted their report enough and produces partial results that are irresponsible to future home owners.

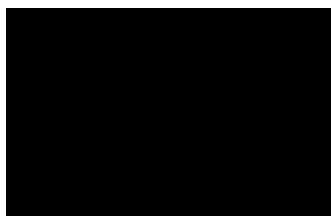
- The closest available data are Redesdale BOM data and this is very unfortunate for any water engineer modelling for South Kyneton, as the data for Redesdale do not reflect South Kyneton’s data. Those data should never be picked up for a use such as this. Ballarat’s rainfall data may be useful and Afflux makes some use of that fact but has not established this thoroughly, having lazily asserted it. Koo Weer Up data has the very same issue, as outlined above.

**The proof that the data pick up is not suitable is that Afflux data analysis and modelling fails to conclude on the observably obvious viz. that some blocks cannot sustain housing. There is a glaring error. Maybe I am wrong but this is what [REDACTED] and we alert the MRSC of this.**

- At the VCAT hearing in 2021, it felt disgraceful having to observe a water engineer snowball and bluster his way through VCAT, while the VCAT member who knew the water engineer personally, and a water engineer herself – and belonging to the same water engineers association, yet who also did not appear to be on top of the local knowledge of the rainfall totals and variability and the soils and how they all interact at South Kyneton -- listen to an ill-informed Afflux water engineer, rather than observant knowledgeable locals like [REDACTED], [REDACTED].  
[REDACTED] We all know that there is a problem which Afflux is paid to overlook, it appears. This is our opinion and St Leonard’s can argue with them, if they can.
- In this latest Afflux report, I see Afflux’s water engineer has decided now to use what Ruth Williams said he should have done all along. Does this, of itself, make the VCAT ruling highly questionable? and grounds for placing it aside? Afflux admits fault by his own admission – although he has only partly changed his data pick up and we think Afflux has done another lazy data pick-up. This directly causes **Afflux modelling failure to find the conclusion that it ought to find about the problems with housing on blocks 55-60.**

Apart from eight objections above, we are dismayed at the lack of respect and consultation from the developer. The developer’s timing of re-submission, and his lack of discussion of options and his lack of understanding of the area, fails him in his plans once again, and detract from the positives.

Thank you again once for all your hard work and help, Damien.



Submission 10

D22-175746

[REDACTED]

Macedon Ranges Shire Council  
Attn: Damien Hodgkins  
Senior Statutory Planning Officer  
[mrsc@mrsc.vic.gov.au](mailto:mrsc@mrsc.vic.gov.au)

Dear Damien

Re; Objection to PLN/2022/421

[REDACTED]

I would like to express my concern over some points in relation to the above noted planning permit application. I do not object to this development, but I believe it should be more sensitive to the surrounding area. This would create a safer and more pleasant place for new and old residents alike. Also, of great importance, the issue of proper and safe access must be resolved before starting construction. My concerns are;

- 1 Dangerous intersection at HL & LRR made even more dangerous by increased traffic.
- 2 Inability of above intersection and laneway to service large vehicles
- 3 Lack of information about housing to be built esp in regard to roofing
- 4 Enjoyment of my property and view to significant land marks
- 5 Historical importance of Harpers Lane

1 I am concerned about the already dangerous [REDACTED]. This intersection cannot possibly meet legal requirements for safety. There is not enough sight-line for oncoming traffic, I have nearly been involved in an accident on several occasions when attempting to exit Harpers Lane at this corner. Just last week a car traveling westward on Lauriston Reservoir Rd came around the bend to find me just exiting Harpers Lane onto LRR, also in westward direction. There was a truck traveling eastward along LRR at the same time. The oncoming car had to hit the breaks hard to avoid hitting one of us. I saw him coming sideways towards me, in my rear view mirror and accelerated as quickly as I could. He just managed to stop before impact. [REDACTED] has been knocked off her bike on this intersection. [REDACTED] was on the back of the bike at the time. [REDACTED] had several close calls while riding his bike to the station. I can't express to you the [REDACTED] corner gives me anytime a family member leaves the house. I believe it is only a matter of time before a serious, possibly even fatal accident occurs at this intersection. This proposed development will immensely increase the traffic using this intersection and therefore greatly increase the risk of an accident.

2 The intersection is incapable of catering for large vehicles. Trucks already turn on to the wrong side of the road in Harpers Lane because they can't get around the corner. They either have to drive on the wrong side of the road or run straight over the top of the concrete in centre and flatten the sign. It is stressful exiting Harpers from that intersection and especially so when you encounter a truck on the wrong side of the road. I don't believe it is fair for existing and new residents to live with this stress.

3 Another major concern for me is the fact that [REDACTED] this development. The rolling paddocks will be replaced with a sea of roofs. Will there be double story houses? What colour/s will that sea of roofs be? The photos below are what [REDACTED].



4 Without the above information I do not know if the houses will obstruct my current view of Mount Macedon, Camel's Hump and Hanging Rock? **This is the main reason I purchased my property.** Taking away my enjoyment of this view is in direct breach of a ruling brought in by state government in 2021. These photos were taken with [REDACTED] on a cloudy day. On a sunny day this view is magnificent!





5 Harpers Lane is an old cobblestone road, now referred to as 'Pitched' I believe. Is MRSC going to allow this historic road to be sealed, forever losing this rich reminder of the past history of the shire? A north/south section of the old pitched road also runs [REDACTED]. The road became part of [REDACTED] to be custodian of this road and hope that no such fate awaits my little piece.

Just as a closing note, this development is not in keeping with the surrounding properties. The blocks should be one acre blocks, the same as the other development further along Harpers Lane. This should be a basic requirement.

We are the people who live here, we should feel happy and safe in the place we live. I feel that plans are being made by people who have no care for new or old residents, who will never live here themselves and have not given due care to the needs of the environment, the history or the residents.

Thank you for this opportunity to express my concerns.

[REDACTED]

Submission 11

D22-176423

Macedon Ranges Shire Council  
Attn: Damien Hodgkins, Senior Statutory Planning Officer

Dear Damien,

Thank you for the opportunity to respond to the new application, PLN/2022/421, for the subdivision of 85 Harpers Lane. I am writing to you to register my concerns and objections.

#### **OBJECTION #1**

A primary objection is lot size. Quoting from the decision handed down by the VCAT Tribunal (VCAT REFERENCE NO. P2000/2020):

*78 It is through this policy lens that residential growth and subdivision within this part of the Kyneton township is to be viewed. We conclude that while the site is one where residential subdivision and housing is expected by policy, a contextually sensitive response to the area's distinctive and valued character and its physical characteristics is warranted.*

*144 In any event, there is nothing in applicable planning scheme policies, planning scheme controls and provisions or in the MRSP that leads us to conclude that the provision of lot diversity and housing choice is to be pursued at the expense of the area's distinctive and valued character attributes. These character attributes are strongly influenced by its topography and interfaces with rurally zoned land. Indeed, from our reading of the policy framework and MRSP, their recognition, protection and enhancement is to be given primacy. This is despite the site's location within the township boundary.*

*147 With these considerations in mind and those that we have summarised in our policy synthesis, we reject the position of St Leonards Property that in this edge of settlement and township location, the proposed lots do not need to respond to the larger lot and density conditions that prevail in the surrounding area.*

*148 We therefore find that: larger lots should be provided at its perimeter particularly at the interface with Harpers Lane and to the south and east so as to better reflect the open rural feel that is integral to this area's character and to better respect the larger lot pattern of the Hill Drive properties.*

Please note the use of the word primacy above (our emphasis).

With the Tribunal's instructions in mind, the sizes of the proposed lots along the eastern, southern and western boundaries in this new application still do not follow these

instructions. They do not “better reflect the open rural feel” as they are only a minimal improvement on the sizes in the original application.

As shown in the screenshot below, taken of the online VicPlan property report tool (<https://mapshare.vic.gov.au/vicplan/>), the adjoining lots on Harpers Lane have a surprisingly consistent frontage of approximately 100 metres (give or take about 10 metres).

This clearly establishes what the “area’s character” is.

The frontage of the lots in this new application are about half that, and so there would be roughly two new lots opposite each existing lot. As the Friends of Kyneton South have previously asked on behalf of residents, I feel that anything less than a one-to-one match is unacceptable. I therefore ask that Council reject this application.

I have no position as to the size and dimensions of lots internal to the development.



**OBJECTION #2**

I am concerned about the impact of the proposed planning envelopes, dwelling setbacks and private lot landscaping articulated in the draft design guidelines (Appendix F of PLN 2022 421), particularly in reference to Lots #65 and #54. The northern boundary of my property is contiguous with the southern side of these lots. The guidelines only allow 5m side setbacks and allow sheds and outbuildings to be within 5m of boundaries. The proximity of such buildings to my land where I graze sheep is unacceptable and I request that the side setbacks for these lots be increased to 10m.

**OBJECTION #3**

I am concerned about lots 54-65. As [REDACTED] have previously advised, the area covered by these lots is subject to sheet flooding during heavy downpours once the ground is already soaked during wet winters. Given the current draft status of the Kyneton South Framework Plan, I feel I can't refer to the green wedge that plan includes. Such a green wedge along the path of the drainage line, not to mention the proposed walking/bicycle path, would ideally take the place of those new lots.

I know the developer would be unhappy to remove lots 54-65 from his subdivision, but I am mindful of the terrible flooding that occurred in NSW this past winter that damaged or destroyed houses that were allowed to be built on flood plains. I do not claim this is a flood plain, but I feel it our duty to insist as strongly as possible that Council and the developer be made aware of the possibility of sheet flooding and to proceed on the basis that avoiding the repercussions of incorrect decisions is the preferred path.

The following quote comes from the second page of the Stormwater Management Plan document, included in the subdivision application:

*Unless otherwise stated, the information provided in this report does not take into consideration the varying nature of climate change and its consequences on our current engineering practices . The results presented may be significantly underestimated; flood characteristics shown (e.g. flood depths, extents and hazards) may be different once climate change is taken into account.*

I read this disclaimer with alarm.

Not only does this plan rely on a site visit conducted in March (after the summer season), but the modelling in this plan is not based on local rain patterns (influenced by the Great Dividing Range) or the soil types found on the subdivision. The modelling is based on "mean" results for the Murray Basin area and not from Kyneton. The following quote is from section 3.1 that discusses hydrological modelling:

*Each hydrograph was run through the hydrologic model however, as recommended, only the mean for the critical duration storm results are selected for design. The temporal rainfall patterns were taken from the ARR Data Hub as per guidelines, and as shown in Figure 5 below, "Murray Basin" data set was applicable for this site in the Macedon Region.*

I am also concerned that up-to-date science is not reflected in this modelling. To quote from Australia's Changing Climate, by the CSIRO:

*Australia has warmed on average by  $1.44 \pm 0.24$  °C since national records began in 1910.*

...

*A warmer atmosphere can hold more water vapour than a cooler atmosphere, and this relationship alone can increase moisture in the atmosphere by 7 per cent per degree of global warming.*

The modelling does not take existing warming into account, and it does not consider what will happen in the years ahead as average temperatures rise even more.

I therefore ask the Council to reject the placement of any lots in the area covered by proposed lots 54-65 until appropriate modelling has been performed that covers:

- extreme events and not “mean” events
- heavier downpours cause by climate change for the next 100 years, at least
- modelling based on actual recent rainfall amounts in Kyneton
- local soil types (Kyneton Pug)

And I ask Council to ensure that any Storm Water Management Plan be updated to reflect the results of better and more accurate modelling.

#### **REQUEST TO COUNCIL**

I have raised our concerns, on multiple occasions, about the traffic implications of this proposed development. The primary concern is safety. Specifically, the intersection of Harpers Lane at Lauriston Reservoir Road.

Another concern is the character of Harpers Lane. I wish to keep our quiet single-lane unsealed country road the way it is. It is frequented by people who walk, jog, ride their bikes, walk their dogs and even ride their horses. I do not want to lose that.

I am also concerned about the historical nature of the bluestone pitching on Harpers Lane and the potential for it to be irreparably damaged due to construction activities related to the subdivision, and the load of increased traffic over the years to come.

As much as I disagree, I accept the findings made by the VCAT Tribunal regarding the treatment of Harpers Lane (including sealing and widening), and that no works are required to the Harpers Lane intersection.

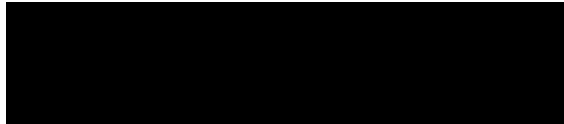
The reason Harpers Lane plays such a prominent role in this application is because of the out of sequence development that is occurring. I have made numerous presentations to Council that a superior alternative is available for access to the proposed subdivision, namely a new road north out of the subdivision directly onto Lauriston Reservoir Road.

Unfortunately, those attempts in writing and in face-to-face meetings to get a commitment to this alternative have failed so far. I was told that nothing can be done without a specific application for Council to consider.

Given that Council now has this new application to consider, and given the following, quoted from the conclusion of the Tribunal decision:

*312 f. The proposed internal road configuration is acceptable as it provides a connective network that adequately caters for vehicles, pedestrians and cyclists.*

I request that Council embrace the application's internal road configuration, which clearly indicates an internal road connecting north, and proactively and expeditiously investigate and budget for the construction of such a road. I ask that this north-south road also be considered in the wider context of pedestrian and bicycle traffic to the train station and the Kyneton township from the whole of South Kyneton, including Tilwinda Estate, Hill Drive, Spring Hill Road, Harpers Lane and any other future developments.



Submission 12

D22-176666

**Maria Nunez**

---

**From:** [REDACTED]  
**Sent:** Thursday, 15 December 2022 5:20 PM  
**To:** Macedon Ranges Shire Council  
**Subject:** PLN 20222/ 421

**Categories:** Planning

Macedon Ranges Shire Council

Attn Damien Hodgkins

Senior Statutory Planning Officer

14 December 2022

Re Objection PLN / 2022 / 421. 85 Harpers Lane Kyneton

As residents [REDACTED] we value the opportunity to raise a number of vital concerns with the proposed flawed development at 85 Harpers Lane .

It is nor our intention to present anything more than observations and comment relating specifically to residents on [REDACTED] of the proposed development because:

This subdivision plan should be deferred and only proceed in conjunction with a development strategy for all of the land abutting Lauriston Reservoir Road ,Springhill Roads.

A deferral will allow for the development of an integrated development of the whole zone.

**Existing Issues:**

Traffic Management

Allotment Size

Interface to adjoining properties

Landscape Plantings

**Traffic & People Movements:**

There is no plan for traffic management for vehicles accessing north from Harpers Lane . As Council would be aware, this intersection is on the dangerous crest of a hill which is further complicated by the road curvature to the south.. This intersection is today, a high risk zone which certainly cannot cope any additional vehicle movements.

The exit to the north to Lauriston Reservoir Road is a further compounded by the fact 95% of movement will be to the east, requiring a hazardous crossing of oncoming traffic, then proceeding through a blind corner.

There is no low cost solution to resolve this serious safety issue.

Currently the limited number of properties at the southern end of Harpers Lane, generally exit south to Springhill Road. If the flawed development of 85 Harpers Lane proceeds as proposed by the developer, it will generate at least 600 plus traffic movements a day.

80% of these movements will be to the north, turning right to Lauriston Reservoir Road and proceeding to the station, or to Kyneton central, creating a very dangerous intersection.

Again, there is no low cost solution. A roundabout is the lowest cost solution at \$500K upwards , plus land acquisitions. More effective Control lights would cost significantly more.

#### **Subdivision Layout :**

It is noted this proposed subdivision is not integrated with any adjoining development but is a stand alone, non - conforming proposal.

A common sense development plan would integrate all of the available and potential the land, in the block from Springhill Road to Lauriston Reservoir Road.

Council, before granting any permits should require or regulate their own, firm, integrated plan for the area.

Any integrated plan would provide for access to Lauriston Reservoir Road at a safe point east of Harpers Lane and closer to the Kyneton rail station.

The developers proposed subdivision plan supports this possibility only with the continuation of the eastern road through to Lauriston Reservoir Road.

We note all the allotments in stage one of the flawed development, on the eastern boundary are approximately 3000 m.

The adjoining properties on Hill Drive are all approximately 12000m .The blocks on Harpers lane are even larger. In keeping with the existing and long standing established zone, we believe the minimum size for the adjoining allotments be more at a minimum 4000m or preferably, larger.

We note the proposed flawed subdivision plan proposes eight properties with driveways directly accessing Harpers Lane, and the balance, 58 estate properties, access two internal roads, safety would suggest that all properties should exit to an internal road or roads.

#### **Interface to adjoining properties :**

Regardless of the allotment size for the proposed development there must be an adequate setback of all buildings from the southern boundary to protect the amenity of the Hill drive residents. There should be no shed or similar structure outside the defined building envelope.

#### **Landscape Planting:**

The proposed plantings on the eastern boundary are particularly inappropriate . The Callistemon Harkness Bottle Brush is not generally regarded as suitable for a cold climate environment, certainly not the high incidence of frost predictably experienced in Kyneton. It may be found struggling in parts of the Macedon ranges but definitely not thrive in this area, subjected as it is, to 25/30 frosts a year . An Alternate, low growing, dense species, suitable to a cold climate environment yet attractive to native birds, should be specified.

#### **In Summary :**

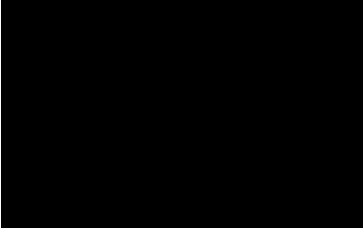
The sub division **transfers significant long term infrastructure costs** to the ratepayers in an area which is already perceived to receive a disproportionately low level of Macedon Ranges' infrastructure and maintenance budget.



This flawed, subdivision should not proceed as its currently proposed.

The non-conforming subdivision presents as an isolated development and fails to provide an coherent, integrated vision for the area.

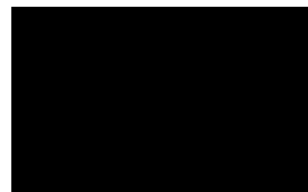
It fails to neither acknowledge, nor embrace councils' published vision, it should receive very limited, yet fair and legal consideration before being refused.



Submission 13

D22-176401

Macedon Ranges Shire Council  
Attn: Damien Hodgkins  
Senior Statutory Planning Officer  
via email [mrsc@mrsc.vic.gov.au](mailto:mrsc@mrsc.vic.gov.au)



Dear Damien,

**Re: Objection to PLN/2022/421**

Thank you for the opportunity to tell Council of our objections to the re-submitted proposal for subdividing 85 Harpers Lane. [REDACTED] sets out the points below, being the objections and the basis of objection. We understand the need for development, but wish any development to have a suitable and considered regard to the existing character of the immediate surrounding area. This is low density, single dwelling, rural residential lots or farming land with buildings well set back from the road frontage. In a feeling of déjà vu, we find ourselves needing to respond to an application that coincides with the festive season, holidays and delayed timings.

**1. OUT OF SEQUENCE DEVELOPMENT AND RATEPAYER CONTRIBUTION**

Although FOKS disagrees, we accept the decisions made by the VCAT Tribunal regarding the treatment of Harpers Lane (including sealing and widening), and that no works are required to the Harpers Lane intersection.

However, FOKS have made numerous presentations to Council offering an alternative for access to the proposed subdivision, namely a new road north out of the subdivision directly onto Lauriston Reservoir Road that in the future connects to the south with the existing Blanchfield Road within the Tilwinda estate.

Unfortunately, our attempts in writing and in face-to-face meetings to get a commitment to this alternative have failed so far, given that there was no specific application for Council to consider.

Given the council is now in receipt of the proposed application which maintains the internal road configuration endorsed by VCAT, we request that the Council now reconsider FOKS's application for a road connecting the proposed development to Lauriston Reservoir Road which is better equipped for the construction traffic and future traffic usage.

We ask that this north-south road also be considered in the wider context of pedestrian and bicycle traffic to the train station and the Kyneton township from the whole of South Kyneton, including Tilwinda Estate, Hill Drive, Spring Hill Road, Harpers Lane and any other future developments.

It would be preferred that this cost be borne by the developer however we understand that this is unlikely.

The below picture highlights that unless there is consideration of widening of the lane prior to the commencement of the development how impractical and unsafe it will be,

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given the current state and width of the laneway at the southern end, making Lauriston Reservoir Road the more preferred entry to Harpers Lane, accentuating the dangers of the HL-LRR intersection.



If a new internal connecting road off LRR is not feasible, FOKS requests that the Council ideally postpones any multi-lot development within Harpers Lane until the current infrastructure can cope with the dual carriageway and requirements of construction vehicles. A further mitigating action would be to reduce the speed limit on HL to 60kmph with clear signage, permanently.

FOKS strongly objects to current Macedon Ranges Shire residents bearing the cost of future road upgrades, as a result of these road upgrades not being included as part of a condition for approving an application and request that the Council proactively seek to get appropriate financial support from the developer.

## 2. RURAL INTERFACE

### LOT SIZE

An endorsed rural interface design was clearly stated by VCAT within the VCAT ruling (summary point a. of ruling) yet the re-submitted plans fail to meet these in terms of block size at the perimeter.

#### *VCAT ruling*

*147....we reject the position of St Leonards Property that in this edge of settlement and township location, the proposed lots do not need to respond to the larger lot and density conditions that prevail in the surrounding area.*

*148 We therefore find that: larger lots should be provided at its perimeter particularly at the interface with Harpers Lane and to the south and east so as to better reflect the open rural feel that is integral to this area's character and to better respect the larger lot pattern of the Hill Drive properties.*

Current adjoining lots on Harpers Lane have a consistent frontage of approximately 100 metres (give or take about 10 metres). We believe that this establishes what constitutes the current "area's character". The current proposal fails to meet the consistency of frontage to uphold the required interface.

#### DRIVEWAYS

On the western side of Harpers Lane opposite the proposed development there is one drive way per lot however the proposal has multiple lots facing onto Harpers Lane (Lots 1-2) & Lots 62-65) each with a driveway. Although there are lots (1 acre lot sizes) with direct access on the south end of Harpers Lane these were approved when there no were other future developments and an impact of an additional 65 households was not contemplated.

The proposed lots across the frontage of Harpers Lane within the immediate rural interface, we believe do not uphold the required interface intended by VCAT and request, in the first instance, that this frontage be reserved for green open space. At a minimum we request the council consider shared driveways where possible for these affected lots and that the crossover treatment is consistent with that of the proposed footpaths and with each other.

#### ROOF FORM

We acknowledge the guidance with regard to roof form and that they do not dominate the built form however we request that the guidance be strengthened to include a restriction on roof surface materials/colours that are reflective. Similarly, that any roof-mounted ancillary services such as antennas, satellites etc are of a non-reflective colour or material.

#### ROAD ACCESS

Currently there are two (2) local access street external connections with Harpers Lane and a further future road access to Harpers Lane via Wattle Way within the southern end of the development. The two proposed external connection roads are situated on either side of the proposed reserve and in close proximity to each other. It is not stipulated within the drawings or the report if these are to be one way to traffic. Assuming they are not and in keeping with the nearby Tilwinda estate, we would prefer one external connection road minimising the points of entering/exiting traffic, reducing traffic hazards and minimising the visual impact of two roads and associated signage in a transition space interfacing with rural living.

#### STREET LIGHTING

Currently the northern end of Harpers Lane is without street lighting. The proposed density of street lighting along HL again is inconsistent with the current rural interface and character and may have an adverse effect on adjoining/interfacing farmland.

#### MAIL BOXES

Currently there are no private mail boxes along Harper Lane with mail boxes situated at the end of Harpers Lane or residents having a PO Box. This again is part of the rural character but a further 65 boxes would create further traffic hazards. Clarification on mail box location is required.

#### INCONSISTENT FOOTPATH MEDIUM AND APPLICATION

We understand that the applicant has offered to continue the road widening and sealing of the lane up to the existing asphalt surface in Harpers Lane near its intersection with Lauriston Reservoir Road.

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Furthermore, it is proposed to construct a concrete footpath along the site's frontage, and a gravel footpath to the north up to the existing asphalt part of Harpers Lane near Lauriston Reservoir Road. This, if approved, is creating a patchwork of inconsistent looks, mediums and pedestrian enjoyment further spoiling the rural character and aesthetics of the country lane that we experience there currently.

A more sensible rural interface or transitioning would be to adopt a single uninterrupted treatment along all of Harpers Lane and to use the concrete paths along the internal future connector roads running north-south. This would be consistent with the footpath treatment in the nearby Tilwinda Estate.

Note the footpath within Reserve 2 on the southern side does not align to any current or future point of egress.

### **3- HL-LRR INTERSECTION**

The Traffix report states that the hazards with the sight-line of the HL-LRR intersection. Traffix recommends a 60kmh speed limit. We object that the 60kmh limit does not go far enough, given the very obvious hazard is known, measured and documented now multiple times over.

If the proposed internal connector road is not feasible, then FOKS ask that roundabout mitigation proposed for this intersection in a previous Council traffic consultation paper be made urgent and that the development be postponed until this mitigating traffic application can be made. Again the road infrastructure is lagging the population growth and use created by this out-of-sequence development.

FOKS request ask that LRR be a designated 50kmph speed limit up to the Rogers Drive intersection to the west and to the east Trentham Rd intersection ahead of this development commencing to mitigate the dangers of this intersection.

Rumble bars on the approach of both sides of the intersection would also be a simple, precautionary measure that could be adopted irrespective of any development.

### **4. BUDGET SUBMISSIONS (HERITAGE AND SIGNAGE)**

FOKS is pursuing the heritage significance of HL, additionally now, from the perspective of the engineering and construction history and have requested consideration of signage along Harpers Lane to highlight the history of the lane itself and of the links directly to Greenway Lane, the river and bridge crossing to Kyneton. The Traffix report does not contemplate any cultural or historical assessment. To date there has been no Council Officer response, or even acknowledgment of receipt, of four FOKS budget requests. Thus, we object to HL being paved or bitumened and our solution is to leave HL as gravel until the heritage of the lane is definitively decided.

### **5. FLOOD AND STORMWATER MITIGATION REPORT – FAILURE TO DOCUMENT SEEPAGE PROBLEMS AND TO RECOMMEND AGAINST THE SUITABILITY OF SPECIFIC 85 HL BLOCKS FOR HOUSING**

Afflux's Report models for its recommendation about flood and stormwater mitigation however we suggest that the modelling and data were not site-specific and did not even consider the soil type. These failures were admitted during the VCAT hearing but have not been corrected. Both failures we believe will be detrimental to long term building sustainability. The proposed mitigation is partly

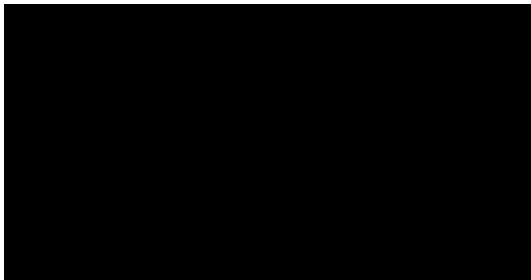
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efficacious but we object strongly that there are blocks that are unsuitable for housing, particularly blocks proposed for 54-60, 47-53 and 25-26. We suggest that the failures in the Afflux Report are serious enough for Council to commission its food and stormwater mitigation independently.

**6. PROTECTED LANDSCAPE VALUES OF ADJOINING/INTERFACING PROPERTIES**

We recognise and appreciate that there are single storey dwelling restrictions applying to lots: 1, 2, 8, 9, 44, 45. Given the generous building envelopes we would prefer that this is extended to all lots to ensure the protection of landscape values currently enjoyed by not just all nearby and neighbouring properties but all roadside users.

FOKS has always been open to meeting with any developer to arrive at a mutually acceptable outcome that achieves appropriate, sensitive considered development outcomes. We reiterate this invitation to the developer in this instance and of course will continue to pursue and work with the Council on aligned outcomes.



SUBMISSION 14

D22-180129



T: (03) 5422 0333 | [mrsc.vic.gov.au](http://mrsc.vic.gov.au) | ABN 42 686 389 537

**Objection to a Planning Permit Application**

Any person who may be affected by the grant of a permit may object. Provided your objection is received prior to the application being decided, your objection will be considered and you will be notified of the decision when it is made. This form has been designed to assist with collecting the required information for an objection, but you are not required to use this form.

For assistance completing this form, call Statutory Planning on (03) 5421 9699.

**Objector Details**

**Name/s\*:** [Redacted]

**Organisation:** [Redacted]

**Phone:** [Redacted] **Email:** [Redacted]

**Address:** [Redacted]

*\* If multiple people are making this objection please list your preferred contact person first as we will only send correspondence regarding the objection to this person.*

**Planning Permit Application Details**

**Application Number:** PLN/ 2922/421

**Property Address:** 85 Harpers Lane Kyneton VIC 3444

**PRIVACY COLLECTION NOTICE**

Macedon Ranges Shire Council is committed to protecting your privacy. The personal information you provide on this form is being collected for the primary purpose of registering and considering your objection.

Where required, in accordance with the Planning and Environment Act 1987, a copy of your objection will be provided to:

Available to	Information provided
Council staff and external agencies involved in the planning process.	Full copy of objection.
The applicant for the planning permit and their representatives.	Copy showing objector name/s and address with other personal information redacted.
To any persons who wish to inspect your objection prior to a decision being made for the application.	Copy with all personal information redacted available to view/inspect only.
On Council's website if the application goes to a Planning Delegated Committee or Council Meeting.	Copy with all personal information redacted.

If your objection contains personal information of any other parties you must gain their consent to include their personal information in your objection and provide them with a copy of this notice.

Your personal information will not be disclosed to any other external party without your consent, unless required or authorised by law. If you wish to gain access to, or alter, any personal information you have supplied on this form, contact us on (03) 5422 0333.

You can access Council's Privacy Policy at [mrsc.vic.gov.au/privacy](http://mrsc.vic.gov.au/privacy)

**Objection Details**

Ensure that you clearly understand the application prior to objecting. You can view all planning applications at our Gisborne office during business hours. During the 14 day advertising period (where applicable) documents are available to view online at: [mrsc.vic.gov.au/planning-register](http://mrsc.vic.gov.au/planning-register)

**Describe the reason/s for your objection including how you would be affected by the grant of the permit:**

We understand that the land in question is zoned for residential housing. Here are the two main reasons we will be adversely affected by the granting of the permit:

1. The application is for housing on only part of the land [REDACTED]. The sequence of development is completely wrong. If this piece of land is developed first then the only access can be via Harpers Lane, not by a direct road to Lauriston Reservoir Road or KynetonTylden Road.

This has serious consequences for us. For the 65 houses (and infrastructure) to be built, trucks and cars will be travelling in great numbers up Harpers Lane for a decade or even more. We understand that a round-about is likely to be built where Harpers Lane meets Lauriston Reservoir Rd. This means, as we travel frequently from [REDACTED] Lauriston Reservoir Road, we are going to constantly be caught in traffic at this round-about, and also in queues at the station, where Lauriston Reservoir Road meets Kyneton-Tylden Road.

2. The other consequence of Harpers Lane being made the only access to the proposed development is that it will have to be paved over, and it is now well known that this lane contains historical bluestone paving stones. We came to Kyneton because it is an historic town in this region. We believe that, rather than being paved over, the bluestone pavers should be exposed and maintained, right down to the river, that a permanent walkway should be build over the river on the original piers, and that this would provide a wonderful way the hundreds of new residents in the new south Kyneton development (and other residents, visitors etc) can walk or bicycle into town.

3. There are already constant long waits at the lights at the junction of Mollison and High Streets. This is already a massive flow of traffic along Mollison Streets, including many large trucks. This town is simply not ready, not able, to adequately cope with hundred more cars and trucks making traffic flow through the centre a nightmare. This would defintely happen.

**HOW TO SUBMIT**

**EMAIL:** Send to [mrsc@mrsc.vic.gov.au](mailto:mrsc@mrsc.vic.gov.au)

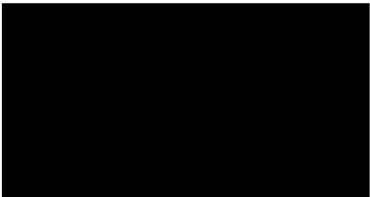
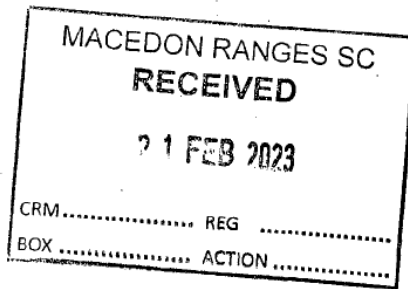
**IN PERSON:** Bring this form to one of our service centres.

**POST:** Mail to Macedon Ranges Shire Council, PO BOX 151, KYNETON VIC 3444



SUBMISSION ID

D23-38286



19 February 2023

Damian Hodgkins  
 C/- Macedon Ranges Shire Council  
 PO Box 151  
 KYNETON VIC 3444  
 Tel: (03) 5422 0333

Your Reference: PLN/2022/421

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**REQUEST FOR CONSIDERATION**

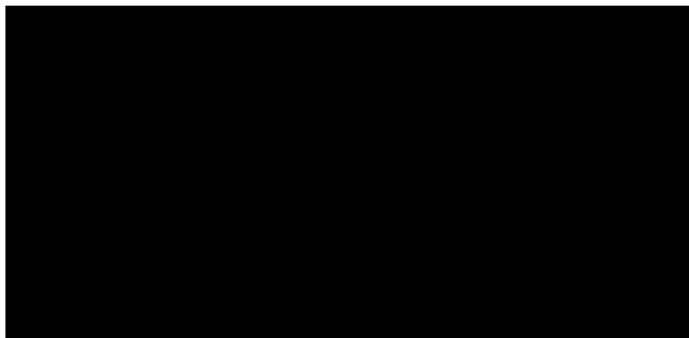
Dear Damian,

I note a request for planning permit which has been made for: LOT 2 PS 82743V P/Lauriston, 85 Harpers Lane KYNETON Vic 3444 being for Sixty-Five (65) Lot Subdivision, Native Vegetation Removal, and Removal of Easements E-1 and E-4.

Council has advised that part of Harpers Lane (currently listed on the road register as Class 4) will be sealed. We request Council to consider the following:

1. Council ensures that driveable access to existing gateways be included in the resurfacing works,
2. a drainage pipe constructed within the existing drainage ditch to accommodate and maintain stormwater drainage underneath a driveway access to safeguard and,
3. driveway culvert end walls be constructed in accordance with the Road Management Act.

Should you have any queries or require further information to this request please [redacted] [redacted] [redacted] [redacted] who will be able to assist.



Macedon Ranges Shire Council  
 Item received at ..... *Kyn* ..... Office  
 On *21.2.23* Signed *RC CSO Kyn*



**Town Planning Submission**

**Macedon Ranges Planning Scheme**

**Amendment C147macr**

**August 2022**



# 01

## 01.1 Introduction

GrayKinnane has been engaged by Anglican Aged Care Service Group T/A Benetas (“Benetas”) to prepare a planning report to accompany a Planning Scheme Amendment request in relation to Macedon Planning Scheme Amendment C147 (“the Amendment”).

Benetas are the owners of land that is described as 5 Neal Street, 6-10 Neal Street, 61 Robertson Street & 80 Hamilton Street in Gisborne. The overall site has an area of approximately 3.78 hectares.

Pursuant to the Macedon Ranges Planning Scheme, the subject land is within two zones comprised of the General Residential Zone which covers the western part of the site and the Special Use Zone (Schedule 4) which relates to the eastern part of the land.

The Amendment applies to approximately 9,420 square metres of land known as 5, 6 & 10 Neal Street Gisborne and 61 Robertson Street Gisborne together with part of the Neal Street Road Reserve that is currently zoned Special Use Zone (SUZ4).

The Amendment is a combined planning permit application and planning scheme amendment under section 96A of the Act. The planning permit application applies to 5 Neal Street, 61 Robertson Street & 80 Hamilton Street in Gisborne.

Amendment C147 is submitted pursuant to *Section 96A* of the *Planning & Environment Act 1987* that provides for the following:

- *A person who requests a planning authority to prepare an Amendment to a planning scheme may also apply to the planning authority for:*
  - *A permit for any purpose for which the planning scheme as*



*amended by the proposed Amendment would require a permit to be obtained;*

- *provides for the removal or variation of a registered restrictive covenant, a permit for a use or development which would, if the restrictive covenant were not removed or varied, result in a breach of that registered restrictive covenant.*

The purpose of the proposed Amendment is

The Amendment also seeks to facilitate the removal of the restrictive covenant from Lot 1 on Plan of Subdivision 205979T, to which the Amendment applies, by modifying the Schedule to Clause 52.02 of the Macedon Planning Scheme.

Consequently, it will be possible for the owner of the lot to lodge a plan of removal of restriction for certification under Section 23 of the Subdivision Act 1988 showing the restrictive covenant as being removed. Upon that plan of subdivision being lodged and registered at the Titles Office, the restrictive covenant affecting the lot will be removed.

The planning permit application applies to 5 Neal Street, 61 Robertson Street & 80 Hamilton Street in Gisborne and seeks approval for the development of a retirement village, removal of native vegetation (one tree) and alterations to access to a Road Zone (Category 1).

A review has been undertaken of the relevant provisions of the Macedon Ranges Planning Scheme and this report provides an assessment of the strategic justification and planning merits of Amendment C147 including the development proposed.

The report concludes that the proposed Amendment is appropriate and will facilitate approval of a planning permit for a retirement village including a communal clubhouse facility that, in association with the aged care facility currently being considered by Council will provide for an integrated retirement and aged facility across the entire site.

This will allow for ageing in place and the ability for residents to move from independent living, to assisted living and then to more comprehensive care with these outcomes being consistent with the purpose and objectives of the zone, the Planning Policy Framework, and other relevant planning scheme provisions.



This report should be read in association with:

- Architectural plans prepared by Demaine Partnership;
- Urban Design Assessment prepared by Hansen Partnership;
- Landscape Design Report prepared by Tract;
- Arboricultural Report prepared by Treelogic;
- Traffic and Transport Assessment prepared by Cardno;
- Legal Advice in relation to the covenant applying to part of the land prepared by Russell Kennedy;
- Sustainability Management Plan prepared by JBA Consulting Engineers Pty Ltd
- A Stormwater Management Strategy prepared by Paroissien Grant & Associates Pty Ltd; and
- Waste Management Plan prepared by Leigh Design.

## 01.2 Background

Since the 1950s, Macedon Ranges Health has operated as a community based not-for-profit organisation dedicated to the provision of health, community, welfare and aged care services to the communities of Macedon Ranges Shire and surrounding districts.

Following a successful community appeal for funding, the Gisborne and District Bush Nursing Hospital opened on 23 March 1958, with six beds. An expansion in 1960 took the beds from six to ten and again in 1976, a further expansion took the beds from ten to sixteen beds.

Due to changes in the 1980s, the Gisborne Hospital was faced with many challenges to ensure its viability and the Hospital Committee saw the need to plan for the construction of a 30 bed Nursing Home which was opened in May 1989, with this facility named the Gisborne Oaks.

The Shire of Gisborne then sponsored the construction of the 30 bed hostel for the frail aged that was known as the Elms Hostel and this opened in March 1994.



In late 1994, Macedon Ranges Health, incorporating the Gisborne Bush Nursing Hospital, the Oaks Nursing Home and the Elms Hostel was amalgamated with Gisborne and District Community Health to form the Macedon Ranges Health Service. This merger occurred in order to provide a comprehensive, financially viable health and aged care service for the residents of the district.

In 1997 the Gisborne Hospital closed, and the development of the Lifestyle Enhancement Program began in the former hospital building. The Lifestyle Enhancement Program provides participants the opportunity to socially engage, meet new people and remain physically active in a supported environment. This program continues to run today.

Part of the building was also converted to provide medical consulting rooms including a general medical practice with medical consulting still continuing to operate in the former hospital building.

An extension to the Elms Hostel living and dining areas was completed in 1999 and a further eight bedrooms with ensuites were erected as part of The Oaks in 2000. An additional 15 hostel bedrooms were built in 2004 and includes a special care unit named Grevillea Court. The hostel now consists of 78 beds and the overall facility is now referred to generally Gisborne Oaks. There are also 10 independent living units known as Bradley Court.

Benetas and Macedon Ranges Health were officially amalgamated on 1 July 2018

Benetas was established in 1948 by volunteers from the Anglican Diocese of Melbourne. Benetas operates as one of the largest not-for-profit aged care providers in Victoria. As a not-for-profit, all revenue generated is re-directed into the services Benetas provides to improve the lives of the clients.

The rationale for the Benetas & Macedon Ranges Health amalgamation was to deliver on a shared vision to develop the overall site into an integrated aged care and retirement living precinct. The MRH community members voted in favour of the amalgamation for that reason.

### 01.3 Site Masterplan

The Gisborne Oaks facility (inclusive of the Elms Hostel and Grevillea Court) is reaching end of its operational life and this, together with the redevelopment



of the former bush hospital, represents an opportunity to develop a new high quality integrated retirement living and aged care precinct across the 3.78 hectare site.

This will allow for ageing in place and the ability for residents to move from independent living, to assisted living and then to more comprehensive care as provided in the aged care facility.

#### **Masterplan Stage 1 - Planning Application PLN/2020/473**

The redevelopment of the south-east corner of the site for a new aged care facility represents Stage 1 of the proposed redevelopment of the overall site and an Application for Planning Permit PLN/2020/473 has been approved by Council.

To accommodate the existing Gisborne Oak's residents, and the identified shortfall in aged care in Macedon Ranges Shire, B&MRH has been awarded bed licences in the Federal Aged Care Approvals Round for the expansion of residential aged care on the site.

This new Gisborne Oaks facility will benefit current residents' needs and future complex care requirements such as dementia, palliative and respite care. The new facility will enable continuity of care for residents to age-in-place as well as provide an improved amenity and quality of life for all residents as well as ensuring the ongoing financial sustainability of aged care services for the Macedon Ranges Region. The new facility will also increase the availability of access for people who are financially and socially disadvantaged as part of the mission of Benetas.

The existing former "Gisborne and District Bush Nursing Hospital" within the southeast corner of the land would be demolished for which no planning permit is required. The Gisborne Opportunity Shop will also be demolished.

The building will be a multi storey structure and will be well articulated with landscaped areas addressing street interfaces. The main entrance to the aged care facility will be provided to the centre of the building and be orientated to Hamilton Street with a pavilion entry and a porte cochere accessed via circular accessway to the main entry.

The design of the facility is in accordance with Benetas' new residential model of care was developed based on extensive international and national research as well as the foresight and deep practice expertise of senior Benetas staff.



The facility will have independent staffing and support facilities, including a commercial kitchen and laundry that will be provided at the basement level.

Façade detailing includes the use of super insulated construction, roughcast render, smooth render, board and batten. The roof form features a pitched corrugated iron roof responding to the prevailing roof form in the residential surrounds. Shading and façade protection are included in the design response.

The basement will include a loading bay to the western elevation, which is provided with a crossover and an accessway to the south-western corner of the site. A staff carpark is provided together with bicycle parking. Public parking and a basement carpark will be provided along the northern side of the building with access taken from a crossover to Neal Street.

#### **Masterplan Stage 2 – Retirement Village**

Following the redevelopment of the Gisborne Oaks, Stage 2 of the masterplan proposes the development of the balance of the site to provide for a Retirement Village inclusive of retirement and villa units accommodation and a communal clubhouse facility.

The retirement village will be centred on a village green and the design of shared areas (café, dining, activities and so on) will be outwardly oriented to create shopfronts on a village street and village square or green. This will be an active and publicly accessible area also overlooked by the Residential Aged Care facility.

The active village centre will support some higher density living with retirement living apartments. These will suit more dependent residents, typically singles on lower incomes, and gives them direct access to the active core of the village.

The balance of the site will be developed for more traditional retirement villas. The villas will suit more active residents, with their own street address, front and back gardens and attached garaging. These will be mainly one storey residences.

The site design allows for retention of a number of significant trees, which will be integrated into the village green and park reserve spaces while the layout allows for a number of pedestrian linkages for residents to move across the site so as to provide for connection to the heath precinct in Lyell Street and





the town centre beyond.

One tree (Tree 35 – Mountain White Gum), which is proposed to be removed has been identified in the arborist report as being possibly of remnant origin. This is on the basis that the tree is of a species that is local to the area and is a mature tree. The application seeks to remove the tree pursuant to Clause 52.17 of the Macedon Planning Scheme.

The planning application lodged as part of Amendment C147 seeks approval for this development and a more detailed assessment of this application is provided more detail as part of the following submissions.

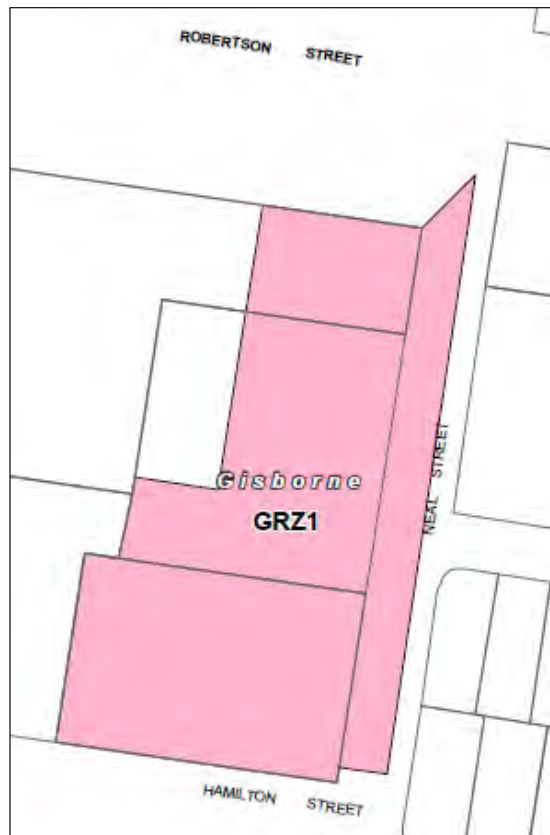


# 02

## Site Analysis

### 02.1 Subject Site

That part of the Amendment seeking to rezone land applies to approximately 9,420 square metres of land ("the land") known as 5, 6 & 10 Neal Street Gisborne and 61 Robertson Street Gisborne together with part of the Neal Street Road Reserve.

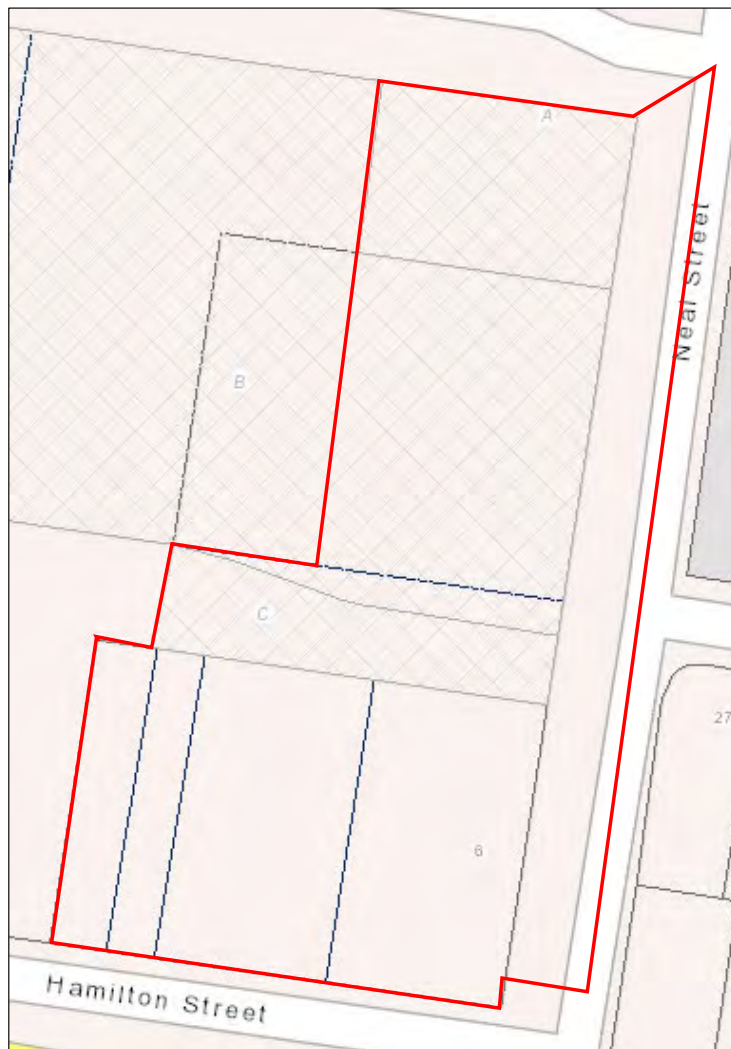


Land subject to rezoning under Amendment C147macr



The land is further described as:

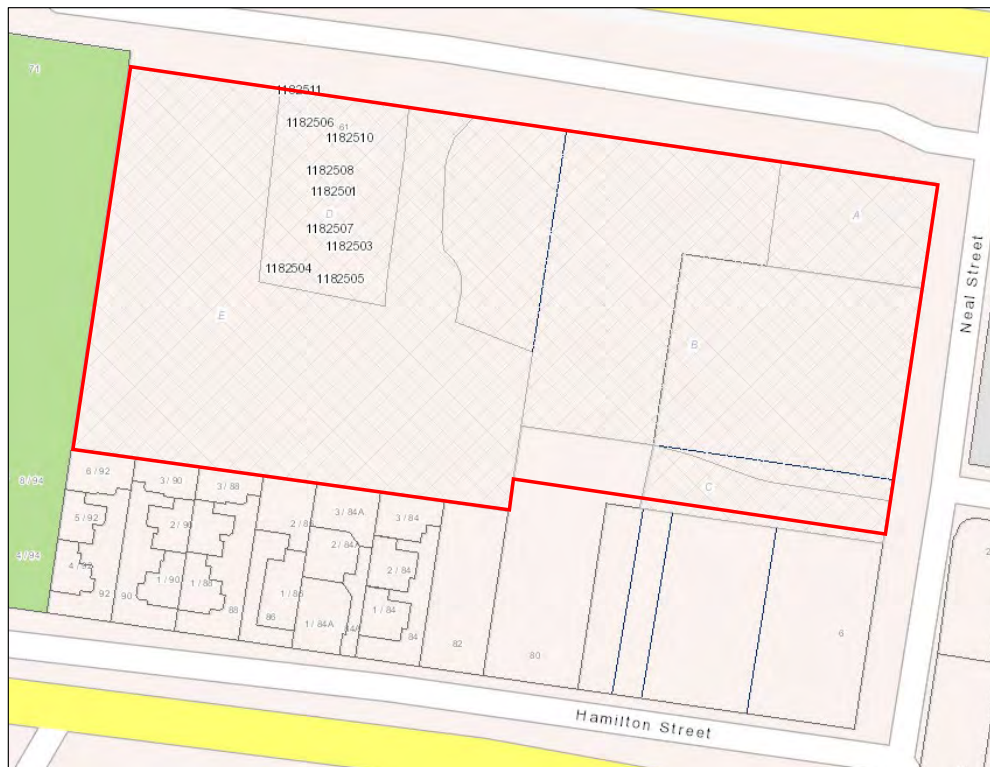
- Lot 1 on TP318877T
- Lot 1 on TP 236007G
- Lots 1 & 2 on TP 561612X
- Lot 8 on LP058420
- Part of land in Lot 1 on LP205979
- Part of Land in CP166202



Cadastral map of land subject to rezoning under Amendment C147macr



That part of the Amendment seeking a planning permit land applies to land known as 5, Neal Street Gisborne, 80 Hamilton Street and 61 Robertson Street Gisborne as shown on the map below and is approximately 2.25 hectares in area.



**Land subject to Planning Permit Application under Amendment C147macr**

The land is further described as:

- Lot 7 on LP058420
- Lot 8 on LP058420
- Land in CP166202
- Lot 1 on LP205979
- Lot 1 on PS335823

The overall site is shown on the aerial photograph below.



**Aerial photo of the Macedon Ranges Health site**

The overall site has an area of approximately 3.78 hectares and comprises an irregular shaped area of land with the following street abutments:

- Robertson Street (northern boundary): 231.87 metres
- Neal Street (eastern boundary): 156.26 metres
- Hamilton Street: (southern boundary): 106.39 metres

The site has a fall of approximately 9 metres from the Hamilton Street frontage to the north towards Robertson Street.

The site contains a number of mature exotic and native trees. In relation to the land there are a number of trees noted on the Arborist Report being Trees 17 & 36 (Algerian Oak), 39 (Southern Blue Gum), 51 (Monterey Cypress), 37, 52 & 53 (Oak Trees) and 66, 67, 68, 69, 70 & 72 (English Oak Trees).

Currently vehicular access into the site from the Hamilton Street service road, from Neal Street and Robertson Street. Parking is provided across the site to service the various aged care and retirement uses on the site.



Photographs of the subject site are provided below.



**Former Gisborne and District Bush Nursing Hospital**



**Former Gisborne and District Bush Nursing Hospital**



**View east along Hamilton Street**



**Internal view of the vacant part of the site behind former hospital**



**The Oaks Residential Aged Care Facility**



**View of Elm Trees along Neal Street looking south**





**Rear of Gisborne Oaks from Robertson Street**



**Entry into site from Robertson Street**



**View of Affordable Retirement Villas from Robertson Street**

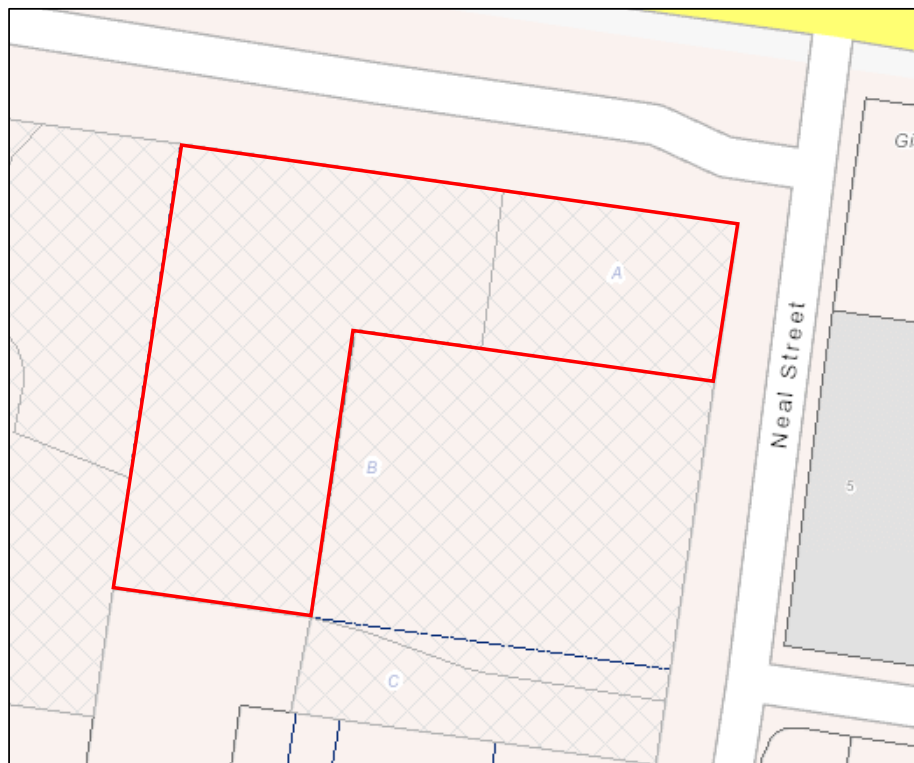


**Vacant land fronting Robertson Street**



**Restrictive Covenant**

Part of the land that is subject the Amendment, Lot 1 on LP205979 that forms part of the land referred to as 61 Robertson Street, is subject to a Restrictive Covenant (N077525L).



**Land subject to Covenant N077525L (Lot 1 on LP205979)**

The covenant was created when the land was donated to the Gisborne & District Bush Nursing Hospital Incorporated by Humphrey Pearce Dixon of Dumbarton, Gisborne, Victoria and was created on 8 October 1987.

Humphrey Pearce Dixon has since deceased and Equity Trustees Limited ACN 004 031 298 (formerly called The Equity Trustees Executors and Agency Company Limited) is the legal personal representative of the donor.

The Covenant is registered as an encumbrance on the title and records the terms on which the donor donated the property. The Covenant states as follows:

*The said Gisborne & District Bush Nursing Hospital Incorporated ("the*



*transferee") with the intent that the burden of this covenant shall be annexed to and run at law [and] in equity with the land hereby transferred DOES HEREBY for itself its successors and transferees the registered proprietors for the time being of the land hereby transferred hereby and as separate covenants covenant with the said Humphrey Pearce Dixon ("the transferor") his successors and transferees that it will not without the written consent of the transferor or his legal personal representative -*

- a. Use or permit the use of the land hereby transferred for any purpose other than for a hospital, nursing home or similar use under the control of the transferee ... ;*
- b. Subdivide sell transfer or otherwise dispose of the said land ...*

Legal advice prepared by Russell Kennedy in relation to the covenant that applies to the land that is sought to be removed by way of the Application. This confirms that our client, Anglican Aged Care Services Group (trading as Benetas), has the lawful rights to seek removal of the covenant.

Further submissions in relation to the covenant are provided later in this submission.

**02.2 Surrounds**

The subject site is within the established Gisborne Township, approximately 250 metres west of commercially zoned land around the town centre.



Location map of the subject land



**Aerial photo showing the site context**

The site context is influenced by nearby community facilities including a childcare centre west of the site along Robertson Street and the recently completed Macedon Ranges Health Centre on the east side of Neal Street.

Expansive public open space areas are on the north side of Robertson Street while residential development at varying densities is located to the south and east of the site.

The site fronts a service road along Hamilton Street to its northern boundary. Parallel kerbside parking is available within the service road.

In relation to the site's immediate context, the development parcel itself adjoins a dwelling to the west at 82 Hamilton Street that is well setback from the street and is also set off the common boundary with the subject site. It has an area of open space to its rear adjoining the site.



To the west of this dwelling are a number of properties at 84, 84A, 86., 88, 90 & 92 Hamilton Street that are developed with villa units.

On the opposite site of Hamilton Street, which has a road reserve width of approximately 50 metres in this location, there are a mixture of dwelling and commercial premises that are set somewhat higher than the subject site due to the rise in gradient across Hamilton Street.

To the east of the site on the corner of Hamilton and Neal Street is a veterinary clinic while to the rear of this site is a dwelling that fronts Lyell Street

To the west of the site is a childcare centre that is accessed from Robertson Street.



**Adjoining dwellings along Hamilton Street**



**Hamilton Street Veterinary Clinic**



**Dwelling at 27 Lyell Street Gisborne**



**Community Health Centre, Neal Street, Gisborne**





# 03

## 03.1 Planning Scheme Amendment

The subject land is currently included in a General Residential Zone which covers the western part of the site and the Special Use Zone (Schedule 4) which relates to the eastern part of the land.

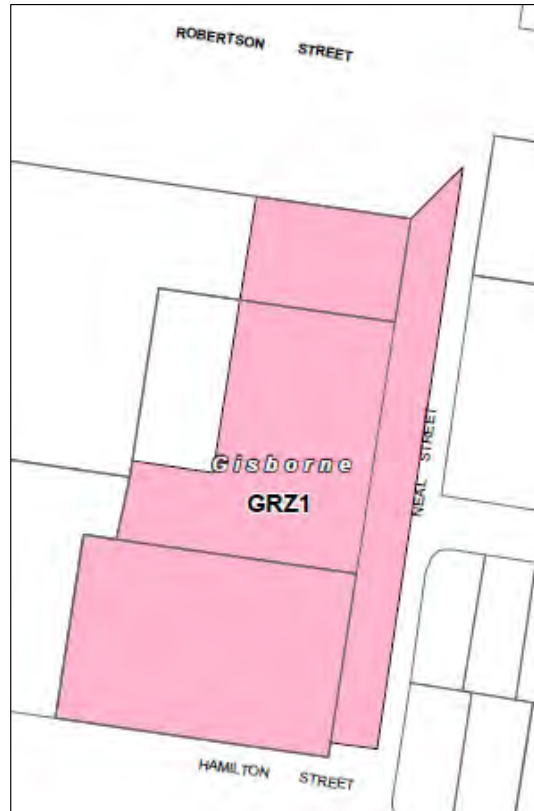
The amendment applies to the approximately 9,420 square metres of land ("the land") known as 5, 6 & 10 Neal Street Gisborne and 61 Robertson Street Gisborne together with part of the Neal Street Road Reserve that is currently within the Special Use Zone (Schedule 4).

The land is further described as:

- Lot 1 on TP318877T
- Lot 1 on TP 236007G
- Lots 1 & 2 on TP 561612X
- Lot 8 on LP058420
- Part of land in Lot 1 on LP205979
- Part of Land in CP166202

The amendment rezones the land from a Special Use Zone, Schedule 4 (Private Hospital) to a General Residential Zone, Schedule 1 (GRZ1) on Planning Scheme Map No. 36, in the manner shown on the map marked "Macedon Ranges Planning Scheme, Amendment C147macr".

An excerpt from the map marked "Macedon Ranges Planning Scheme, Amendment C147macr" is provided on the following page.



Excerpt from “Macedon Ranges Planning Scheme, Amendment C147macr”

The amendment also seeks to facilitate the removal of the restrictive covenant from Lot 1 on Plan of Subdivision 205979T to which the amendment applies, by modifying the Schedule to Clause 52.02 of the Macedon Planning Scheme as follows.

MACEDON RANGES PLANNING SCHEME		
SCHEDULE TO CLAUSE 52.02		
Under Section 23 of the Subdivision Act 1988		
Land	Easement or restriction	Requirement
61 Robertson Street Gisborne being Lot 1 on Plan of Subdivision 205979T and being the land described in Certificate of Title Volume 9765 Folio 715	The restriction contained in instrument of transfer Number N077525L registered on 8 October 1987	The whole of the restriction is authorised for removal



Consequently, it will be possible for the owner of the lot to lodge a plan of removal of restriction for certification under Section 23 of the Subdivision Act 1988 showing the restrictive covenant as being removed. Upon that plan of subdivision being lodged and registered at the Titles Office, the restrictive covenant affecting the lot will be removed.

### 03.2 Development Proposal

The planning permit application applies to 5 Neal Street, 61 Robertson Street & 80 Hamilton Street in Gisborne and seeks approval for the development of a retirement village, removal of native vegetation (one tree) and alterations to access to a Road Zone (Category 1).

The existing “Gisborne Oaks Nursing Home” and “The Elms Hostel” within the north-east corner of the land together with the retirement living units addressing Robertson Street will be demolished for which planning approval is not required.

The retirement village will be designed with a village green, including bowling rinks, with shared areas (café, dining, activities and so on) outwardly oriented to activate this space. A further linear green space is proposed to be provided through the middle of the site to retain the existing mature trees.



Excerpt from Landscape masterplan (Tract)



One tree (Tree 35 – Mountain White Gum), which is proposed to be removed has been identified in the arborist report as being possibly of remnant origin. This is on the basis that the tree is of a species that is local to the area and is a mature tree. The application seeks to remove the tree pursuant to Clause 52.17 of the Macedon Planning Scheme.



**Excerpt from Arborist Report (Treelogic) showing location of Tree 35**

The active village centre will support some higher density living with independent retirement living apartments. These will suit more dependent residents, typically singles on lower incomes, and gives them direct access to the active core of the village.

The balance of the site will be developed for more traditional retirement villas. The villas will suit more active residents, with their own street address, front and back gardens and attached garaging. These will be mainly one storey residences.

The site design allows for retention of a number of significant trees, which will be integrated into the village green and park reserve spaces while the layout



allows for a number of pedestrian linkages for residents to move across the site so as to provide for connection to the heath precinct in Lyell Street and the town centre beyond.

The proposed development will arrange the built form across the site in response to the site opportunities and constraints. The 2 x three storey apartment buildings will be located in the central section of the site with Apartment Building 1 addressing Neal Street and Apartment Building 2 located to the rear of Apartment Building 1. These will accommodate 34 independent living units

In addition to these residential buildings, 46 retirement villas are proposed which will be orientated internally within the site in a manner which will ensure the development activates its interfaces and provide for high quality on-site and off-site amenity outcomes.

A more detailed development summary is provided below:

#### **Apartment Building 1**

The built form will be orientated to Neal Street and will feature a semi basement/ground floor with a car park (21 spaces), amenities and a clubhouse, library, billiards room, lounge etc that opens out to a centrally located terrace. At first and second floor level, each level will contain seven (7) two bedroom apartments and two (2) one bedroom apartments.

#### **Apartment Building 2**

The built form will be orientated to an internal accessway and sits to the rear of Apartment Building 1. The building will feature a semi basement/ground floor with a car park (20 spaces), storage, services and a studio accessed via the communal terrace area. At first and second floor level, each level will contain seven (7) two-bedroom apartments and one (1) one bedroom apartments.

#### **Retirement Villas**

The proposal will provide for forty-six (46) semi-detached retirement villas to address the internal road. These dwellings will be a mix of single and double storey and be rear loaded in order to avoid individual vehicle crossovers to the Robertson Street allowing landscaping across the frontage. The dwellings will



comprise:

- Forty (40) two-bedroom dwellings (with ensuite bathrooms), each with a single garage, porch/entry and kitchen living areas that open out onto either north, east or west facing secluded private open space areas. Some dwellings feature a study.
- Six (6) three-bedroom dwellings (double storey) that feature a lift, single car garage, two bedrooms, separate laundry, study and kitchen living area that opens out to a north facing balcony.

### **Materials and Finishes**

The design of the proposed buildings and dwellings will be contemporary with the roof form featuring a pitched corrugated iron roof responding to the prevailing roof form in the residential surrounds. A mixed palette of materials and finishes is proposed including mixed face brickwork with render detailing for the dwellings together with extensive fenestration. The residential buildings will be provided with a finish of brick, stone cladding, render and render finishes. A natural and earthy colour palette is proposed.

### **Access and Car Parking**

The proposed retirement village development incorporates a local access road throughout, with connections into Neal Street and Robertson Street. All vehicle crossovers to the retirement village lots will be via the new access roads. Seventeen (17) car parking spaces are indented and provide on the internal network.

### **Landscaping**

An extensive Landscape Design Report has been prepared by Tract and is provided as part of the application which includes the retention of existing trees on the land where possible and provide tree protection zones for the existing English Oak trees along Neal Street.

A landscaping scheme has been selected which seeks to support the “Country Town” character of Gisborne with sympathetic plantings of Oaks, Birches and Elm species together with a native tree canopy.



# 04

## Relevant Planning Provisions

Clauses of the Macedon Ranges Planning Scheme of relevance to the application are identified below:

### 04.1 Zoning

Under the Macedon Ranges Planning Scheme, the subject land is within two zones comprised of the General Residential Zone which covers the western part of the site and the Special Use Zone (Schedule 4) which relates to the eastern part of the land.



**Zoning controls affecting the subject site**

The amendment proposes the rezoning the land from a Special Use Zone, Schedule 4 (Private Hospital) to a General Residential Zone, Schedule 1 (GRZ1) so as the entire site will be subject to the GRZ1.

#### General Residential Zone

The purpose of this zone is:



*To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*

*To encourage development that respects the neighbourhood character of the area.*

*To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*

*To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

Within this zone:

- Use of land for a "Retirement Village" is a Section 2 (planning permit required) use.

Although not specifically required for a Retirement Village, an assessment has been undertaken against the objectives and standards of Clause 55 of the Macedon Ranges Planning Scheme.

## 04.2 Overlays

### Development Contributions Plan Overlay

The purpose of this Overlay and its Schedule is to levy contributions for the provision of works, services and facilities for areas within Gisborne and New Gisborne which are covered by the Overlay. The necessary contributions are required to be paid before the commencement of works.

## 04.3 Planning Policy Framework

The Planning Policy (PPF) at Clauses 10 to 19 seeks to ensure that land use and development planning policies in Victoria meet the objectives of planning in Victoria as set out in the Planning and Environment Act 1987. The PPF contains a range of policies that are to be considered and balanced to achieve the overarching objective of planning and 'net community benefit'.

Clause 15 Built Environment and Heritage includes Clause 15.01-1S Urban Design. This Clause seeks to create urban environments that are safe,





healthy, functional and enjoyable and that contribute to a sense of place and cultural identity by requiring development to respond to its context in terms of urban character, cultural heritage, natural features, surrounding landscape and climate. It also seeks to ensure new development or redevelopment contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.

Clause 15.01-2S Building Design is also relevant and seeks to achieve building design outcomes that contribute positively to the local context and enhance the public realm.

Clause 15.01-5S Neighbourhood character seeks to recognise, support and protect neighbourhood character, cultural identity and sense of place by ensuring development responds to its context and reinforces special characteristics of the local environment and place by emphasising:

- *Patterns of local urban infrastructure and subdivision;*
- *Underlying natural landscape character and significant vegetation;*
- *Heritage values and built form that reflect community identity;*

Clause 15.02-1S Energy and resource efficiency seeks to encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions.

Clause 16.01-1S Housing Supply. The policies seek to facilitate the development of a diverse range of housing, *including aged care facilities and other housing suitable for older people*, to meet demands and identify that it is appropriate for them to locate close to activity centres.

Clause 18.01-1S Land use and transport planning seeks to create safe and sustainable transport systems that integrate land uses with transport options. In particular the clause seeks to develop integrated and accessible transport networks including coordinating improvements to public transport, walking and cycling networks as part of new development projects. -

Clause 18.02-4S Car parking seeks to ensure there is an adequate supply of car parking that is appropriately designed and located by encouraging the efficient provision of car parking through the consolidation of car parking



facilities

#### 04.4 Particular & General Provisions

The following Particular and General Provisions are relevant to the proposal:

##### **Clause 52.06 Car Parking**

The car parking requirements for the proposed land use is set out at Clause 52.06-5. In accordance with Clause 52.06-3 a planning permit is required to reduce (including to zero) the number car parking spaces required under Clause 52.06-5.

##### **Clause 52.17 Native Vegetation**

Under this provision a permit is required to remove, destroy or lop native vegetation. Given the size of the tree it is considered to be a small tree having regard for the Benchmark in the EVC however given the area is less than 0.5 hectares the assessment path is the Basic Assessment Pathway.

##### **Clause 52.29 Land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.**

Under this provision a permit is required to create or alter access to a road in a Road Zone, Category 1 with any application to be referred to the Head, Transport for Victoria under Section 55 of the Act.

##### **Clause 53.18 (Stormwater Management in Urban Development)**

*These provisions seek to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.*

A Stormwater Management Strategy prepared by Paroissien Grant & Associates Pty Ltd.

This report outlines the Stormwater Management Strategy for the proposed re-development of the site that will minimize and safely convey the additional stormwater flows into the existing downstream drainage network in both the 10 year ARI and 100 year ARI events.



#### **Clause 55 (Two or More Dwellings on a Lot and Residential Buildings)**

These provisions apply to an application to construct two or more dwellings on a lot and residential buildings. As a retirement village does not fall within the nesting of residential building it is not strictly subject to Clause 55 however for the purposes of the assessment of the application an assessment has been undertaken.

. The purpose of this provision is:

- *To achieve residential development that respects the existing neighbourhood character, or which contributes to a preferred neighbourhood character.*
- *To encourage residential development that provides reasonable standards of amenity for existing and new residents.*
- *To encourage residential development that is responsive to the site and the neighbourhood.*

### **04.5 Operational Provisions**

Clause 71 outlines the way in which the Planning Scheme operates.

Clause 71.02-1 outlines the purpose of the Planning Policy Framework and seeks to ensure that the objectives of planning in Victoria are fostered through *'appropriate land use and development planning policies and practices that integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development'*.

Clause 71.02-3 refers to 'Integrated Decision Making' and states that responsible authorities *'should endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations, however, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.'*

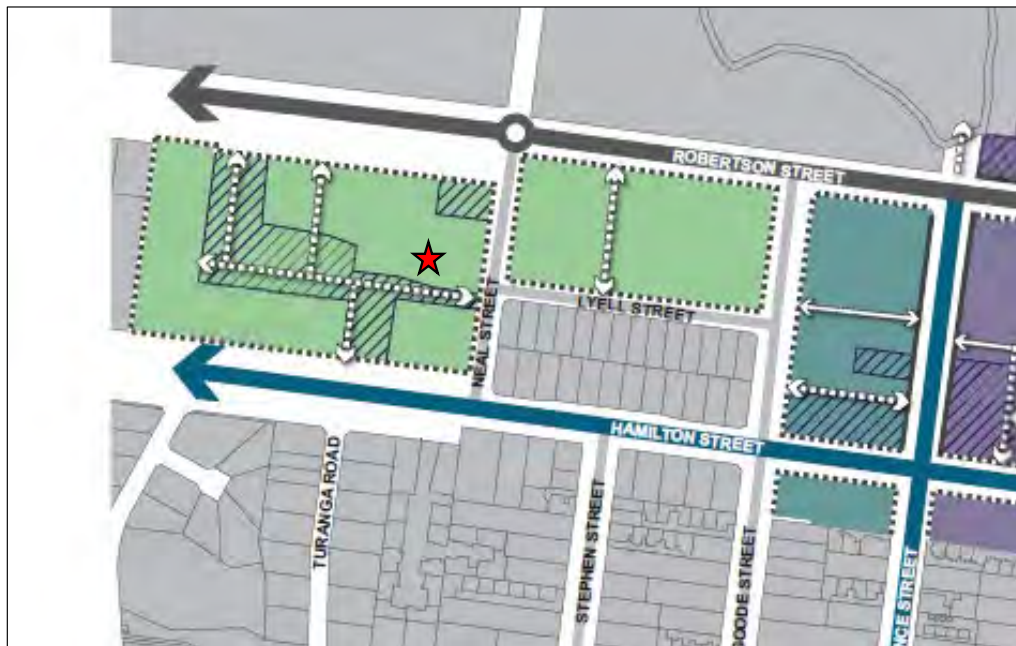


### 04.6 Relevant Strategic Documents

#### Gisborne Futures

In summary the Gisborne Futures Plan (GFP) is proposed to be 30 year plan for the township and proposes to supersede the 2009 Outline Development Plan.

The key elements being the Draft Structure Plan (DSP) – that will set out the direction for township growth and development - and the Urban Design Framework (UDF) that provides guidance on the scale and design of future development in the township as well as future zoning and built form controls.



Town Centre Land Use Precincts (Figure 8 - DSP)

Relevant Key Objectives of the Draft Structure Plan (DSP) include:

- Provide a variety of housing opportunities to accommodate a changing and growing community, including a diversity of housing types that are suited to a range of ages, abilities, household structures and affordability levels.
- Ensure the community infrastructure needs of existing and future communities are identified and delivered and supported by a built



*environment that is integrated and accessible.*

- *Promote a diverse and complementary mix of retail, commercial and residential development within the town centre.*
- The DSP includes the Macedon Ranges Health Integrated Primary Care Centre (IPCC) and the Gisborne Oaks land on the west side of Neal Street as part of the Health & Civic Precinct within the Gisborne Town Centre (see above).

The DSP includes the Macedon Ranges Health Integrated Primary Care Centre (IPCC) and the Gisborne Oaks land on the west side of Neal Street as part of the Health & Civic Precinct within the Gisborne Town Centre (see above).

The DSP includes the Macedon Ranges Health Integrated Primary Care Centre (IPCC) and the Gisborne Oaks land on the west side of Neal Street as part of the Health & Civic Precinct within the Gisborne Town Centre (see above).

The site is shown with a combination of hatched land (referred to as “Development Opportunity Sites”) and “Potential Pedestrian Connections”. Part 14 of the DSP relates to *Community Facilities and Utilities* and this includes the following relevant Strategy:

- *Locate aged care facilities in close proximity to the town centre, the civic/health precinct or within walking distance of activity centres.*

Relevant Key Objectives of the Gisborne Urban Design Framework (UDF), as they relate to the proposal sets out that the Civic & Health Precinct will provide for the following.

- *Health and wellbeing outcomes will be promoted by focusing healthcare, medical and supporting services within the precinct, and by connecting these services to the surrounding reserves, gardens and town centre through a safe and accessible pedestrian network.*
- *This precinct will provide for housing typologies for all life stages including aged care and opportunities for diverse housing set within a generous, landscaped environment.*
- *The Robertson Street frontage will continue to accommodate civic*



*services and the emergency services role will be recognised and maintained.*

It sets out that the “Preferred Land Uses” in this precinct include Medical Services, Aged Care, Retirement Living, Childcare, Education Facilities, Emergency Services and Places of Assembly.

Pages 32 & 33 of the UDF deal specifically with the Health/Civic Precinct and sets out some suggested height limits. These includes a preference for a two storey (8.5m) height limit across the Hamilton Street frontage with 5-10 metre landscape setbacks and for upper-level setbacks behind the street wall. It notes that 3 to 4 storey development may be supported in the internal areas of the site.

*It also recommends that master planning work be undertaken to determine site access, open space and built form arrangements and appropriate zoning and that a Development Plan Overlay be applied to this precinct to ensure that the future development of this land occurs in a coordinated manner, and that a ‘whole of site’ approach is prepared in consultation with all affected parties.*

The UDF provides a map that shows that the implementation of the recommendations by way of the introduction into the planning scheme of a Design and Development Overlay to the Gisborne Town Centre and the application of the Development Plan Overlay to key development sites, including the subject land.

It is noted that on 24 June 2020, Council endorsed the draft Gisborne Structure Plan, draft Gisborne Urban Design Framework and draft Gisborne Neighbourhood Character Study for community consultation.



# 05

## Planning Assessment

### 05.1 Preamble

An assessment of the proposed Planning Scheme Amendment requires consideration of the following matters:

- An assessment of the proposal against the requirements of Planning Practice Note 46: *Strategic Assessment Guidelines for Preparing and Evaluating Planning Scheme Amendments* (May 2017).
- The use of the schedule to Clause 52.02 in relation to the registered restrictive covenant

An assessment of the Planning Permit Application requires consideration of the following matters:

- The level of strategic support within the Planning Policy Framework.
- The appropriateness of the proposed development having regard for the surrounding context and the relevant built form policies contained in the Planning Scheme.
- An assessment against Clause 52.17 (Native Vegetation) of the Macedon Ranges Planning Scheme
- An assessment against Clause 55 of the Macedon Ranges Planning Scheme
- Consideration of ESD and stormwater; and
- The suitability of access, car parking, loading and waste collection arrangements.



An assessment against these issues has been provided below.

Minister's Direction No. 11 Strategic Assessment of Amendments requires a planning authority to evaluate and discuss how an amendment addresses a number of strategic considerations.

The following sections provides an assessment of the proposal against the requirements of *Planning Practice Note 46: Strategic Assessment Guidelines for Preparing and Evaluating Planning Scheme Amendments (May 2017)*.

### **Why is an Amendment required?**

The amendment is required to rezone the land that is currently zoned Special Use Zone (SUZ4) to a General Residential Zone (GRZ1) in order that the land can be developed for a retirement village. The SUZ4 prohibits the use of the land for a retirement village.

The Special Use Zone, Schedule 4 (Private Hospital) covers the land on which the former Gisborne and District Bush Nursing Hospital operated from 1958 until its closure in 1997. In addition, the Gisborne Oaks aged care facility that is also located on the land is reaching end of its operational life and is to be replaced by a new aged care facility.

As such the SUZ4 is no longer required and the land should be rezoned to reflect the adjoining GRZ1 zoning, under which an aged care facility and retirement village are permitted. This is consistent with *A Practitioner's Guide to Victorian Planning Scheme (April 2020)*, which outlines that a Special Use Zone should only provide for the use of land for a specific purpose and to allow land use requirements to be prescribed for a particular site.

In addition, the existing SUZ4 creates a situation where lots are burdened with two different zonings and the Amendment will ensure that each lot that is subject to the Amendment will have only one zone applying to them.

The Amendment is also required to remove the restrictive covenant from Lot 1 on Plan of Subdivision 205979T to enable the lot to be developed in accordance with the planning scheme controls that will apply to the land and to facilitate the development the development of the land for a retirement village.

The proposed Amendment will deliver a net community benefit that far





outweighs any costs that might be associated with the Amendment. The deletion of a redundant zone from the planning scheme will ensure that the administrative burden of the responsible authority is reduced while the application of the GRZ1 will provide greater certainty to the community in terms of development outcomes and the protection of residential amenity.

The Amendment will facilitate approval of a planning permit for a retirement village including a communal clubhouse facility that, in association with the aged care facility currently being considered by Council will provide for a high quality integrated retirement and aged facility across the entire site.

There are no existing scheme provisions that would be repeated by the proposed amendment. The amendment would seek to utilise the existing GRZ1 provisions under the Planning Scheme as well as to make use of the Schedule to Clause 52.02 of the Planning Scheme.

**Does the amendment implement the objectives of planning and address any environmental, social and economic effects?**

The *Planning and Environment Act 1987* sets out the objectives for planning in Victoria.

The Act states that Planning Authorities must have regard to “*any significant effects, which it considers the amendment will have on the environment or which it considers the environment might have on any use or development envisaged in the amendment.*” (Section 12(2)(b)). It also states that Planning Authorities may take into account social and economic effects (Section 12(2)(c)).

The Amendment is expected to have positive social and economic benefits for the Macedon Ranges Shire that includes the application of an appropriate zoning to match the ownership, use and intention of the affected land and surrounding land use activities, thereby removing unnecessary planning restrictions that stem from incorrectly applied zoning.

Allowing for the development of the land for affordable retirement living and to provide for an integrated retirement and aged facility that will allow for ageing in place and the ability for residents to move from independent living, to assisted living and then to more comprehensive care as provided in the aged care facility. The operation of this aged care precinct will enhance employment opportunities for a wide range of people who would be required to provide



care to residents and to manage the facility.

The amendment aligns with the *Macedon Ranges Shire Positive Ageing Plan 2016-2020* that identifies the need for the provision of additional retirement and aged care accommodation in the sure to meet the growing demand for this accommodation. The land is also close to the Gisborne town centre and therefore is well located in terms of access to the services and facilities available in the town centre.

The amendment will have positive social and economic effects by allowing for the removal of existing restrictive covenant which currently limits the appropriate use of the land in accordance with the expectation of the Macedon Ranges Planning Scheme.

The benefits attributed to the Amendment will also have wider flow-on effects including the investment of over \$35 million in the stage two development of the retirement village that will provide significant economic benefits to the Township and create ongoing employment opportunities.

The Amendment also seeks to retain a number of large trees on the site, and this will provide for a positive environmental outcome that will outweigh the loss of any vegetation.

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

The Amendment is not expected to result in the generation of any additional bushfire risk and is therefore appropriate in the context of this consideration.

**Does the amendment comply with all the relevant Minister's Directions?**

Relevant Minister's Direction are as follows:

- Minister's Direction relating to the Form and Content of Planning Schemes; and
- Minister's Direction 11 – Strategic Assessment of Amendments.

The proposed amendment complies with both directions, as the form and content and strategic assessment of the amendment is consistent with the above directions and is accompanied by all the required information.

**Does the amendment support or implement the Planning Policy**



### **Framework and any adopted State policy?**

The Amendment supports one of the purposes of the planning scheme as outlined at Clause 01, which is to provide a clear and consistent framework within which decisions about the use and development of land can be made.

The amendment is consistent with:

- Clause 11 Settlement - This Clause seeks to anticipate and respond to the needs of existing and future communities through provision of appropriately zoned and serviced land for housing. Planning for urban growth should consider opportunities for the consolidation, redevelopment and intensification of existing urban areas and in particular to provide for land that will ensure housing choice and affordability. The amendment supports this clause by providing the opportunities for redevelopment and renewal of underutilised land in an established urban area of Gisborne proximate to facilities and services.
- Clause 15 Building Design seeks to achieve urban design and built form outcomes that contribute positively to the local context, create a sense of place and enhance the public realm. The amendment will facilitate the regeneration of the site to create a new and improved retirement living precinct comprising of architecturally design buildings set in a landscaped setting.
- Clause 16 Housing This Clause seeks to provide for the provision of additional well-located housing together with a diverse and affordable supply of housing supply. This clause also seeks to facilitate the development of well-designed and appropriately located residential aged care facilities and as such the amendment is consistent with Clause 16.

It is not expected that the amendment will have a significant impact on the implementation of the Planning Policy Framework or any adopted State policy.

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

The amendment supports the Local Planning Policy Framework, including the Municipal Strategic Statement (MSS) as the local framework details a



hierarchy of settlements within the municipality. Gisborne is identified as a “regional centre” at the top of this hierarchy which is defined as:

- *A centre with a large, diverse population (10,000 plus), employment and housing base. All essential services are connected, and higher order goods and services are provided. All levels of education are offered and access to large hospitals and numerous medical facilities is generally provided. Regional centres have strong relationships with surrounding settlements of all types.*

The framework identifies that growth will be directed towards the larger settlements such as Gisborne which have the capacity to accommodate greater level of changes as a result of the services available. Housing policies at Clause 21.09, identify that:

- *The changing demographic within the Shire is increasing demand for a greater diversity of housing, including options for lone person households and to facilitate ageing in place within the Shire and its individual settlements. [...]*

Resulting strategies reference the need to identify options for suitable housing for older persons where opportunities exist for ageing in place. The amendment will facilitate the redevelopment of the overall site with the objective of the design is to create an integrated retirement and aged care precinct with continuity of care from active senior to high level care.

The Gisborne/New Gisborne Outline Development Plan which is incorporated at Clause 21.13-1 of the Municipal Strategic Statement generally encourages the consolidation of housing opportunities within existing urban areas of the Township, particularly within a 400-metre walking distance of the Gisborne Town Centre.

The amendment will improve land use and development outcomes in Gisborne and is consistent with the Local Planning Policy Framework with no significant impact on the implementation of the local content of the Planning Policy Framework or MSS.

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

The amendment rezones land to and appropriate residential zoning so as to



replace the redundant SUZ4 zoning of the land and as such will ensure the Planning Scheme makes better use of the Victoria Planning Provisions and that an appropriate zoning applies to the land.

**How does the amendment address the views of relevant agencies?**

The views of relevant agencies will be sought as part of the exhibition process for the amendment

The planning permit will require referral to the Department of Transport in relation to the alterations to the access to the Road Zone (Category 1)

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

The amendment is rezoning land to ensure that the most appropriate planning controls apply to the affected land. It is considered that the amendment will not have a significant impact on the transport system.

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

The nature of the amendment is administrative, with the application of the General Residential Zone and the use of the Schedule to Clause 52.02 of the Macedon Ranges Planning Scheme and as such there will not be a significant increase or impact on the resource and administrative costs of the responsible authority.

### **05.3 Restrictive Covenant**

Section 6(2)(g) of the *Planning and Environment Act 1987* enables a planning scheme to authorise the variation or removal of a restrictive covenant for the purpose of sections 23 and 24 of the *Subdivision Act 1988*.

Therefore, amendment also seeks to facilitate the removal of the restrictive covenant from Lot 1 on Plan of Subdivision 205979T to which the amendment applies, by modifying the Schedule to Clause 52.02 of the Macedon Planning Scheme.

As part of the amalgamation of Benetas and Macedon Ranges Health the land was transferred to Anglican Aged Care Service Group (the official name of "Benetas") in July 2018.



By way of a letter from Equity Trustees dated 18 June 2018, consent was provided for this transfer of the property for the purposes of the *use and development of the property for a residential aged care facility and retirement living development.*

In its letter, Equity Trustees confirms that it has sighted a written commitment by Benetas that states:

*Benetas acknowledges that the [Property and improvements on the Property] are Transferred to Benetas for the purposes of furthering residential aged care, health care and related support services in the Macedon Ranges area, by a not-for-profit service.*

Equity Trustees advise that it consents to Benetas providing a copy of this letter as part of *any application by Benetas or a related party for any or all of:*

- *Planning approval;*
- *Rezoning approval; and*
- *Any other approval required to be obtained to proceed with the proposed use of the Property.*

A copy of this letter is attached to this submission.

Further legal advice has been prepared by Russell Kennedy in relation to the covenant that applies to the land that is sought to be removed by way of the Application. This confirms that Anglican Aged Care Services Group (trading as Benetas), has the lawful rights to seek removal of the covenant.

However as noted in the advice, upon further investigation it has been identified that there are further beneficiaries to the covenant than those identified initially by the Vendor's Solicitors.

A list of the further benefiting parties is appended to the legal advice prepared by Russell Kennedy and it would be expected as part of the exhibition of the Amendment, that these beneficiaries are notified and have the opportunity to make a submission.

In terms of the use of Clause 52.02, the legal advice provides the following summary advice;

*The test to be applied in respect of the proposed Planning Scheme Amendment is the basic test applicable for all Planning Scheme*



*Amendments as found in clause 71.02-3 of the VPPs (Integrated decision making). It provides that:*

- *Planning authorities and responsible authorities should endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.*

*The application of this test to the proposed Planning Scheme Amendment means that, even if one or more of the beneficiaries of the Restrictive Covenant object to the removal of the Restrictive Covenant, the Planning Scheme Amendment is still assessed on its merits, in accordance with this 'net community benefit' test.*

*A key aspect is that the covenant is no longer effective or enforceable. Also, however, there is the question of whether such a control ought apply given the relevant appropriate land uses for the sites now.*

*Regardless, we respectfully suggest the beneficiaries of the Restrictive Covenant must be given notice of the Application, as contemplated by section 96C(1)(g) of the 1987 Act. This is so that they are afforded the opportunity to make a submission in respect of the Application, should they wish to do so.*

It is submitted that the use of the Schedule to Clause 52.02 is an appropriate manner in which to allow for the removal of the covenant as opposed to seeking a planning permit or proceeding via the Supreme Court.

The removal of the covenant will facilitate the development of the site for a retirement village which is consistent with the objectives of the Macedon Ranges Planning Scheme.

#### **05.4 Strategic Considerations relating to Planning Permit Application**

The relevant policy directions outlined in the Macedon Ranges Planning Scheme encourage the development of well-designed development which make effective use of existing infrastructure. This development is required to facilitate housing diversity including the provision of a range of housing opportunities for older persons.



In relation to the State Planning Policies, identify the need to increase the supply of accommodation in existing urban areas in order to improve choice and to ensure that supply continues to meet demand. Locations within and around designed activity centres are preferred locations for this development.

The proposed development is appropriately located within the established Gisborne Township, approximately 250 metres west of commercially zoned land around the town centre, where more intensive built form and where is identified as an area where a mix of health-related uses are encouraged.

As a result, the location of this retirement development is consistent with objectives of the Planning Policy Framework, in particular the following:

Clause 11.03-1S Activity Centres seeks to *encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.*

Clause 16.01-1S (Housing Supply) seeks to facilitate the development of a diverse range of housing, *including aged care facilities and other housing suitable for older people*, to meet demands and identify that it is appropriate for them to locate close to activity centres.

The Local Planning Policy Framework identifies long term directions about land use and development in the municipality and provides the rationale for the zone and overlay requirements and particular provisions in the Scheme. The LPPF includes the Municipal Strategic Statement (MSS) and local planning policies.

The Local Policy Framework details a hierarchy of settlements within the municipality. Gisborne is identified as a “regional centre” at the top of this hierarchy which is defined as:

*A centre with a large, diverse population (10,000 plus), employment and housing base. All essential services are connected, and higher order goods and services are provided. All levels of education are offered and access to large hospitals and numerous medical facilities is generally provided. Regional centres have strong relationships with surrounding settlements of all types.*

The framework identifies that growth will be directed towards the larger





settlements such as Gisborne which have the capacity to accommodate greater level of changes as a result of the services available.

Housing policies at Clause 21.09, identify that:

*“The changing demographic within the Shire is increasing demand for a greater diversity of housing, including options for lone person households and to facilitate ageing in place within the Shire and its individual settlements. [...]*

Resulting strategies reference the need to identify options for suitable aged housing where good access to services is available. Smaller towns lacking infrastructure and services are discouraged from accommodating this housing.

The Gisborne/New Gisborne Outline Development Plan which is incorporated at Clause 21.13-1 of the Municipal Strategic Statement generally encourages the consolidation of housing opportunities within existing urban areas of the Township. Medium density housing is particularly encouraged within a 400 metre walking distance of the Gisborne Town Centre. This development should be cognisant of the semi-rural character and village setting of Gisborne/New Gisborne.

It is submitted that the proposal provides for an acceptable outcome when assessed against the Planning Policy Framework as

- i. The proposal will contribute to housing diversity and choice within Gisborne on land that is zoned for residential purposes allowing for the development of a retirement village.
- ii. The scale, form and design of the proposal provides for a diversity of housing across the site that includes independent living villas, independent living units and supported accommodation within an apartment setting and allowing for the transition to high care provision within the proposed age care facility that is subject to a separate planning application;
- iii. As noted below, the proposal is consistent with the vision for this precinct as set out in the Gisborne Future Project, and this is supported by Council’s Strategic Planning Department comments that *the proposal for aged care, retirement villas and*



*ancillary services is supported and consistent with the strategic direction for this precinct in the town centre.*

- iv. The proposed use is located in a mixed-use area, nearby to the Gisborne Town Centre and is close to services and public transport.
- v. The land is a well located and large parcel of land that is available to provide for an improved facility on the site and allows existing resident in the Oaks Facility to move into the new facility. It also provides the opportunity for local residents of Gisborne to remain in their local area.
- vi. The proposed development will provide for a high quality architectural and landscape response that will sit comfortably within the existing village character.

#### **Clause 21.13-1 (Gisborne and New Gisborne)**

*This Clause notes that Gisborne and New Gisborne currently serve the role of a large district town and form the major urban centre in the southern end of the Shire and that Gisborne and New Gisborne are expected to grow from a large district town to a regional centre by 2036.*

The Gisborne/New Gisborne Outline Development Plan which is incorporated at Clause 21.13-1 of the Municipal Strategic Statement generally encourages the consolidation of housing opportunities within existing urban areas of the Township. Medium density housing is particularly encouraged within a 400 metre walking distance of the Gisborne Town Centre.

The proposal is consistent with Clause 21.13-1 in terms of achieving village character and protection of significant views with the proposed development being of a lower scale with higher elements located more centrally into the site.

It is noted that this site is on a main road at the periphery of the town centre where there are existing buildings of a similar scale nearby to the site, this includes the Health Centre on Neal Street, opposite the site. So, in this context the site is well located in terms of the scale being sought being proximate to the town centre where higher buildings are expected.



The landscape master plan prepared by Tract will provide for the retention of significant trees on the site and the provision of additional landscaping that will complement the strong landscape character in the area.

#### **Gisborne Futures Project**

The Gisborne Futures Project is still at an early stage and as such cannot be given significant weight in the assessment of this proposal.

However, it is submitted that the proposed development is consistent with the proposed inclusion of the subject as part of a proposed “Health & Civic Precinct” that seeks to provide for the following (inter alia):

- *This precinct will provide for housing typologies for all life stages including aged care and opportunities for diverse housing set within a generous, landscaped environment.*

In conjunction with the Stage 1 proposal for the new Aged Care Facility, Stage 2 will provide for the entire parcel to be developed as an integrated retirement and aged care precinct.

The built form controls proposed in the UDF for the “Health & Civic Precinct” are consistent with the built form outcomes sought by this application in terms of height, scale and setbacks.

### **05.5 Urban Design**

The most relevant provisions in determining the appropriateness of the proposed development in terms of respecting neighbourhood character and the maintenance of residential amenity are:

- Clause 21.08-3 Built Environment; and
- Clause 21.13-1 Gisborne and New Gisborne.

The scale and configuration of the proposed development will provide an appropriate response to the site’s location within the Gisborne Town Centre and the applicable built form policies of the Macedon Ranges Planning Scheme.

The landscape plan prepared by Tract Consulting which describes the landscape character as:



*The design seeks to create a landscape setting which enhances the 'Country town' character of Gisborne and respects the existing pattern of exotic planting. The existing tree palette and site character is reinforced through sympathetic planting of Oaks, Birches and Elm species; with key native and coniferous specimens. It is this mix of exotic and native tree canopy that will result in a visually interesting, leafy and highly diverse upper canopy layer - year-round and through seasonal change.*

The proposed development features generous site setbacks which will accommodate meaningful landscaping including to side boundaries and road frontages.

The English Oak Trees along Neal Street will be retained and protected as part of the development along with the other large trees present in the centre of the site.

The proposal incorporates ecologically sustainable design principles as outlined within the Sustainability Management Plan prepared by JBA Smarter Engineering, ensuring the building makes efficient use of resources.

The development incorporates a combination of passive and active design strategies, including sun-shading devices, natural daylight and ventilation, solar panels, rainwater tanks for toilet flushing and irrigation, and will achieve the BCA requirement for Section J energy efficiency.

The design adopts a residential vernacular that draws on the existing character of the area with the hipped roof form features a pitched corrugated iron roof responding to the prevailing roof form in the residential surrounds.

Further discussion of the urban design response is detailed in the Architectural Statement together with the Urban Design Report prepared by Hansen Partnership that is to be read in conjunction with this planning submission.

#### General Residential Zone

The purpose of this zone is:

*To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*

*To encourage development that respects the neighbourhood character of the*



area.

*To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*

*To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

Within this zone a permit is required for the development and use of a retirement village

**05.6 Clause 52.17 Native Vegetation**

The application seeks approval has been amended to include the removal of one indigenous tree (Tree 35). The tree (Mountain White Gum), which is proposed to be removed has been identified in the arborist report as being possibly of remnant origin. This is on the basis that the tree is of a species that is local to the area and is a mature tree.



**Excerpt from Arborist Report (Treelogic) showing photo of Tree 35**



The application seeks to remove the tree pursuant to Clause 52.17 of the Macedon Planning Scheme. Given the size of the tree it is considered to be a small tree having regard for the Benchmark in the EVC and, given the area is less than 0.5 hectares, the assessment path is the Basic Assessment Pathway.

The tree is identified as a mature tree over 40 years old with fair health and structure on the basis that as shown in the above photo, the central section of the tree is dead and has poor structure resulting in the tree only having moderate arboricultural significance.

Given the location and size of this tree it is unable to be retained as part of the development, however as noted above, other trees although not indigenous, are being retained as part of the development response.

A *Native Vegetation Removal Report* has been prepared in support of the application and uses the Basic Assessment Pathway using the modelled condition score. It identifies that 0.031 hectares is proposed to be removed but notes that:

*The native vegetation is not in an area mapped as an endangered Ecological Vegetation Class, sensitive wetland or coastal area. Removal of less than 0.5 hectares will not have a significant impact on any habitat for a rare or threatened species.*

Clause 52.17 requires if a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset, in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017)*.

The *Native Vegetation Removal Report* requires a General Offset to be obtained with the Offset amount to be 0.005 general habitat units and this can be a condition on the planning permit..

### 05.7 Clause 55 Assessment (ResCode)

These provisions apply to an application to construct two or more dwellings on a lot and residential buildings. As a retirement village does not fall within the nesting of residential building it is not strictly subject to Clause 55 however for the purposes of the assessment of the application an assessment has



been undertaken.

The assessment identifies that the proposed development responds appropriately to all objectives of at Clause 55 the planning scheme in order to provide for appropriate amenity and character outcomes.

The assessment against these requirements at Attachment 1 to this submission identifies that the proposal complies with all objectives of ResCode.

The assessment at Appendix 1 of this submission also identifies the following:

- The apartments and villa units have a clearly identifiable front entrances with articulated porch areas to provide shelter and a sense of address. The layout of garages and the internal roads/accessways will facilitate efficient entry and egress from the site and will allow meaningful landscaping.
- The development minimises offsite amenity impacts with boundary setbacks that substantially address requirements of the relevant standards.
- Overlooking is addressed via the use of screening or obscured glazing to a height of 1.7 metres above finished floor level for upper level habitable room windows and balconies where potential overlooking presents.
- The development's well-articulated form further minimises visual bulk impacts on surrounding properties;
- Each dwelling is provided with secluded private open space in the form of balconies or a ground level open space that meets the requirements.
- With regards to onsite amenity of future residents, the proposed dwellings will have comfortable floor plans with internal areas having good access to parking, storage and utilities.
- Habitable rooms within the development benefit direct access to daylight, ensuring there is no reliance upon borrowed light. The orientation, layout and dual aspects to each dwelling have been considered to allow solar access and cross ventilation;



- Storage is provided within the garage or secluded private open space of each dwelling. Additional internal storage is provided within bedroom robes, laundries and kitchens; and
- Easily accessible services are provided, while car parking is conveniently located relative to dwelling entrances and common areas.

**05.8 Access, Car Parking, Loading and Waste Collection**

Pursuant to Clause 52.06 (Car Parking) of the Macedon Ranges Planning Scheme:

*Before:*

- *a new use commences; or*
- *the floor area or site area of an existing use is increased; or*
- *an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use,*

*the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority.*

In accordance with the requirements of Clause 52.06 (Car Parking), a Retirement Village generates the following parking requirements

Retirement village	1	1	To each one or two bedroom dwelling plus
	2	2	To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus
	1	0	For visitors to every five dwellings for developments of five or more dwellings

An assessment of the parking requirements has been undertaken by Cardno and is set out in the table below.





Use	No.	Rate	Car Parking Measure	Requirement (Spaces)
Retirement village	42	1	To each one- or two- bedroom dwelling	1 per lot
	6 (type: RV06)	2	To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms)	2 per lot
	46	1	Plus: For visitors to every five dwellings for developments of five or more dwellings	9 visitor spaces
Independent Living Units	34	1	To each one or two bedroom dwelling plus For visitors to every five dwellings for developments of five or more dwellings	34 spaces 7 Visitor Spaces

As each villa or independent living unit is provided with either one or two car parking spaces the requirements in relation to car parking for residents is met.

The proposal also generates a requirement for 16 visitor spaces, and these are provided within the development

Matters related to vehicular access and car parking are considered in the Traffic and Transport assessment prepared by Cardno which accompanies the application. This assessment finds that the application responds appropriately to the applicable design standards at Clause 52.06-8 of the Macedon Ranges Planning Scheme.

The Waste Management Plan prepared by Leigh Design which accompanies the application identifies that that waste collection will be conducted by a private contractor onsite to be collected in front of the villa units or from the apartment bin storage areas.

### 05.9 General Provisions

Clause 65 requires that before deciding on an application or approval of a plan, the Responsible Authority must consider a number of matters. It is submitted that the proposal addresses the following:

- The proposal is consistent with the matters set out in Section 60 of the *Planning and Environment Act 1987*.
- The proposal is consistent with the Planning Policy Framework, including the Municipal Strategic Statement.



- The proposal is consistent with the purpose of the General Residential Zone and overlays affecting the land.
- The proposed development respects the orderly planning of the area.
- The proposed development would not have an adverse impact on the amenity of the area.
- The subject site does not interface with any public open space areas.
- The proposed development would not cause or contribute to land degradation, salinity or reduce water quality.
- The proposed development will be connected to underground drainage and as such will not have any adverse impact on the quality of stormwater within and exiting the site.
- The subject site does not contain any indigenous native vegetation in the meaning of the Planning Scheme.
- The proposed development would not contribute to any flood, erosion or fire hazard.



# 06

## Conclusion

It is submitted that Amendment C147 to the Macedon Ranges Planning Scheme is appropriate and will facilitate approval of a planning permit for a retirement village that, in association with the aged care facility currently being considered by Council, will provide for an integrated retirement and aged facility across the entire site.

The application will provide a retirement village on a site that is well serviced and located within proximity to the town of Gisborne. The facility will be operated by Benetas, which has extensive experience in operating aged care and retirement living facilities throughout Melbourne and regional Victoria.

The design of the proposal will be high quality, whilst setbacks to site boundaries will provide a transition to abutting properties. The proposal has been configured to preserve the amenity of abutting & nearby properties, whilst maximising onsite amenity for future residents.

We submit that the proposal warrants Council support.



# 01

## Attachment

### Clause 55 Assessment

CLAUSE	STANDARD	ASSESSMENT
<b>55.02-1 Neighbourhood Character</b>	B1	<b>COMPLIES</b> The design response is appropriate to the area and the General Residential Zoning of the site, as outlined in the detailed discussions that form part of the attached report.
<b>55.02-2 Residential Policy</b>	B2	<b>COMPLIES</b> The proposal satisfies the residential policy objectives as discussed in the attached report.
<b>55.02-3 Dwelling Diversity</b>	B3	<b>COMPLIES</b> A variety of accommodation (apartment style independent living units and semi-detached villa units) is proposed with one, two and three bedroom units provided including with living areas at ground floor level and lift access where double storey development is proposed.
<b>55.02-4 Infrastructure</b>	B4	<b>COMPLIES</b> The site is located in an established urban area of Gisborne where the existing infrastructure can accommodate any additional demands likely to result from the proposed development.
<b>55.02-5 Integration with the Street</b>	B5	<b>COMPLIES</b> Vehicular and pedestrian access is taken from both Neal Street and the Robertson Street slip road via legible accessways. Dwellings are orientated to the accessways however open space areas are orientated to street frontages ensuring active engagement with the street.  Low scale front fencing is proposed.



CLAUSE	STANDARD	ASSESSMENT
55.03-1 Street Setback	B6	<b>COMPLIES</b> The subject site includes an adjoining lot at 71 Robertson Street that is occupied by a Family and Children’s Centre that is setback from the frontage in excess of 9.0 metres. The proposed dwellings are orientated to the internal roads and are provided with setbacks appropriate to the context.
55.03-2 Building Height	B7	<b>COMPLIES</b> The proposed development features a maximum height three storeys.
55.03-3 Site Coverage	B8	<b>COMPLIES</b> Site coverage that satisfies the standard is proposed at 34%
55.03-4 Permeability	B9	<b>COMPLIES</b> Site permeability that satisfies the standard is proposed at 37%
55.03-5 Energy Efficiency	B10	<b>COMPLIES</b> All dwellings include common living areas that open onto north facing balconies or secluded private open space areas where possible and are provided with north facing windows. Shadow diagrams submitted with the application demonstrate that overshadowing of abutting properties will be acceptable, and the neighbouring dwellings are not fit out with solar power units.
55.03-6 Open Space	B11	<b>COMPLIES</b> There is no public open space proximate to the subject site.
55.03-7 Safety	B12	<b>COMPLIES</b> The design response includes dwellings orientated to the street and to internal accessways where there will be visibility, lighting and surveillance.
55.03-8 Landscaping	B13	<b>COMPLIES</b> The site contains vegetation which warrants retention as part of the proposed development and these have been incorporated into the landscape design.  Communal and Individual open space areas within the development will accommodate new planting opportunities, including canopy trees which are shown on the landscape plans prepared by Tract Consulting that accompany the application.



CLAUSE	STANDARD	ASSESSMENT
55.03-9 Access	B14	<b>COMPLIES</b> The crossover to Neal Street and the Robertson Road (slip road) is provided in accordance with the standard.
55.03-10 Parking Location	B15	<b>COMPLIES</b> Easily accessible parking is provided for each dwelling in a single or double garage or within the ground floor carpark of the apartment buildings. The car parking areas will be secure and well ventilated.
55.04-1 Side and Rear Setbacks	B17	<b>COMPLIES</b> Side and rear Setbacks are provided in accordance with the standard.
55.04-2 Walls on Boundaries	B18	<b>COMPLIES</b> No boundary walls are proposed.
55.04-3 Daylight to Existing Windows	B19	<b>COMPLIES</b> The development provides appropriate setbacks and light courts to neighbouring habitable room windows.
55.04-4 North Facing Windows	B20	<b>NOT APPLICABLE</b> There are no north facing windows within proximity to the subject site.
55.04-5 Overshadowing Open Space	B21	<b>COMPLIES</b> Shadow diagrams submitted with the application demonstrate that overshadowing of abutting properties is within acceptable parameters under the standard.
55.04-6 Overlooking	B22	<b>COMPLIES</b> Screening to a height of 1.7 metres above finished floor level will be provided to upper level habitable room windows and balconies where potential overlooking presents.
55.04-7 Internal Views	B23	<b>COMPLIES</b> No unreasonable internal viewing opportunities present as a result of window and balcony locations.
55.04-8 Noise Impact	B24	<b>COMPLIES</b> There are no noise sources located within proximity to the site. The residential development will not generate unreasonable offsite noise impacts.
55.05-1 Accessibility	B25	<b>COMPLIES</b>



CLAUSE	STANDARD	ASSESSMENT
		Lift access is provided to the apartment buildings and at grade entrances are provided to individual dwellings with lifts proposed for the double storey dwellings.
55.05-2 Dwelling Entry	B26	<b>COMPLIES</b> The entry to each building and dwelling is easily identifiable from Neal Street or the pedestrian walkways. Each dwelling entry is sheltered appropriately to create a sense of personal address. Wayfinding will be provided.
55.05-3 Daylight to New Windows	B27	<b>COMPLIES</b> The necessary light courts are provided to new windows within the development.
55.05-4 Private Open Space	B28	<b>COMPLIES</b> The living areas of all dwellings and will have direct access to balconies in excess of 10 square metres in area, with minimum width of at least 1.6 metres or to ground level secluded private open space areas of 25 square metres.
55.05-5 Solar Access to Open Space	B29	<b>COMPLIES</b> Balconies are north facing where possible but in some cases it is preferable to provide balconies with outlook to the park.
55.05-6 Storage	B30	<b>COMPLIES</b> Storage is provided in accordance with the Standard within each of the garages or within secluded private open space areas.
55.06-1 Design Detail	B31	<b>COMPLIES</b> The proposed development, including design detailing, responds appropriately to the urban design and neighbourhood character policies as discussed in the report.
55.06-2 Front Fences	B32	<b>COMPLIES</b> Visually permeable fencing is proposed alongside the frontage to both Neal Street and Robertson Street.
55.06-3 Common Property	B33	<b>COMPLIES</b> Public and private spaces are clearly delineated, and the common areas can be effectively managed by management.
55.06-4 Site Services	B34	<b>COMPLIES</b> Sufficient space is provided for services to be installed and maintained.




CLAUSE	STANDARD	ASSESSMENT
		Mailboxes will be located alongside the Neal Street frontage and designated waste storage will be provided in each dwelling as shown on the plans as well as communal hard waste and glass collection areas.





**Attachment**

**Letter from Equity Trustees dated 18 June 2018**



# Native vegetation removal report

A report to support an application to remove, destroy or lop native vegetation in the **Basic Assessment Pathway** using the modelled condition score

This report provides information to support an application to remove native vegetation in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation*. The report is not an assessment by DELWP or local council of the proposed native vegetation removal. Biodiversity information and offset requirements have been calculated using modelled condition scores contained in the *Native vegetation condition map*.

**Date and time:** 09 August 2022 15:34 PM

**Lat./Long.:** -37.4859366282624,144.582252859931

**Native vegetation report ID:**

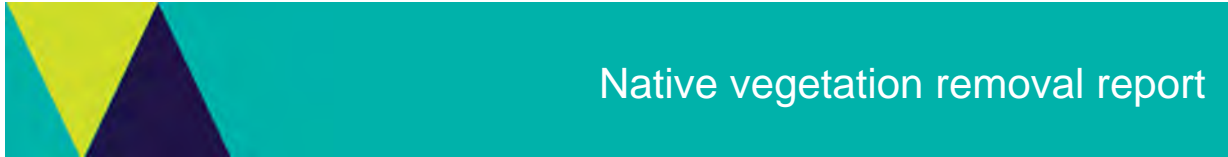
**Address:** 61 ROBERTSON STREET GISBORNE 3437  
 2A/61 ROBERTSON STREET GISBORNE 3437  
 ROBERTSON STREET GISBORNE 3437  
 1A/61 ROBERTSON STREET GISBORNE 3437  
 3A/61 ROBERTSON STREET GISBORNE 3437  
 4A/61 ROBERTSON STREET GISBORNE 3437  
 5B/61 ROBERTSON STREET GISBORNE 3437  
 7A/61 ROBERTSON STREET GISBORNE 3437  
 8A/61 ROBERTSON STREET GISBORNE 3437  
 9A/61 ROBERTSON STREET GISBORNE 3437

339-20220809-030

## Assessment pathway

### The assessment pathway and reason for the assessment pathway

Assessment pathway	Basic Assessment Pathway
Extent of past plus proposed native vegetation removal	0.031 hectares
No. large trees	0 large tree(s)
Location category	Location 1  The native vegetation is not in an area mapped as an endangered Ecological Vegetation Class, sensitive wetland or coastal area. Removal of less than 0.5 hectares will not have a significant impact on any habitat for a rare or threatened species.

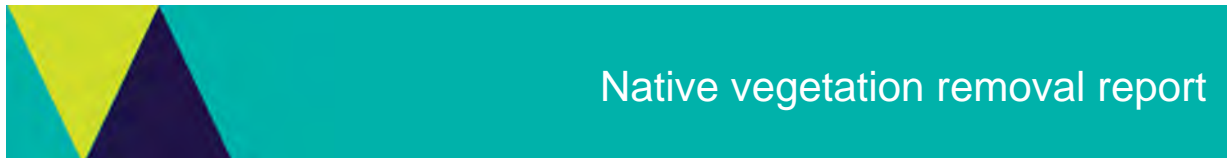


# Native vegetation removal report

## Offset requirement

The offset requirement that will apply if the native vegetation is approved to be removed

Offset type	General offset
Offset amount	0.005 general habitat units
Offset attributes	
Vicinity	Port Phillip And Westernport Catchment Management Authority (CMA) or Macedon Ranges Shire Council
Minimum strategic biodiversity value score	0.080
Large trees	0 large tree(s)



# Native vegetation removal report

## Biodiversity information about the native vegetation

### Description of any past native vegetation removal

Any native vegetation that was approved to be removed, or was removed without the required approvals, on the same property or on contiguous land in the same ownership, in the five year period before the application to remove native vegetation is lodged is detailed below.

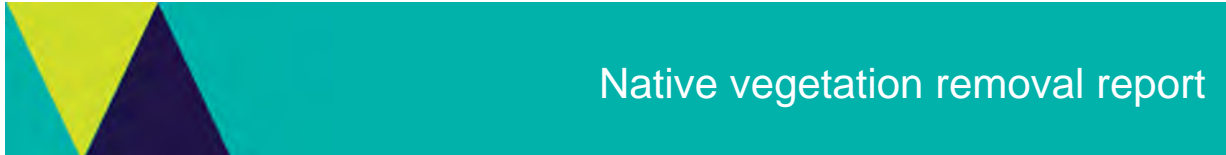
Permit/PIN number	Extent of native vegetation (hectares)
None entered	0 hectares

### Description of the native vegetation proposed to be removed

Extent of all mapped native vegetation	0.031 hectares
Condition score of all mapped native vegetation	0.200
Strategic biodiversity value score of all mapped native vegetation	0.100
Extent of patches native vegetation	0.000 hectares
Extent of scattered trees	0.031 hectares
No. large trees within patches	0 large tree(s)
No. large scattered trees	0 large tree(s)
No. small scattered trees	1 small tree(s)

### Additional information about trees to be removed, shown in Figure 1

Tree ID	Tree circumference (cm)	Benchmark circumference (cm)	Scattered / Patch	Tree size
A	124	220	Scattered	Small



## Native vegetation removal report

### Other information

Applications to remove, destroy or lop native vegetation must include all the below information. If an appropriate response has not been provided the application is not complete.

#### Photographs of the native vegetation to be removed

Recent, dated photographs of the native vegetation to be removed must be provided with the application. All photographs must be clear, show whether the vegetation is a patch of native vegetation or scattered trees, and identify any large trees. If the area of native vegetation to be removed is large, provide photos that are indicative of the native vegetation.

Ensure photographs are attached to the application. If appropriate photographs have not been provided the application is not complete.

#### Topographical and land information

Description of the topographic and land information relating to the native vegetation to be removed, including any ridges, crests and hilltops, wetlands and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion, as appropriate. This may be represented in a map or plan. **This is an application requirement and your application will be incomplete without it.**

Gentle sloping site to the north - urban infill site

#### Avoid and minimise statement

This statement describes what has been done to avoid the removal of, and minimise impacts on the biodiversity and other values of native vegetation. **This is an application requirement and your application will be incomplete without it.**

The site is within the Gisborne Township and it is proposed to develop a retirement village. The location of the tree will impact on the design and layout of the proposal and as such the tree cannot be retained

#### Defendable space statement

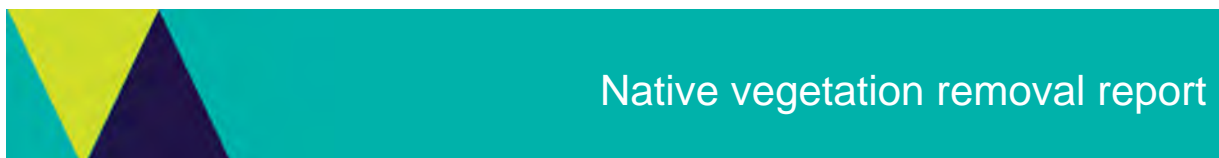
Where the removal of native vegetation is to create defendable space, a written statement explaining why the removal of native vegetation is necessary. This statement must have regard to other available bushfire risk mitigation measures. This statement is not required if your application also includes an application under the Bushfire Management Overlay.

Not Applicable

#### Offset statement

An offset statement that demonstrates that an offset is available and describes how the required offset will be secured. **This is an application requirement and your application will be incomplete without it.**

An offset is currently being sought and will be in place prior to the finalisation of the applicaiton



## Next steps

Applications to remove, destroy or lop native vegetation must address all the application requirements specified in *Guidelines for the removal, destruction or lopping of native vegetation*. If you wish to remove the mapped native vegetation you are required to apply for a permit from your local council. This *Native vegetation removal report* must be submitted with your application and meets most of the application requirements. The following needs to be added as applicable.

### Property Vegetation Plan

Landowners can manage native vegetation on their property in the longer term by developing a Property Vegetation Plan (PVP) and entering in to an agreement with DELWP.

If an approved PVP applies to the land, ensure the PVP is attached to the application.

### Applications under Clause 52.16

An application to remove, destroy or lop native vegetation is under Clause 52.16 if a Native Vegetation Precinct Plan (NVPP) applies to the land, and the proposed native vegetation removal is not in accordance with the relevant NVPP. If this is the case, a statement that explains how the proposal responds to the NVPP considerations must be provided.

If the application is under Clause 52.16, ensure a statement that explains how the proposal responds to the NVPP considerations is attached to the application.

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For more information contact the DELWP Customer Service Centre 136 186

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

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Obtaining this publication does not guarantee that an application will meet the requirements of Clauses 52.16 or 52.17 of planning schemes in Victoria or that a permit to remove native vegetation will be granted.

Notwithstanding anything else contained in this publication, you must ensure that you comply with all relevant laws, legislation, awards or orders and that you obtain and comply with all permits, approvals and the like that affect, are applicable or are necessary to undertake any action to remove, lop or destroy or otherwise deal with any native vegetation or that apply to matters within the scope of Clauses 52.16 or 52.17 of planning schemes in Victoria.

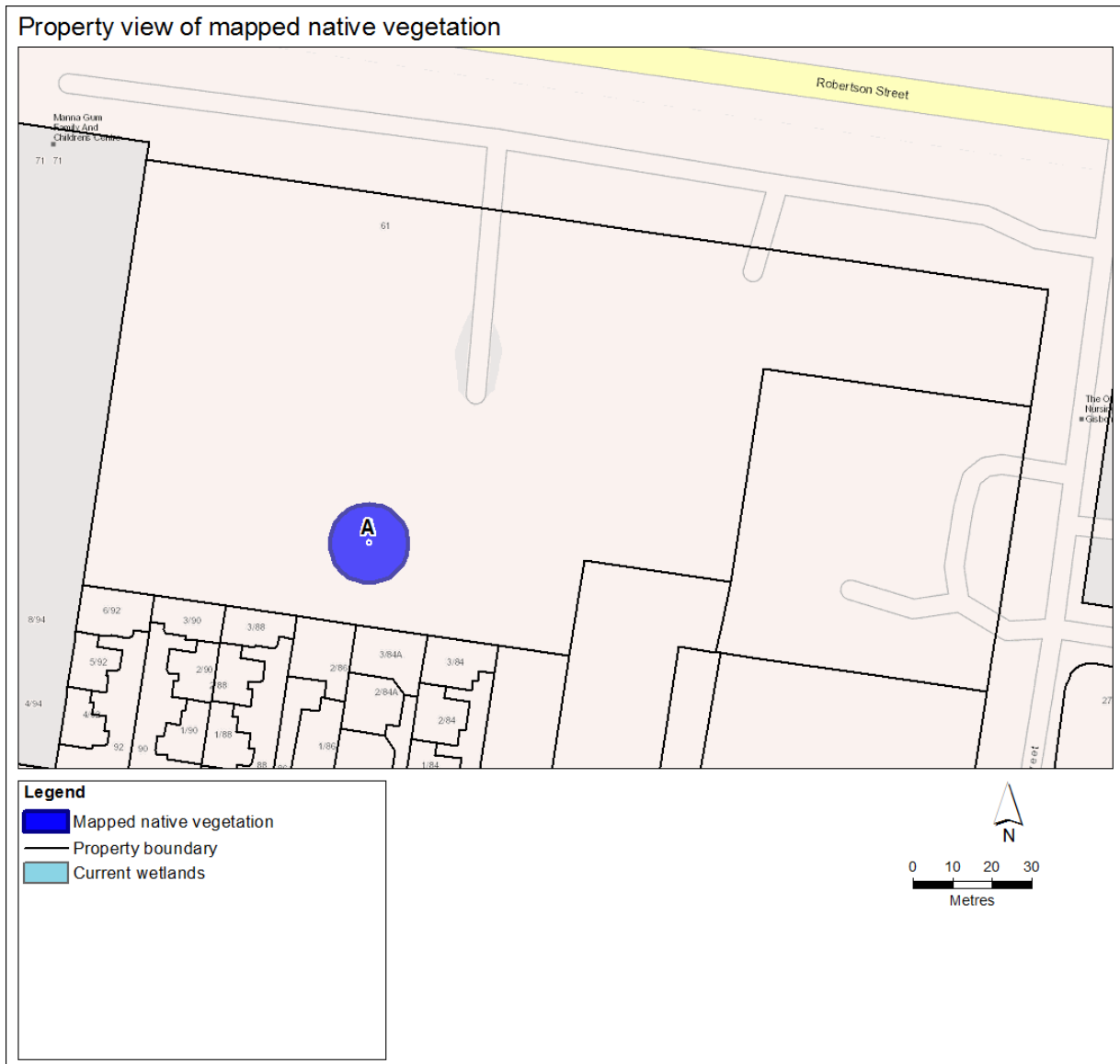
# Native vegetation removal report

**Figure 1 – Map of native vegetation to be removed, destroyed or lopped**



# Native vegetation removal report

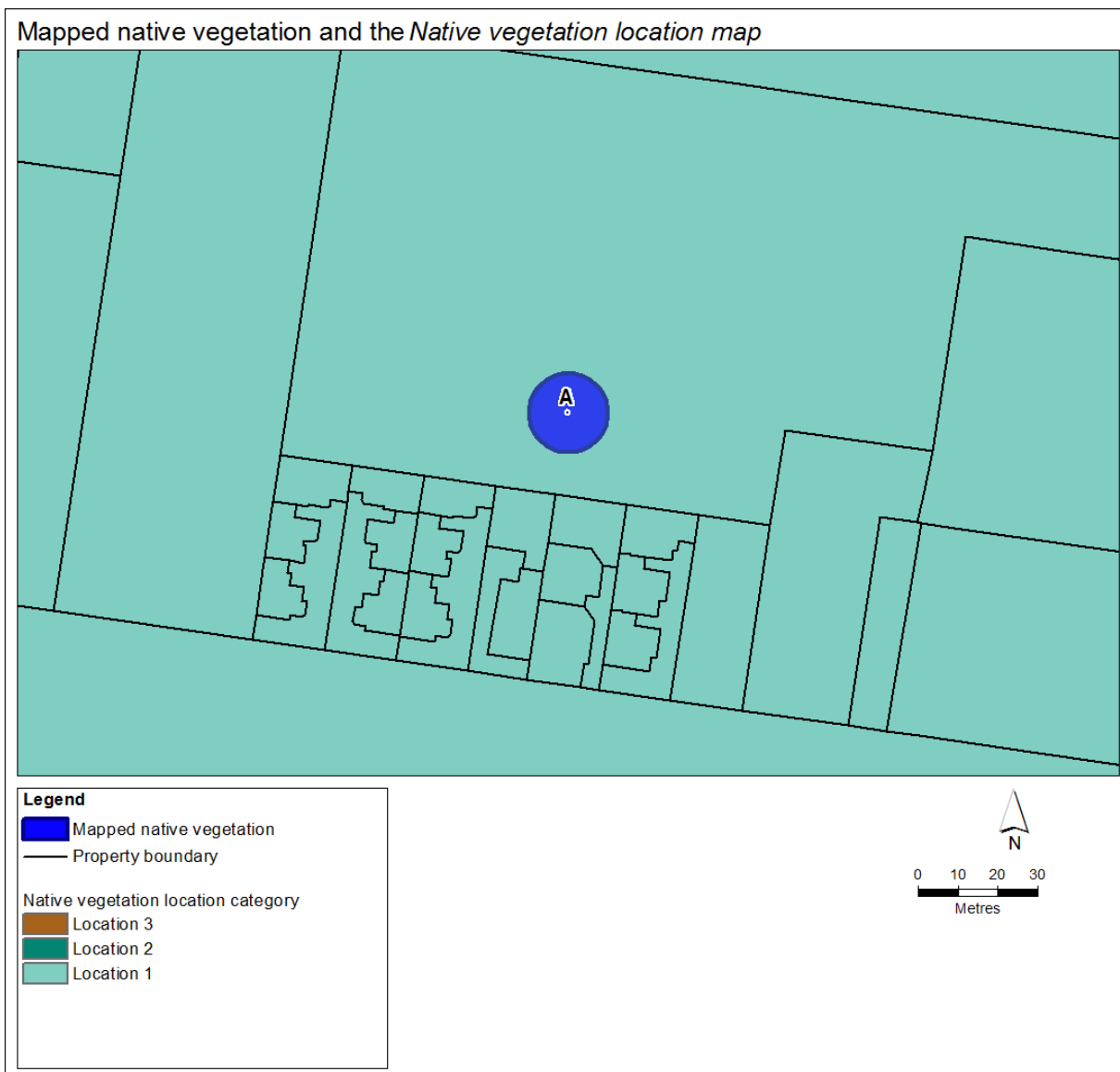
**Figure 2 – Map of property in context**





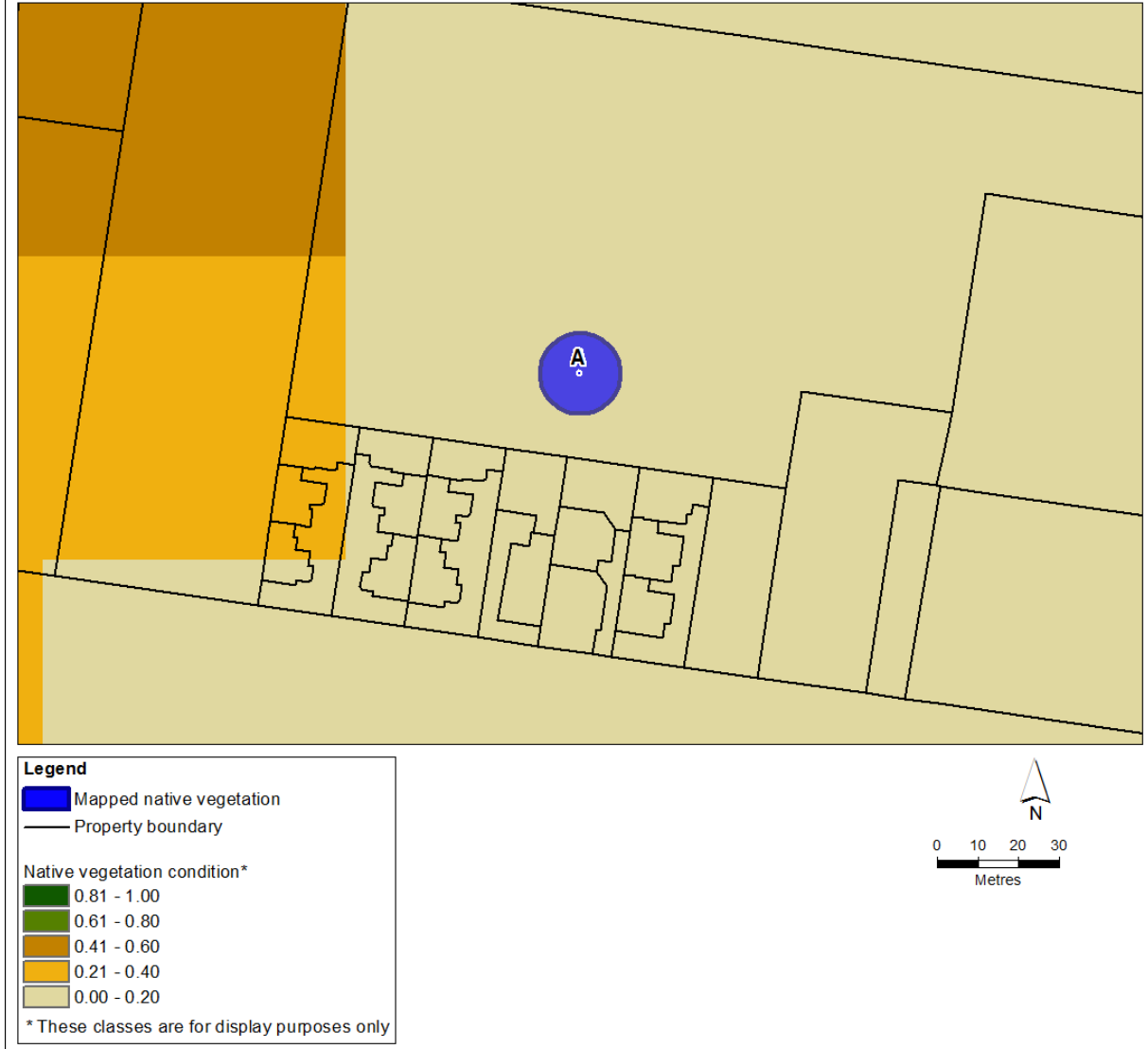
# Native vegetation removal report

**Figure 3 – Biodiversity information maps**

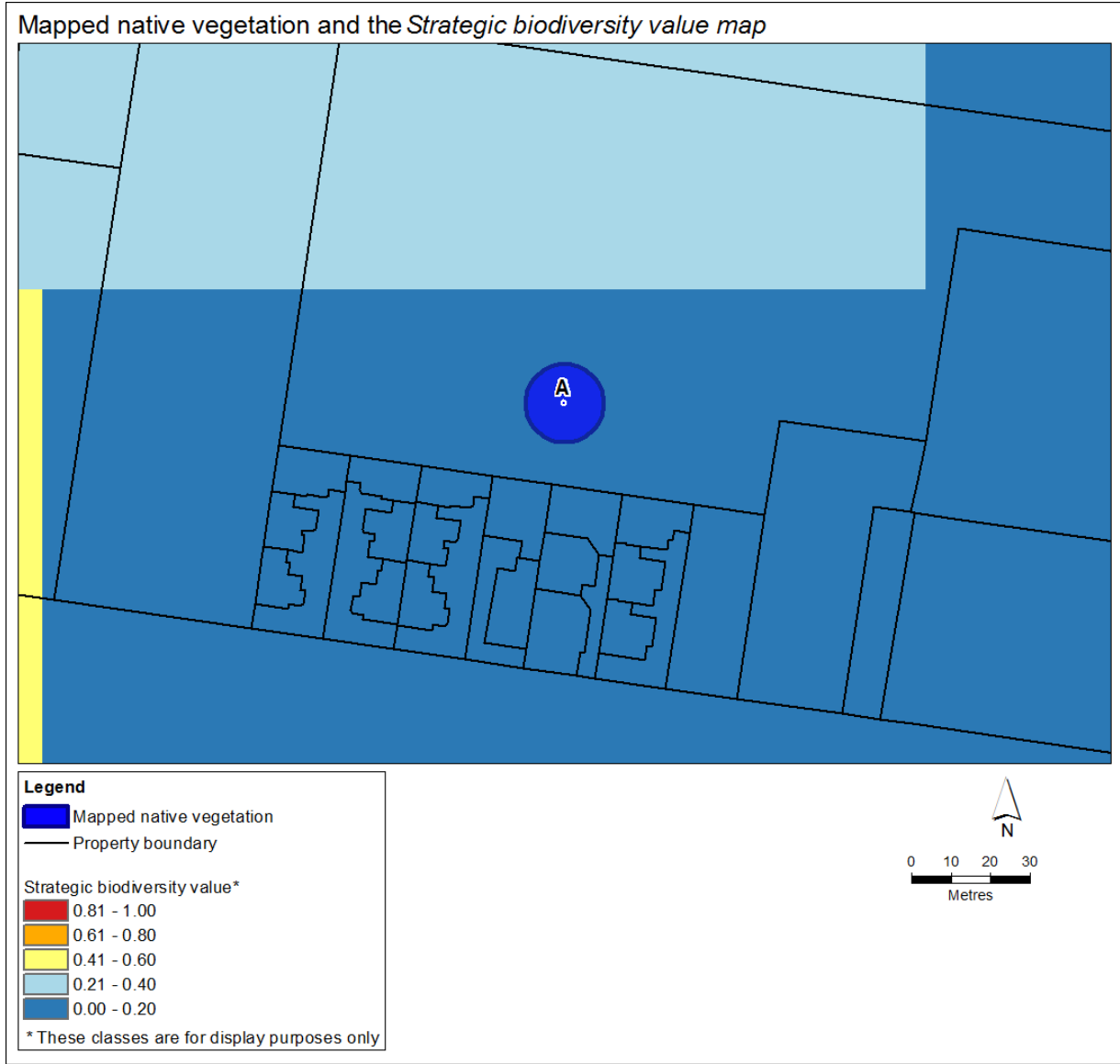


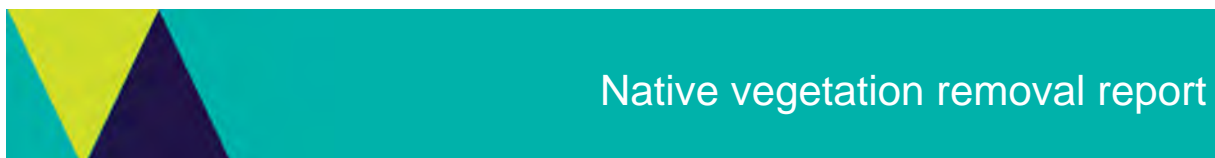
# Native vegetation removal report

Mapped native vegetation and the *Native vegetation condition map*



# Native vegetation removal report





## Appendix 1 - Details of offset requirements

### Native vegetation to be removed

<b>Extent of all mapped native vegetation (for calculating habitat hectares)</b>	0.031	The area of land covered by a patch of native vegetation and/or a scattered tree, measured in hectares. Where the mapped native vegetation includes scattered trees, each tree is assigned a standard extent and converted to hectares. A small scattered tree is assigned a standard extent defined by a circle with a 10 metre radius and a large scattered tree a circle with a 15 metre radius.  The extent of all mapped native vegetation is an input to calculating the habitat hectares.
<b>Condition score*</b>	0.200	The condition score of native vegetation is a site-based measure that describes how close native vegetation is to its mature natural state. The condition score is the weighted average condition score of the mapped native vegetation calculated using the <i>Native vegetation condition map</i> .
<b>Habitat hectares</b>	0.006	Habitat hectares is a site-based measure that combines extent and condition of native vegetation. It is calculated by multiplying the extent of native vegetation by the condition score:  <b>Habitat hectares = extent x condition score</b>
<b>Strategic biodiversity value score</b>	0.100	The strategic biodiversity value score represents the complementary contribution to Victoria’s biodiversity of a location, relative to other locations across the state. This score is the weighted average strategic biodiversity value score of the mapped native vegetation calculated using the <i>Strategic biodiversity value map</i> .
<b>General landscape factor</b>	0.550	The general landscape factor is an adjusted strategic biodiversity value score. It has been adjusted to reduce the influence of landscape scale information on the general habitat score.
<b>General habitat score</b>	0.003	The general habitat score combines site-based and landscape scale information to obtain an overall measure of the biodiversity value of the native vegetation. The general habitat score is calculated as follows:  <b>General habitat score = habitat hectares x general landscape factor</b>

\* **Offset requirements for partial removal:** If your proposal is to remove parts of the native vegetation in a patch (for example only understorey plants) the condition score must be adjusted. This will require manual editing of the condition score and an update to the calculations that the native vegetation removal tool has provided: habitat hectares, general habitat score and offset amount.

### Offset requirements

<b>Offset type</b>	General offset	A general offset is required when the removal of native vegetation does not have a significant impact on any habitat for rare or threatened species. All proposals in the Basic and Intermediate assessment pathways will only require a general offset.
<b>Offset multiplier</b>	1.5	This multiplier is used to address the risk that the predicted outcomes for gain will not be achieved, and therefore will not adequately compensate the biodiversity loss from the removal of native vegetation.
<b>Offset amount (general habitat units)</b>	0.005	The general habitat units are the amount of offset that must be secured if the application is approved. This offset requirement will be a condition to any permit or approval for the removal of native vegetation.  <b>General habitat units required = general habitat score x 1.5</b>
<b>Minimum strategic biodiversity value score</b>	0.080	The offset site must have a strategic biodiversity value score of at least 80 per cent of the strategic biodiversity value score of the native vegetation to be removed. This is to ensure offsets are located in areas with a strategic biodiversity value that is comparable to the native vegetation to be removed.
<b>Vicinity</b>	Port Phillip And Westport CMA or Macedon Ranges Shire Council	The offset site must be located within the same Catchment Management Authority boundary or municipal district as the native vegetation to be removed.
<b>Large trees</b>	0 large tree (s)	The offset site must protect at least one large tree for every large tree removed. A large tree is a native canopy tree with a Diameter at Breast Height greater than or equal to the large tree benchmark for the local Ecological Vegetation Class. A large tree can be either a large scattered tree or a large patch tree.

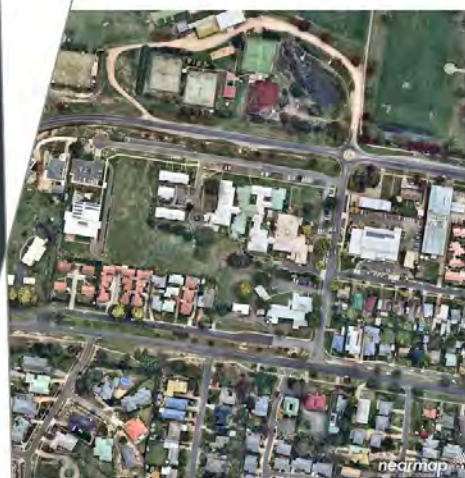
# Traffic & Transport Assessment

Retirement Village Development –  
Gisborne

V181318

Prepared for  
Benetas

24 January 2022



now





**Contact Information**

**Cardno Victoria Pty Ltd**  
ABN 47 106 610 913

Level 4  
501 Swanston Street  
3000  
Australia

www.cardno.com  
Phone +61 3 8415 7777  
Fax +61 3 8415 7788

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Author(s):

Joshua Carroll  
Graduate Traffic Engineer

Effective Date 24/01/2022

Approved By:

Luke Smith  
Senior Traffic Engineer

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Our report is based on information made available by the client. The validity and comprehensiveness of supplied information has not been independently verified and, for the purposes of this report, it is assumed that the information provided to Cardno is both complete and accurate. Whilst, to the best of our knowledge, the information contained in this report is accurate at the date of issue, changes may occur to the site conditions, the site context or the applicable planning framework. This report should not be used after any such changes without consulting the provider of the report or a suitably qualified person.

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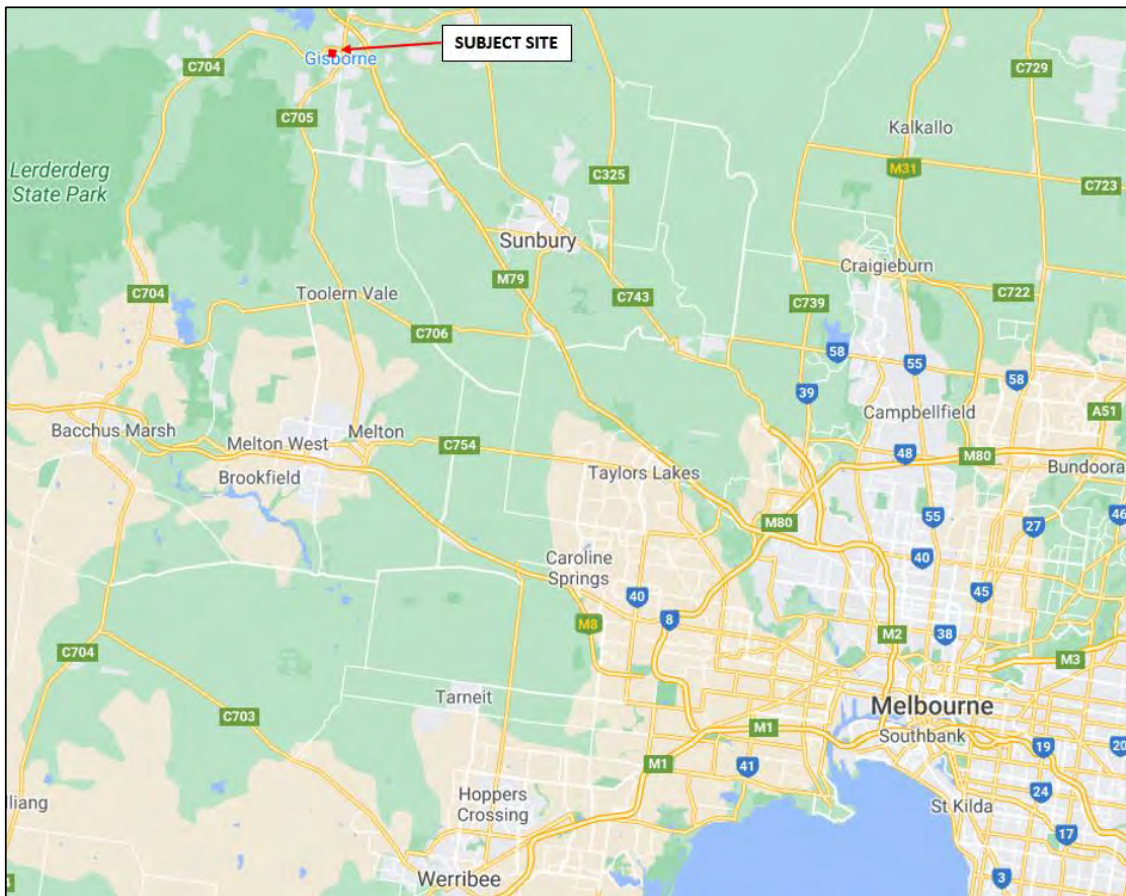
# 1 Introduction

Cardno has previously undertaken a Traffic and Transport Assessment Report (V181318REP001F02, dated 18 March 2021) of the proposed nursing home at 5 Neal Street, 6-10 Neal Street, 80 Hamilton Street & 61 Robertson Street, Gisborne.

Follow the submission of this report, Cardno has been retained by Benetas to undertake a Traffic and Transport Assessment of the proposed **retirement village** at the same site, as part of the Stage 2 development.

In the course of preparing this assessment, the previous report has been referenced, plans of the development have been reviewed as provided by Demaine Partnership, and relevant data has been analysed.

Figure 1-1 Gisborne Locality



Source: Google Maps





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## 2 Background and Existing Conditions

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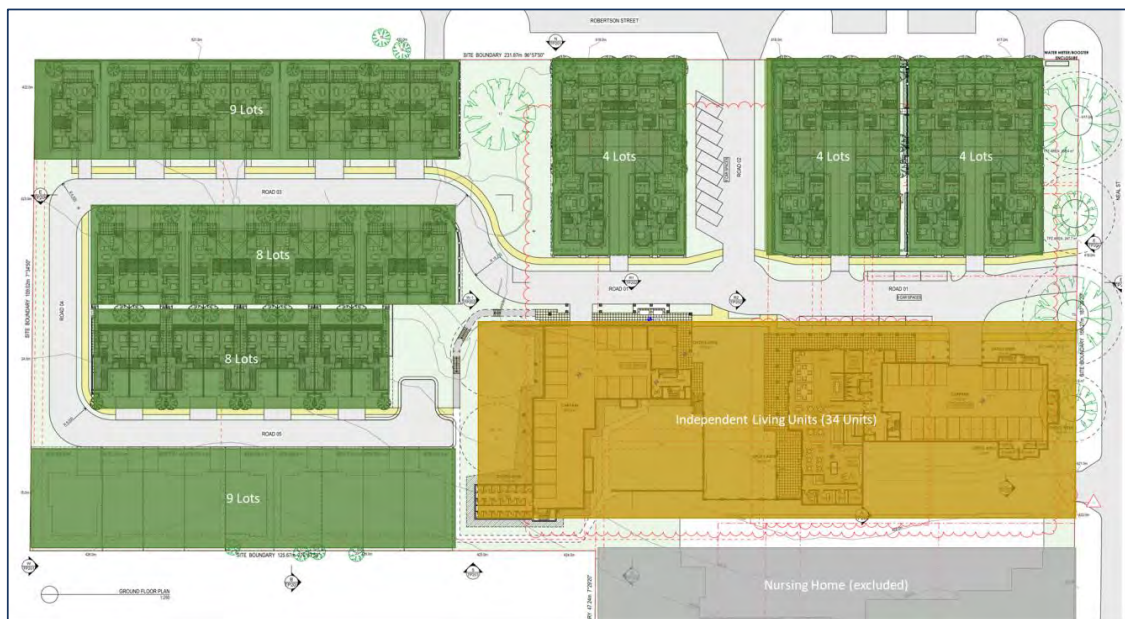
All background and existing conditions remain consistent with the previous report, V181318REP001F02, dated 18 March 2021. Please refer to the previous report.

### 3 Proposed Development

#### 3.1 General

Based on the plans prepared by Demaine Partnership, Stage 2 seeks to develop 46 lots for self-contained retirement village units and 34 independent living units (ILU). The independent living units are split across two (2) three-storey buildings. The proposal includes private access and off-street parking for each lot and kerbside waste pickup. The general layout is shown in Figure 3-1.

Figure 3-1 Proposed Retirement Village Development



Of the total 46 lots, the following bedroom rate applies:

- 26 two-bedroom lots; and
- 20 two-bedroom lots with one study.

The 34 independent living units comprise a mix of one-bedroom and two-bedroom units.

#### 3.2 Access and Parking

The proposed retirement village development incorporates a local access road throughout, with connections into Neal Street and Robertson Street. The new local access roads are designated as Road 01 to Road 05 on the design plans. All vehicle crossovers to the retirement village lots will be via the new access roads.

The proposed access points from the existing road network will be designed to accommodate an 8.8m medium rigid vehicle as the design vehicle, which aligns with the Austroads Guide to Road Design recommendations.

Each lot has a vehicle crossover and an off-street parking space for one vehicle.

#### 3.3 Loading and Waste Collection

It is anticipated that waste collection will occur kerbside at the front of each of the lots.

Cardno has adopted an 8.8m waste vehicle, representative of a council waste collection vehicle as the design vehicle for collection. A swept path of the waste vehicle turning around on road 5 is provided in Appendix A.

## 4 Design Considerations

---

### 4.1 Car Parking

The road layout and access design has been assessed against the requirements of the Macedon Ranges Planning Scheme and the Australian Standard for off-street car parking (AS/NZS 2890.1).

All private off-street car parking arrangements are deemed suitable under the requirements set out in the Macedon Ranges Planning Scheme (superseding the Australian Standards). Car parking meets the required minimum of 4.9m long and 2.8m wide for an aisle width of 5.8m.

### 4.2 Access Arrangements

The proposed site access driveways have been designed in accordance with both the Macedon Ranges Planning Scheme Clause 52.06-9 '*Design Standards for Car Parking*' and the Australia Standard 2890.1-2004 '*Off-street Car Parking*'.

The width of all driveways exceeds the required entry width range of 3.0m – 5.5m with a width of 6.3m. Sight distances to vehicles and pedestrians look to be in accordance. Additionally, all gradients are less than the maximum of 1:8 (12.5%) allowable.

A corner splay extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage has been provided to provide a clear view of pedestrians on the footpath of the frontage road. Landscaping in those areas must be less than 900mm in height.

## 5 Parking Considerations

### 5.1 Statutory Car Parking Requirements

The Macedon Ranges Planning Scheme Clause 52.06 specifies the provision of car parking required for different land uses of the proposed development.

The Planning Scheme provides two car parking measures dependant on the number of rooms counted as bedrooms within each dwelling.

In the specific case of the RV04 residence, which includes two bedrooms and a single study room, the following must be considered when determining the car parking rate:

- > Despite three rooms being offered in the residence, the size of the study is significantly smaller than the two bedrooms. In addition to this, the facilities within the dwelling directly cater for a maximum of two occupants. Each bedroom has a private en-suite, with no communal bathroom provided.
- > The dwelling is located in a retirement village, with expected occupancies in such facilities being either one or two persons.

With consideration of the above, the Planning Scheme Car Parking Measure that counts studies as bedrooms is not applicable to the case of retirement living as study rooms will *not* be inhabited as bedrooms under any circumstances. Therefore, dwellings including the RV04 will be considered one-bedroom or two-bedroom dwellings each requiring a single parking space, except in the case of type RV06.

The six (6) north-eastern dwellings, type RV06, are considered three-bedroom dwellings and therefore meet the requirement for a rate of two parking spaces per dwelling. These are provided for within the double-wide garage attached to each dwelling.

Table 5-1 shows the minimum car parking requirements as per the Macedon Ranges Planning Scheme (Table 1) requirements for the proposed retirement village.

Table 5-1 Car Parking Requirements

Use	No.	Rate	Car Parking Measure	Requirement (Spaces)
Retirement village	42	1	To each one- or two- bedroom dwelling	1 per lot
	6 (type: RV06)	2	To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms)	2 per lot
	46	1	<i>Plus:</i> For visitors to every five dwellings for developments of five or more dwellings	9 visitor spaces
Independent Living Units	34	1	To each one or two bedroom dwelling <i>plus</i> For visitors to every five dwellings for developments of five or more dwellings	34 spaces 7 Visitor Spaces

Considering the above information, there is a requirement for 9 visitor car parking spaces.

Therefore, the proposed visitor parking provision of 17 car parking spaces satisfies the Macedon Ranges Planning Scheme.

There is a requirement for two (2) parking spaces for each other the six (6) RV06 type dwellings, which has been provided for within the double garage attached to each dwelling and therefore the parking satisfies the Macedon Ranges Planning Scheme.

There is a requirement for 1 parking space per dwelling for all other dwellings, which has been provided for within the single garage attached to each dwelling and therefore the parking satisfies the Macedon Ranges Planning Scheme.

The independent living units require a total of 34 spaces for residents with an additional 7 spaces for visitors, resulting in a total requirement of 41 parking spaces. There is a provision of 41 parking spaces for the independent living unit buildings, which satisfies the requirements under the Macedon Ranges Planning Scheme.

There are no Planning Scheme requirements to cater for staff on-site. There are however eight (8) surplus visitor spaces located on Road 01 as per plan TP101-01 which could be utilised for staff vehicles on site. Furthermore, there are currently 52 on-street 90-degree parking spaces located on the Robertson Street service road which can be utilised by staff.

The parking allocations and rates are set out in Figure 5-1.

Figure 5-1 Parking Allocations



## 5.2 Bicycle Parking Requirements

The Macedon Ranges Planning Scheme has no minimum requirement for bicycle parking facilities for a retirement village.

## 6 Traffic Considerations

### 6.1 Surrounding Land Use and Traffic Environment

The proposed retirement village is positioned on the eastern edge of the Gisborne and New Gisborne area. New areas of development in this area will be constructed to the north, east and south of the Gisborne Town Centre, thus largely not affecting the area near the proposed development. This is most likely due to constraints in landscape and elevations to the west along Bacchus Marsh Road.

Whilst being located relatively close to the Gisborne Town Centre, and in between two of Gisborne's main east-west roads, traffic and parking demand generated by the Town Centre is unlikely to affect the area surrounding the retirement village.

Nearby land uses that would be expected to generate a reasonable level of traffic along Robertson Street, Hamilton Street and Neal Street are Macedon Ranges Health (owned by Benetas) on Neal Street and the mixed-use sports fields located north of Robertson Street. However, it is not expected that vehicle movements generated from the medical centre or the sports facilities will have a discernible impact on normal road network operation in the vicinity of the subject site.

Overall, the above indicates that the retirement village operates within a standard, low-volume, residential traffic environment.

### 6.2 Traffic Generation

Traffic generation will be based off the RTA Guide to Traffic Generating Developments (2002), which sets out traffic generation rates for a range of land uses based on empirical studies undertaken by the NSW Road and Traffic Authority.

It is acknowledged in Part 12 of Austroads Guide to Traffic Management as the most comprehensive Australian reference on traffic generation.

The Gisborne retirement village home falls under the definition "*Housing for aged and disabled persons*", in which the following trip generation has been given:

- > Weekday daily vehicle trips = 1 – 2 per dwelling; and
- > Weekday peak hour vehicle trips = 0.1 – 0.2 per dwelling.

For the above, it is understood that "dwelling" refers to a single lot. As such, it is considered appropriate to take the number in the middle of the given range detailed above. That is, 1.5 weekday daily vehicle trips per dwelling and 0.15 weekday peak hour vehicle trips per dwelling. Therefore, the 46-lot development and 34 ILUs are expected to generate the following traffic volumes:

- > Weekday daily vehicle trips = 120 vehicles; and
- > Weekday peak hour vehicle trips = 12 vehicles.

It is also noted that the weekday peak hour for vehicle trips associated with retirement villages will generally fall outside of the regular peak hours of the surrounding road network. Thus, the peak hour traffic generation will have a lesser impact on the existing road network conditions.

The peak hour traffic arrivals and departures are likely to be split as follows:

- > Morning peak hour – 75% arrivals, 25% departures; and
- > Afternoon peak hour – 40% arrivals, 60% departures.

During the AM site peak hour, the total trip generation is expected to be 12 vehicles, with 9 arrival trips and 3 departure trips.

During the PM site peak hour, the total trip generation is expected to be 12 vehicles, with 5 arrival trips and 7 departure trips.

### 6.3 Traffic Impact

In traffic engineering terms, the level of traffic expected to be generated by the proposed retirement village development is considered to be very low.

The above analysis illustrates that the generated traffic will have a negligible impact on the surrounding road network, given the low volumes and design capacity of the road network. Neal Street is considered an Access Street – Level 2 according to Clause 56.06 of the Macedon Ranges Planning Scheme with a traffic volume capacity of 2000 to 3000 vehicles per day. This is further illustrated with the morning and afternoon peaks occurring outside the general peak hour for the surrounding road network.

A total of 12 vehicle movements per hour in the site's peak morning and afternoon periods, inclusive of both arrivals and departures, is equivalent to an average of approximately one vehicle movement per 5 minutes. This level of traffic generation is considered low and is not expected to have any discernible effect on the normal operation of Neal Street, Robertson Street, Hamilton Street and the surrounding road network regardless of how the generated traffic is distributed.

## 7 Conclusions

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Based on the foregoing analysis it is concluded that:

- > It is proposed to develop the site at 5 Neal Street, 6-10 Neal Street, 80 Hamilton Street & 61 Robertson Street, Gisborne for the purposes of a 46-lot retirement village development;
- > The retirement village is positioned to the east of the Gisborne Town Centre, with the surrounding area mostly residential in nature;
- > It is anticipated that the retirement village's vehicle trip generation will have a negligible impact on the overall network due to differing peak vehicle movement periods and low volumes generated:
  - In summary, 12 peak hour vehicle movements are anticipated to be generated, with 75% arrivals and 25% departures in the morning, and 40% arrivals and 60% departures in the afternoon.
- > The carpark and access design are generally in accordance with the Macedon Ranges Planning Scheme and Australian Standard for off-street car parking (AS/NZS 2890.1);
- > A total of 17 car parking spaces are proposed for visitors to the retirement village;
- > Car parking requirements are satisfied for the Independent Living Units, which require a total of one space per dwelling (total of 34 dwellings) plus seven (7) visitor spaces;
- > Car parking requirements are satisfied for the retirement village dwellings where parking is provided within a garage for each lot. One-bedroom and two-bedroom lots require one (1) parking space and three-bedroom lots require two (2) parking spaces, which are provided for; and
- > The retirement village development requires a total of nine (9) visitor parking spaces which are provided on Road 02.

In conclusion, the development meets the traffic engineering requirements as set out by the Macedon Ranges Planning Scheme and the Australian Standards.

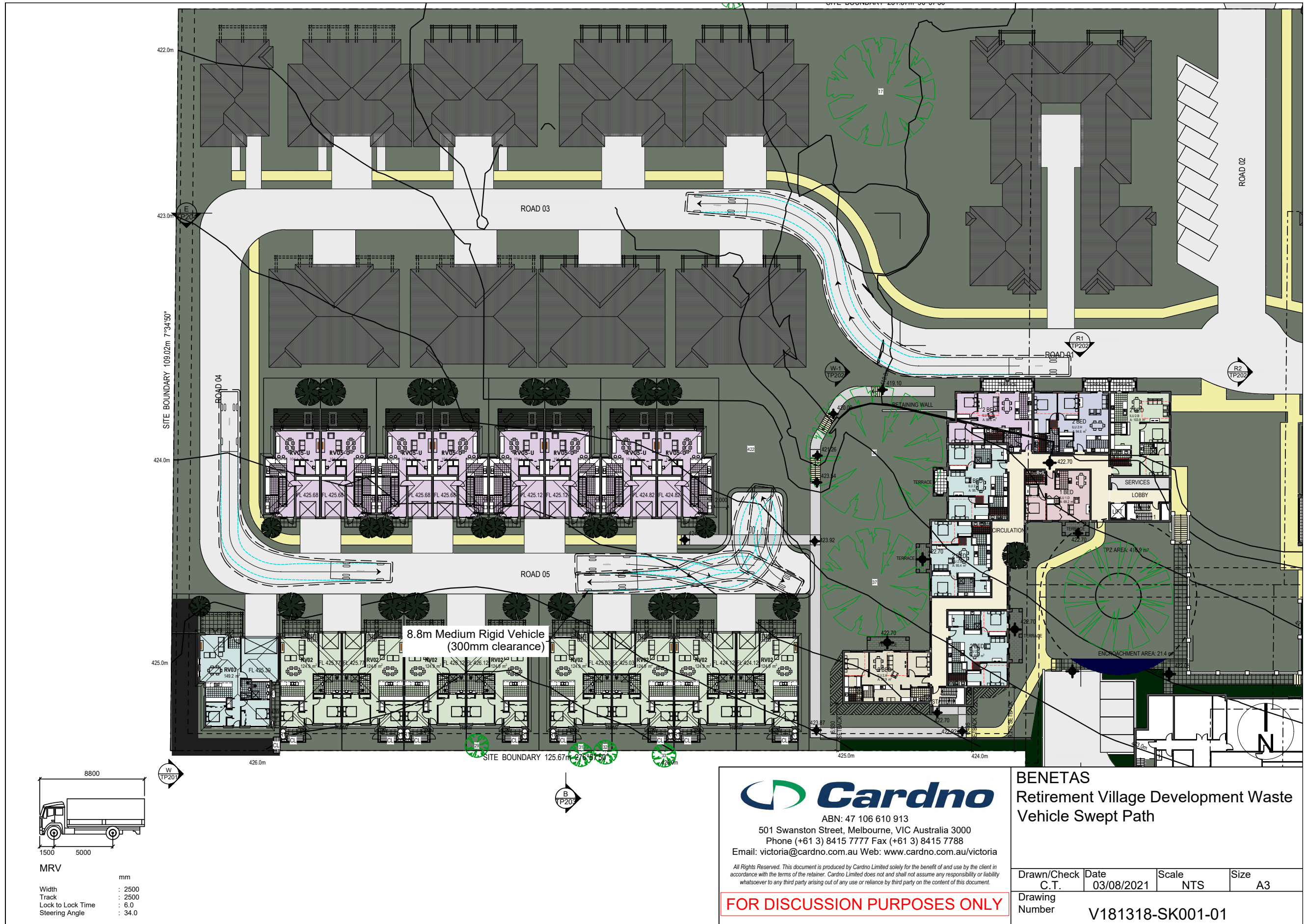


APPENDIX

A

SWEPT PATH ANALYSIS





**Cardno**  
 ABN: 47 106 610 913  
 501 Swanston Street, Melbourne, VIC Australia 3000  
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**BENETAS**  
 Retirement Village Development Waste  
 Vehicle Swept Path

**FOR DISCUSSION PURPOSES ONLY**



## Urban Design Memo

To:	Andrew Gray	Date:	04.08.2022
Company:	Gray Kinnane	From:	Hansen Urban Design Team
Re:	<b>5 Neal Street, 6-10 Neal Street, 61 Robertson Street &amp; 80 Hamilton Street, Gisborne</b>		

Thank you for the opportunity to review the application package for the proposed 3 storey retirement village development at **5 Neal Street, 6-10 Neal Street, 61 Robertson Street and 80 Hamilton Street, Gisborne**. The application has received a Request for Further Information (RFI) dated 6 January 2022 which requires:

*'a written urban design response regarding the proposed three storey height by a qualified Urban Designer and the response must include photo montages from various locations looking toward the site with the proposed built form.'*

In addition, the RFI has raised the following issues in relation to urban design:

*'The proposed three storey height of the two apartment style buildings needs further consideration and justification why such built form is appropriate within Gisborne.'*

*'The continuous roof form of the townhouse style units (RV01, RV02, RV05, RV04 and RV06) would appear to be out of character with the detached character of the nearby dwellings within the neighbourhood.'*

We have reviewed the relevant background information, drawing upon planning policy, analysis of the urban context and on our own knowledge of Gisborne. We provide the assessment of the proposed development in relation to the RFI below:

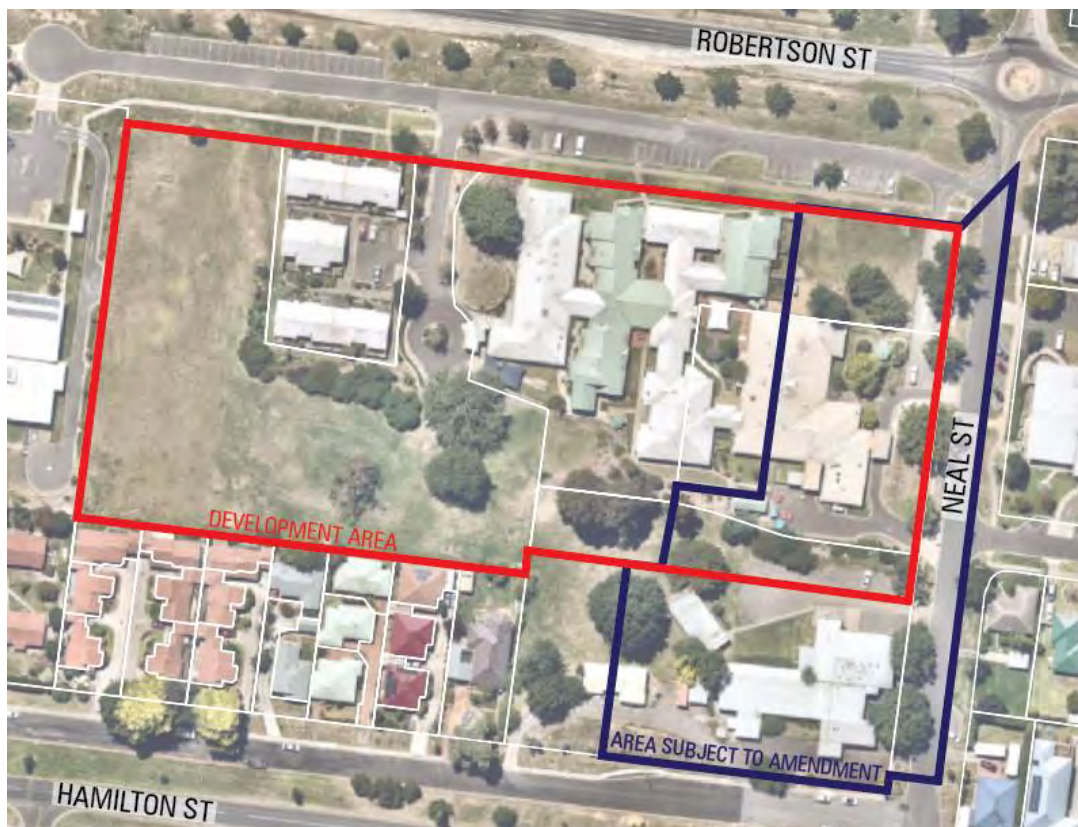
### Site and context

The subject site comprises a series of allotments including a portion for development ('Development Area') of a retirement village, and area subject to the rezoning of land from the Special Use Zone (SUZ4) to the General Residential Zone (GRZ1) ('Area subject to the Amendment'), as shown on the below diagram. The 'Development Area' is located on the western side of Neal Street which has a frontage to Robertson Street (231m) and Neal Street (156m), with an overall site area of 37,800m<sup>2</sup>. Currently, the subject site and its surrounds comprises several aged care related uses including Gisborne Oaks Aged Care Facility, and the former Gisborne and District Bush Nursing Hospital. The site is sloped with an approximate 9m crossfall from the Hamilton Street frontage to north towards Robertson Street and comprises several mature exotic and native trees scattered throughout.

The key site interface conditions are as follows:

- To the **east** is Neal Street, a 20m wide road reserve permitting two-way vehicular traffic movement, marked angle parking on one side and parallel kerbside parking on the opposite side of the street. The street also comprises of large canopy trees on its western side with footpaths and nature strips to both sides. Across the street with an address of 5 Neal Street is Neal Street Medical Clinic located within the Public Use Zone – Schedule 3.

- To the immediate **south** a portion of the sites interface abuts a series of single storey multi-unit dwellings. Also south at 6 Neal Street is the former Gisborne and District Bush Nursing Hospital, this allotment is subject to a recently approved (PLN/2020/473) 3 storey residential aged care facility that is yet to be constructed. Further south is Hamilton Road service road providing vehicle access to the surrounding dwellings and to the future aged care facility. It comprises footpath on its northern edge and unmarked parallel parking on either side.
- To the immediate **west** the site has an immediate abuttal to 71 Robertson Street which partially comprises a single storey building occupied by 'Manna Gum Family and Children's Centre'. Vehicle access is provided from the Robertson Street service road leading to an area of open hard stand parking at the front of the childcare facility.
- To the immediate **north** the site has an abuttal to the Robertson Street service road, permitting two-way traffic movements with marked parking on either side and a footpath on its southern edge. Opposite the service road is Robertson Street permitting one lane of local traffic in each direction. Further north are a series of open spaces and associated sporting facilities including tennis courts, a bowling green, a cricket pitch and a soccer field further north.



Site Context (nearmap)

Hansen Partnership Pty Ltd

**The Proposal**

The application is a combined planning scheme amendment and planning permit application. The planning scheme amendment seeks to rezone the land that is currently zoned Special Use Zone (SUZ4) to a General Residential Zone (GRZ1) in order that the land can be developed for a retirement village. The planning permit application seeks the construction of a retirement village of up to 3 storeys including retirement villa units, communal clubhouse, and assisted living component. Specifically, key components of the proposal are as follows:

- A total 58 car parking spaces including 17 street parking space and 41 internal spaces located at the Ground Floor of both the Clubhouse and the assisted living units.
- Vehicle access is provided via the existing Neal Street frontage with an additional access road connected to the Robertson Street service land to the north. Vehicle access throughout the proposal is facilitated by an internal road network that allows access to each individual retirement units car parking space.
- A total 46 units comprising the following typologies:
  - 8x RV01 units which comprised 2 bedrooms.
  - 16x RV02 units which comprised 2 bedrooms.
  - 1x RV03 units which comprised 2 bedrooms.
  - 6x RV04 units which comprised 2 bedrooms.
  - 8x RV05 units which comprised 2 bedrooms.
  - 6x RV06 units which comprised 3 bedrooms.
  - 1x RV07 units which comprised 2 bedrooms.
- An assisted living component or 'Apartment 2' centrally located within the proposal which comprises car parking (20 spaces), studio space and storage lockers at Ground Floor. Level 1 comprises 1x 1 bedroom unit and 7x 2-bedroom units. Level 2 similarly comprises 1x 1 bedroom unit and 7x 2-bedroom units.
- The clubhouse component or 'Apartment 1' comprises car parking (21 spaces) at ground floor including a hair salon, storage spaces and multipurpose clubhouse and lounge room. Level 1 comprises 2x 1 bedroom units and 7x 2 bedroom units. Level 2 comprises 2x 1 bedroom units and 7x 2 bedroom units.
- A material palette comprising colorbond roof sheeting, smooth and rough render finishings, sandstone and cladding board with metal trim elements.



Site plan extract from Landscaping Concept Plan

Hansen Partnership Pty Ltd

**Planning Policy**

The subject site is partially located within the **Special Use Zone – Schedule 4 (SUZ4)** which seeks to:

- *To provide for private hospitals and associated uses.*

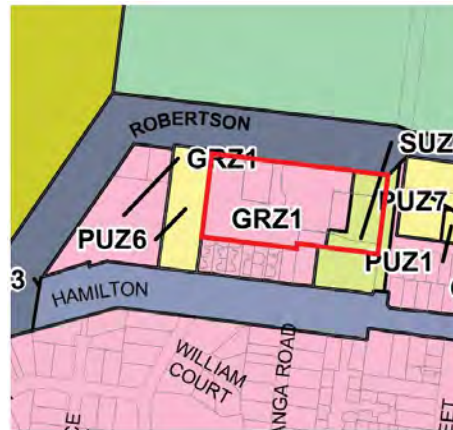
The planning scheme amendment seeks to rezone the land that is currently zoned Special Use Zone (SUZ4) to a General Residential Zone (GRZ1) which prohibits the use of the use of the land for a retirement village. As such, the SUZ4 is no longer required and the land should be rezoned to reflect the adjoining GRZ1 zoning, under which an aged care facility and retirement village are permitted.

The subject site is partially located within the **General Residential Zone – Schedule 1 (GRZ1)** which seeks to:

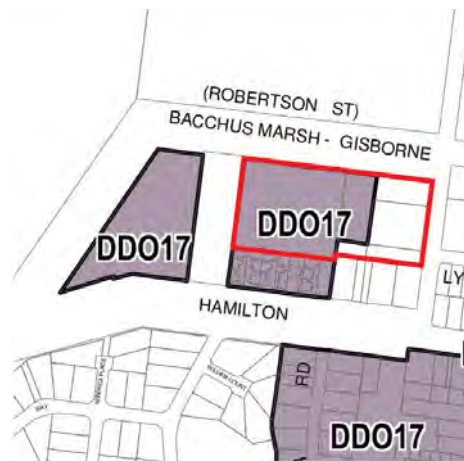
- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

The site is partially affected by **Design and Development Overlay – Schedule 17 (DDO17)**. It seeks the following objectives:

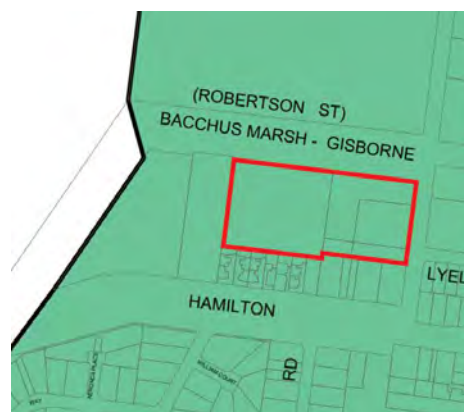
- *To implement design and development controls for the land in accordance with the Gisborne / New Gisborne Outline Development Plan, Revised Final Report, September 2009.*
- *To protect and enhance the established semi-rural and village character of the residential area surrounding the Gisborne town centre.*
- *To ensure that new development has proper regard for established streetscape and development patterns in terms of building design, height, form, scale, siting and fencing styles.*



Zone extract



DDO17 Extract



DCPO2 Extract

- *To provide for a diversity of housing types, including catering for the needs of elderly persons and sole person households, within proximity of town services and public transport.*
- *To ensure existing significant vegetation is protected and to encourage the provision of a high quality landscaped setting for all new developments.*
- *To ensure that subdivision proposals enable new buildings to be integrated with their site and the surrounding area.*
- *To encourage innovative, high quality architecture and urban design that incorporates environmental sustainable development principles.*
- *To ensure new development respects it's natural and built environment and does not dominate the landscape.*

The subject site is also affected by the **Development Contributions Plan Overlay – Schedule 2 (DCPO2)**.

The following State and Local planning policies are considered relevant:

- *Clause 11 – Settlement;*
- *Clause 15 – Built Environment and Heritage;*
- *Clause 16 – Housing;*
- *Clause 21.02 – Key Issues and Influences;*
- *Clause 21.03 – Vision – Strategic Framework Plan;*
- *Clause 21.04 – Settlement;*
- *Clause 21.08-3 – Built Environment;*
- *Clause 21.09 – Housing;*
- *Clause 21.13-1 – Gisborne and New Gisborne; and*
- *Clause 55 – Two or More Dwellings on a Lot and Residential Buildings.*

Other relevant documents include:

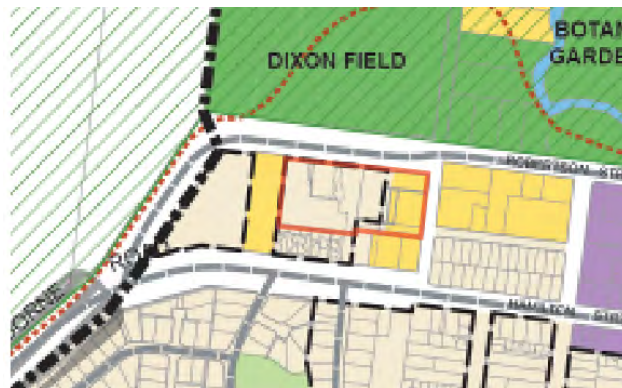
- *Gisborne/ New Gisborne Outline Development Plan, Revised Final Report (2009).*
- *Victorian Urban Design Charter (2010);*
- *Urban Design Guidelines for Victoria (2017);*
- *Gisborne Futures: Structure Plan Draft (2020) (Not yet within the Planning Scheme);*
- *Gisborne Futures: Neighbourhood Character Study (2020) (Not yet within the Planning Scheme); and*
- *Gisborne Futures: Urban Design Framework (2020) (Not yet within the Planning Scheme).*

Urban Design Assessment

Strategic Context and Urban Form

- Strategically, the Macedon Ranges Planning Scheme identifies the Gisborne as a ‘Regional Centre’, the largest of the settlement types within the Strategic Framework Plan (Clause 21.03-3 – Strategic Framework Plans). It is anticipated that the population will increase by 16,000 residents by 2036 with a large portion of this growth expected within ‘Regional Centres’.
- The Planning Scheme also acknowledges an ageing population stating that *‘the changing demographic within the shire is increasing demand for a greater diversity of housing, inducing options for lone persons housing and to facilities ageing in place within the shire and its individual settlements’* (Clause 21.09 – Housing). In addition, to *‘facilitate ageing in place by identifying suitable locations for medium density development in structure plans and outline development plans which provide good access to services.’*

- Clause 21.13-1 - Gisborne and New Gisborne (Settlement and Housing) Strategy 1.8 identifies suitable locations for medium density housing and seeks to *‘encourage in appropriate locations, medium density housing within 400m walking distance of the Gisborne town centre as designated on Gisborne/ New Gisborne Framework Plan’*. A portion of the site is designated as an area for medium density housing.



*Subject Site partially identified in black dotted line as a preferred area for medium density housing. (Clause 21.13-1 – Gisborne and New Gisborne)*

- Clause 21.13-3 - Gisborne and New Gisborne (Settlement and Housing) provides guidance with objectives on heritage, landscape and township character.
  - *Objective 1 - To maintain and improve key urban and landscape elements, and cultural heritage assets that contribute to the established semi-rural township and village character of Gisborne and New Gisborne.*
  - *Objective 2 - To protect and improve the appearance of the semi-rural landscape along the Calder Freeway, railway corridors and key township entrances.*
  - *Objective 3 - To ensure that changes in built form within established township areas are sympathetic with any heritage significance or the valued character of the area*
- Importantly, the policy seeks to *‘ensure that new development responds to key features of existing streetscapes including building materials, colours, height, setbacks, bulk, articulation, significant vegetation, site coverage and density, particularly within established township areas and areas of landscape sensitivity’* (Strategy 1.6) and *‘ensure new urban development is of a low profile and compatible with the landscape qualities of the area’* (Strategy 1.7)



- The site is also partially subject to Design and Development Overlay – Schedule 17 (Gisborne Town Centre Residential Area), and while the schedule does not contain specific built form measurement controls in terms of building heights, setbacks and interface management controls, a number of character objectives intend to guide development to ensure a suitable fit within its surrounding context including; *'ensure that new development has proper regard for established streetscape and development patterns in terms of building design, height, form, scale, siting and fencing styles'*, and *'to provide for a diversity of housing types, including catering for the needs of elderly persons and sole person households, within proximity of town services and public transport'*
- The site benefits from a notable size which can absorb and sensitively conceal its scale and appropriately transition to the surrounding lower-scale developments. It will be important to understand the urban characteristics of the surrounding context to determine if a development will represent an appropriate fit within to meet the provisions of Clause 21.13-3 - Gisborne and New Gisborne (Settlement and Housing) and DD017.
- Observations of the wider existing developments reveal low scale residential forms of 1-2 storeys to the residential hinterland. Notably to the south is an approved 3 storey nursing home (6 Neal Street) and to the east a recent 2-3 storey medical centre, which leans towards an evolving centre and one that accommodate modest infill development.
- From a strategic context perspective, we consider the development intent, comprising a 3 storey retirement village supportable in this location. Given large subject site area, the strategic ambitions of the area and the existing surrounding land uses we believe that this proposal appropriately responds to its surrounding context. Of particular note is the aforementioned recently approved 3 storey nursing home at 6 Neal Street, we consider this acknowledgement of the subject sites ability to accommodate modest sized redevelopment. A careful assessment against building height, streetscape/ interface conditions, architectural expression and landscaping under Clause 21.13-1 and DD017 will be necessary to determine the proposals overall success.

#### Building Height

- The proposed building height, comprising single storey forms along Roberston Street with 2-3 storeys to the rear along Neal Street has been carefully sited and designed to respond to the sites frontages and interfaces.
- In the absence of specific height controls (in the Planning Scheme) the assessment of building heights, will need to be assessed against objectives and strategies in the zone, overlays and policy.
- The proposal reaches a maximum building height of 3 storeys (approximately 14m). A 3 storey proposal here is in our view appropriate given site size and urban form context. Given the arrangement and position of the 3 storeys, towards the rear along Neal Street and away from the main road frontage of Robertson Street (as the designated gateway entrance to Gisborne), the proposal will be discreet in profile. From Robertson Street, it is setback approximately 57m from the road frontage and will be largely concealed behind single storey dwellings. From Neil Street, it will be viewed in the context of the approved 3 storey (approximately 15m) nursing home immediately adjoining the south. We believe the proposed 3 storey configuration to be entirely apt in urban design and streetscape terms sought by Clause 21.13-1 and DD017. A more detailed analysis of the streetscape conditions is provided in the next section.
- It is noted that the GRZ1 specifies that a building height must not exceed 11m and the building must contain no more than 3 storeys, however retirement villages are not subject to maximum building height as they are not considered as a dwelling or residential building. Similarly, Clause 53.17 (Residential Aged Care Facility) recognises that aged care facilities require greater support and flexibility, particularly to enable 'ageing in place' and additional building services (recreational, health, laundry facilities). It is

recognised that the proposal is not specifically an 'Residential Aged Care Facility', however this clause specifies that a building height must not exceed 16m. While we accept that proposal exceeds the building height requirements in the GRZ1, the proposal meets the building height provisions of Clause 52.17, which further demonstrates the acceptability of the proposal of a similar purpose and function.

- In addition, we note that the Gisborne Futures Plans 2020 (Structure Plan, Urban Design Framework, and Neighbourhood Character Study) seeks a 2-storey street wall to the Neal Street, Hamilton Street, and Robertson Street frontages with the potential for 3-4 storeys within internal areas of the site. Although this document is in Draft format and not yet implemented into the Planning Scheme, the proposal is generally compliant with these requirements.

**Streetscape & Interfaces**

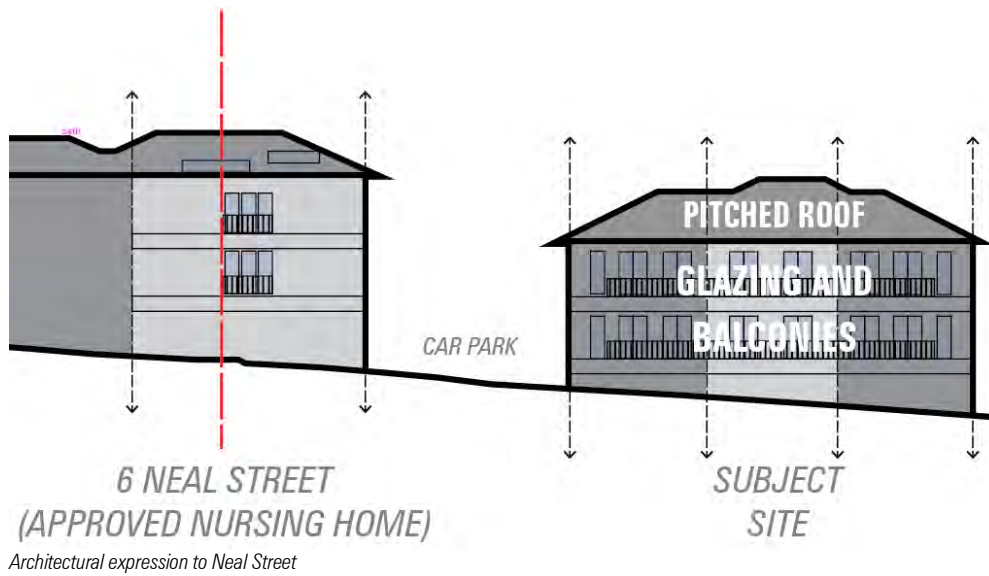
*Neal Street (Eastern Interface)*

- Neal Street has a prevailing building height of 1-2 storeys with a recently approved 3 storey development immediately to the south of a similar purpose and function. The presentation of the proposed development presents as a 3-storey profile comprising setbacks and landscaping to Neal Street.
- The proposal provides a 3.68m ground level setback to allow for ample landscaping opportunities. The 3<sup>rd</sup> storey is further setback at 6.1m, which is greater than the approved nursing home to the south (4m). The proposed street elevation with a maximum wall height of 10.3m is aligned to match the nursing home wall height to the south (11.3m). The scale has responded to the lower scale of development providing a reasonable transition from the 3 storey nursing home to the single storey dwellings on the site.
- The profile has been separated along Neal Street to maintain the rhythm and grain in the streetscape, and allow for reasonable landscaping opportunities and minimise the visual bulk along this frontage.



*Neal Street Streetscape demonstrating a similar building heights to the nursing home, appropriate transition and spaces between buildings*

- The architectural expression clearly demonstrates the variety and visual interest to this frontage. The use of balconies, windows and recesses will 'break' the façade mitigates any impacts of bulk and scale to the street.



- As illustrated in the photomontages below, the proposal will sit comfortably within the streetscape adjoining the approved nursing home. The retention of the English Oak trees along the street frontage will contribute to ‘soften’ views to the proposal. This is an entirely appropriate response, which responds to the existing and emerging character of the street.



View of proposed retirement village from Neal Street looking to the south (no vegetation)



View of proposed retirement village from Neal Street looking to the south (with vegetation)

Hansen Partnership Pty Ltd



*View of proposed retirement village from Neal Street looking to the north (no vegetation)*



*View of proposed retirement village from Neal Street looking to the north (with vegetation)*

#### Robertson Street (Northern Interface)

- Robertson Road is a main arterial road (63m) comprising a service road and grassed nature strips. This northern interface of the proposal presents a single storey profile with a 4.7m setback to the Robertson Road frontage. We believe that a single storey presentation to this frontage is entirely appropriate and supportable in this context especially when considering the generous setback from the road.
- Council has raised specific concerns in relation to the continuous roof form of the townhouse style units (RV01, RV02, RV05, RV04 and RV06) being out of character with the detached character of the nearby dwellings within the neighbourhood. The site plan conceives a concept that is designed to read to townhouse units as a dwelling from the streetscape. The proposed setbacks, rebates and angular roof forms represent a sense of spaciousness and appearance of single dwellings from the street. It is our view that the combination of the design, with adequate setbacks from the street and low profile will maintain the existing streetscape rhythm and grain found within the neighbourhood, as demonstrated below.

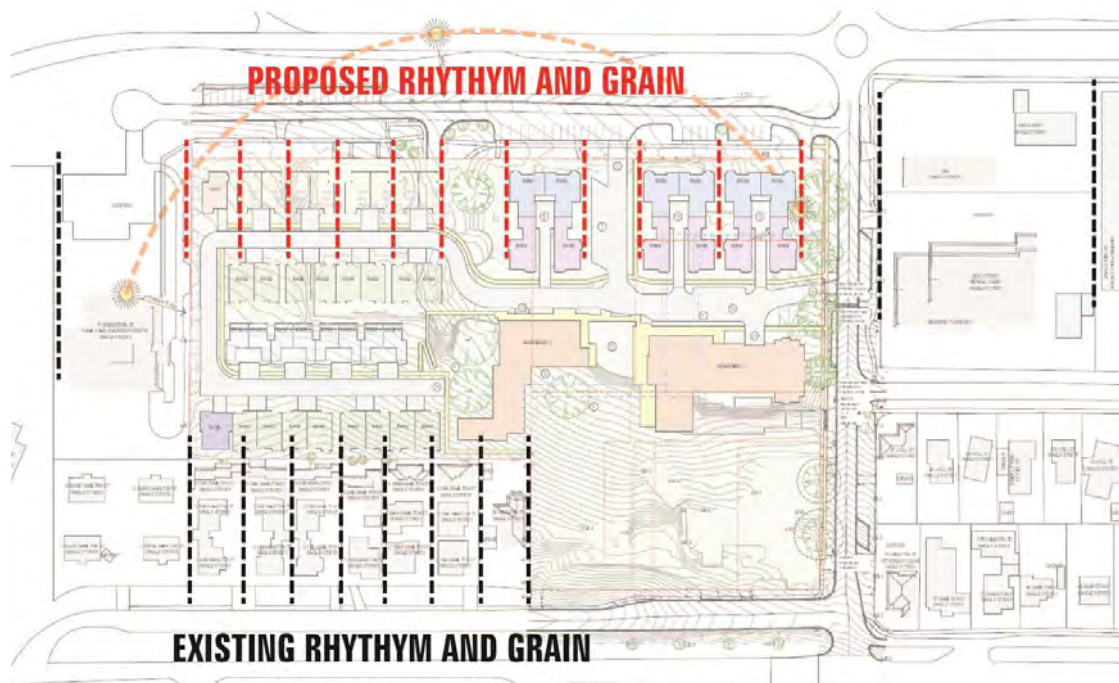


Diagram demonstrating the proposed rhythm and grain from the proposal compared with the neighbourhood

- The front fencing condition is similar to other areas of the proposal comprising low fencing with incorporated landscaping provision which acts to visually soften the view for passing motorists entering Gisborne from the west.
- As illustrated in the photomontage below, the streetscape presentation maintains a low profile with varied setbacks, rebates and angular roof forms of the townhouses. This further demonstrates that the 2-3 storey forms will be sensitively concealed from this frontage.



View of proposed retirement village from Robertson Street looking east

Hansen Partnership Pty Ltd

### Southern Interface

- The southern interface is a sensitive interface due to abutting residential land uses. These residences primarily comprise single storey dwellings with mixed setback to the abutting property line between approximately 0m – 12m. For most of the southern interface the proposal comprises double storey villas with a portion of 'Apartment 2' rising to 3 storeys along this interface.
- The topographical conditions of the site and surrounding context, land slopes downhill from neighbouring properties to north, providing a more gradual transition from lower scale residential to the proposal.
- With a setback of 6.5m the 3-storey interface complies with Clause 55 – Two or more dwellings on a lot and residential buildings B17 side and rear setback standards. Despite not being entirely applicable to a retirement village, we are satisfied that the proposal is suitable along this interface.
- The proposal comprises a landscaping plan which includes the retention of 13 existing trees and the provision of perimeter planting including to the southern interface which will act as a buffer between the proposal and existing development.

### Western Interface

- The western interface abuts a single storey dwelling and children's centre which is setback from its property boundary by 10m. The proposal comprises a mix of single and double storey dwellings to this interface which is largely separated by an internal road providing generous setback from its western edge.
- We support the proposals western interface condition given the existing neighbouring land use and the low impact of the single and double storey forms at this interface. We believe that there will be minimal off-site amenity impacts from this interface.

### Architectural Expression

- The overall architectural expression is supportable, which we consider visual interest to the streetscape is achieved by a variation in form with balconies and glazing treatments that display a diverse façade treatment along Neal and Robertson Streets.
- We are comfortable with the presentation of the proposed development regarding material and finishes. The materials used include light and natural render, sandstone, brick, and corrugated roofs which are sympathetic to existing materials used in this neighbourhood.

### Landscaping

- A landscaping response for the proposed development is particularly important in this context and is reinforced by Clause 21.13 which seeks to ensure '*a site responsive and high-quality built form outcome is achieved, and generous landscaping that contributes to the local neighbourhood character is provided*'. We commend the applicants well-conceived landscaping plan that ensures the retention of existing vegetation as well as the planting of new street trees, courtyard trees, screening trees and a mix of low-lying and medium shrubs.

## Conclusion

The proposed retirement village is a modest infill response that responds sensitively to the context of built form within the surrounding area. The proposal seeks to 'fit' into the surrounding suburban character by providing a spacious site planning response and landscaped setting. We support the proposed 3 storey form as it has been sensitively arranged to minimise its visual impact on surrounding streetscapes, the presentation of 3 storeys along Neal Street has been carefully designed to sit comfortably within the streetscape, particularly adjoining the 3-storey nursing home. The proposal is well articulated with a variety of external wall treatments and materials which moderate the presentation of built form. It has been arranged in an orderly manner with generous space between buildings and site frontages to allow for ample space for landscape opportunities and canopy tree planting.

Overall, we are satisfied that the proposal, and as illustrated in photomontages, represents a supportable urban design outcome and addresses the concerns raised in the RFI. Therefore, we are pleased to provide our support for the proposed development within the application package.

Yours faithfully,

Hansen Partnership Pty Ltd

**Urban Design Team**

**04/08/2022**

Hansen Partnership Pty Ltd

*Planning and Environment Act 1987*

**MACEDON RANGES PLANNING SCHEME**

**AMENDMENT C147macr**

**EXPLANATORY REPORT**

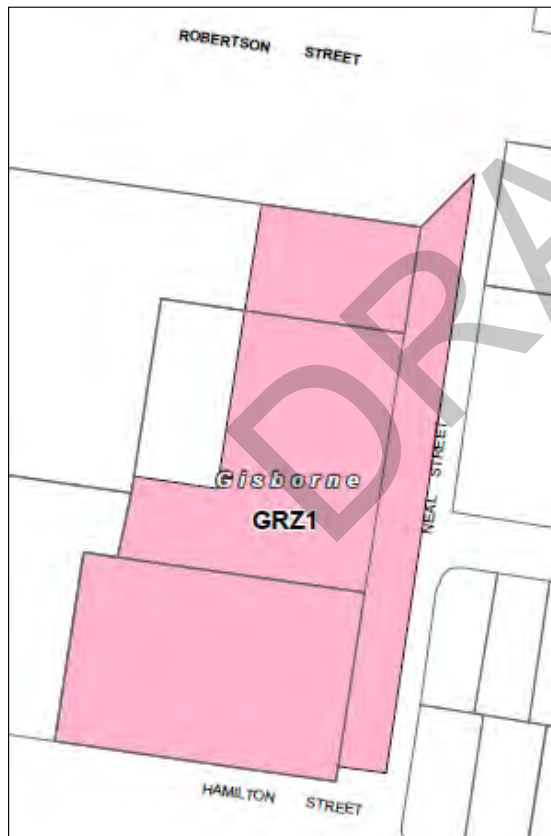
**Who is the planning authority?**

This amendment has been prepared by the Macedon Ranges Shire Council, which is the planning authority for this amendment.

The amendment has been made at the request of Anglican Aged Care Services Group (T/A Benetas).

**Land affected by the amendment**

That part of the Amendment seeking to rezone land applies to approximately 9,420 square metres of land (“the land”) known as 5, 6 & 10 Neal Street Gisborne and 61 Roberston Street Gisborne together with part of the Neal Street Road Reserve.



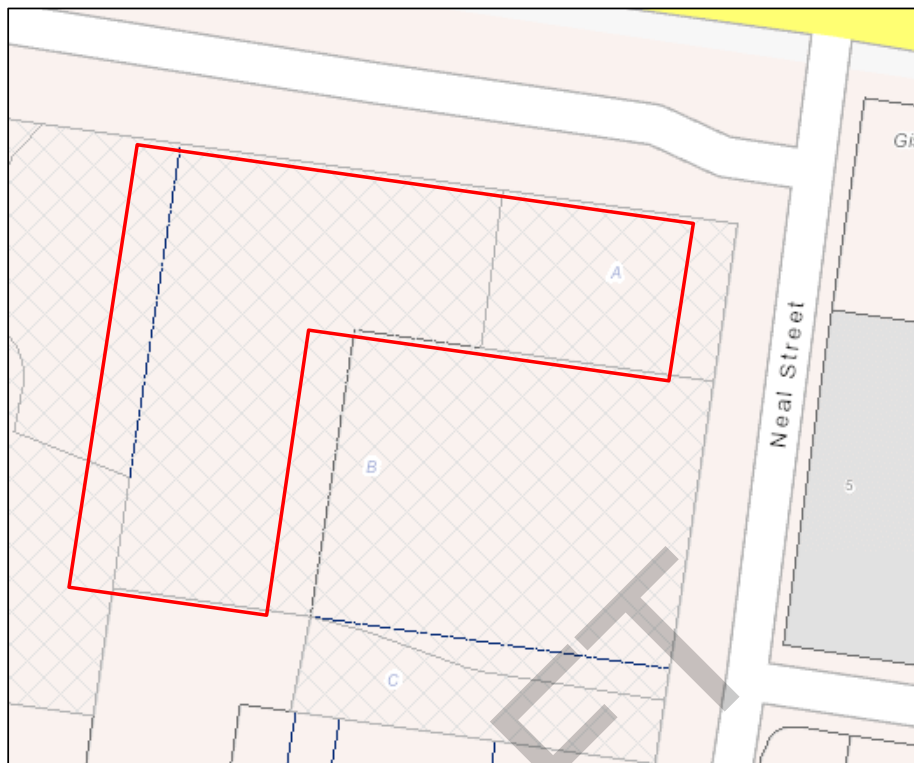
**Land subject to rezoning under Amendment C147macr**

The land is further described as:

- Lot 1 on TP318877T
- Lot 1 on TP 236007G
- Lots 1 & 2 on TP 561612X







**Land subject to Covenant N077525L (Lot 1 on LP205979)**

The land subject to the amendment forms part of a larger parcel of land that is described as 5 Neal Street, 6-10 Neal Street, 61 Robertson Street & 80 Hamilton Street in Gisborne. The overall site has an area of approximately 3.78 hectares.

As shown on the annotated aerial photograph below, the overall site currently provides for a 75-bed aged care facility in the northeast part of the land, which is known as the Gisborne Oaks, together with affordable retirement accommodation units within the northwest corner of the land.

The former Gisborne and District Bush Nursing Hospital lies within the southeast corner of the land. The former hospital building is now used to provide a "Lifestyle Enhancement Program" run by Macedon Ranges Health Services as well as providing medical consulting rooms and an opportunity shop.

Both the Gisborne Oaks facility and the former Gisborne and District Bush Nursing Hospital are located within the Special Use Zone, Schedule 4 (Private Hospital).



**What the amendment does**

The amendment rezones the land from a Special Use Zone, Schedule 4 (Private Hospital) to a General Residential Zone, Schedule 1 (GRZ1) on Planning Scheme Map No. 36, in the manner shown on the map marked "Macedon Ranges Planning Scheme, Amendment C147mac".

The amendment seeks to facilitate the removal of the restrictive covenant from Lot 1 on Plan of Subdivision 205979T to which the amendment applies, by modifying the Schedule to Clause 52.02 of the Macedon Planning Scheme. Consequently, it will be possible for the owner of the lot to lodge a plan of removal of restriction for certification under Section 23 of the Subdivision Act 1988 showing the restrictive covenant as being removed. Upon that plan of subdivision being lodged and registered at the Titles Office, the restrictive covenant affecting the lot will be removed.

The planning permit application seeks approval for the development of a retirement village, removal of native vegetation (one tree) and alterations to access to a Road Zone (Category 1).

**Strategic assessment of the amendment**

**Why is the amendment required?**

The amendment is required to rezone the land that is currently zoned Special Use Zone (SUZ4) to a General Residential Zone (GRZ1) in order that the land can be developed for a retirement village. The SUZ4 prohibits the use of the land for a retirement village.

The Special Use Zone, Schedule 4 (Private Hospital) covers the land on which the former Gisborne and District Bush Nursing Hospital operated from 1958 until its closure in 1997. In addition, the Gisborne Oaks aged care facility that is also located on the land is reaching end of its operational life and is to be replaced by a new aged care facility.

As such the SUZ4 is no longer required and the land should be rezoned to reflect the adjoining GRZ1 zoning, under which an aged care facility and retirement village are permitted. This is consistent with *A Practitioner's Guide to Victorian Planning Scheme (April 2020)*, which outlines that a Special Use Zone should only provide for the use of land for a specific purpose and to allow land use requirements to be prescribed for a particular site.

In addition, the existing SUZ4 creates a situation where lots are burdened with two different zonings and the Amendment will ensure that each lot that is subject to the Amendment will have only one zone applying to them.

The Amendment is also required to remove the restrictive covenant from Lot 1 on Plan of Subdivision 205979T to enable the lots to be developed in accordance with the planning scheme controls that will apply to the land and to facilitate the development of the land for a retirement village.

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

The amendment implements the objectives of planning in Victoria as outlined under section 4(1) of the *Planning and Environment Act 1987*.

In particular, the amendment implements objective:

- (a) *to provide for the fair, orderly, economic and sustainable use, and development of land;*
- (c) *to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*
- (f) *to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e);*
- (fa) *to facilitate the provision of affordable housing in Victoria;*

The proposed rezoning addresses the objectives of the Act and will provide for the land to be provided with a more appropriate General Residential zoning that will reflect the existing adjoining residential zone and ensure that an orderly land use outcome by providing for consistent zoning across the site.

The amendment will facilitate the use and development of the land for a retirement village which is consistent with the strategic objectives of the draft Gisborne Urban Design Framework (UDF) with the land being located in the Health/Civic Precinct. "Preferred Land Uses" in this precinct include aged care and retirement living.

The Amendment seeks to facilitate the removal of a restrictive covenant from Lot 1 on Plan of Subdivision 205979T to enable development in accordance with the GRZ1 and the draft Gisborne Urban Design Framework (UDF) as outlined above.

The proponents for the planning permit application, which seeks approval for the development of a retirement village, are a registered charity as recognised under the Australian Charities and not-for Profits Commission. They provide residential care and retirement living to the aged and as such will facilitate the provision of affordable housing in Victoria.

The Amendment is also consistent with Section 12(1)(a) of the Act.

Under section 46AZC(2) of the *Planning and Environment Act 1987*, a responsible public entity which is a planning authority must not prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for that declared area.

The *Macedon Ranges Statement of Planning Policy* (SPP) was approved on 10 December 2019 and gazetted on 12 December 2019.

The amendment is considered consistent with the following objectives and strategies of the SPP:

- Objective 8 – *To plan and manage growth of settlements in the declared area consistent with protection of the area's significant landscapes, protection of catchments, biodiversity, ecological and environmental values, and consistent with the unique character, role and function of each settlement.*

The amendment supports and strengthens the role of Gisborne as a regional centre in state and regional planning policies and seeks to utilise land within the township boundary to provide for the provision of additional and more diverse housing supply that meets housing needs. The use of the GRZ1 for the land will ensure that the development of the land under the planning permit will respect township character.

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

Overall, the amendment is expected to have positive social and economic benefits for the Macedon Ranges Shire that includes the application of an appropriate zoning to match the ownership, use and intention of the affected land and surrounding land use activities, thereby removing unnecessary planning restrictions that stem from incorrectly applied zoning.

Allowing for the development of the land for affordable retirement living and to provide for an integrated retirement and aged facility that will allow for ageing in place and the ability for residents to move from independent living, to assisted living and then to more comprehensive care as provided in the aged care facility. The operation of this aged care precinct will enhance employment opportunities for a wide range of people who would be required to provide care to residents and to manage the facility.

The amendment aligns with the Macedon Ranges Shire Positive Ageing Plan 2016-2020 that identifies the need for the provision of additional retirement and aged care accommodation in the sure to meet the growing demand for this accommodation. The land is also close to the Gisborne town centre and therefore is well located in terms of access to the services and facilities available in the town centre.

Finally, the amendment will have positive social and economic effects by allowing for the removal of existing restrictive covenant which currently limits the appropriate use of the land in accordance with the expectation of the Macedon Ranges Planning Scheme.

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

The proposed amendment does not affect any areas of identified bushfire risk and as such has no Bushfire risk in the Planning Policy Framework (Clause 13.05-1).

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

The amendment complies with the requirements of:

- The Ministerial Direction - *The Form and Content of Planning Schemes*.
- Minister's Direction No. 11, *Strategic Assessment of Amendments*.

The Amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Act and Ministerial Direction No. 11 – Strategic Assessment of Amendments. A Strategic assessment of the proposed amendment has been undertaken in accordance with this Ministerial Direction in this explanatory report.

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

The amendment supports one of the purposes of the planning scheme as outlined at Clause 01, which is to provide a clear and consistent framework within which decisions about the use and development of land can be made.

The amendment is consistent with:

- Clause 11 *Settlement* - This Clause seeks to anticipate and respond to the needs of existing and future communities through provision of appropriately zoned and serviced land for housing. Planning for urban growth should consider opportunities for the consolidation, redevelopment and intensification of existing urban areas and in particular to provide for land that will ensure housing choice and affordability. The amendment supports this clause by providing the opportunities for redevelopment and renewal of underutilised land in an established urban area of Gisborne proximate to facilities and services.
- Clause 15 *Building Design* seeks to achieve urban design and built form outcomes that contribute positively to the local context, create a sense of place and enhance the public realm. The amendment will facilitate the regeneration of the site to create a new and improved retirement living precinct comprising of architecturally design buildings set in a landscaped setting.
- Clause 16 *Housing* This Clause seeks to provide for the provision of additional well-located

housing together with a diverse and affordable supply of housing supply. This clause also seeks to facilitate the development of well-designed and appropriately located residential aged care facilities and as such the amendment is consistent with Clause 16.

It is not expected that the amendment will have a significant impact on the implementation of the Planning Policy Framework or any adopted State policy.

**How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

The amendment supports the Local Planning Policy Framework, including the Municipal Strategic Statement (MSS) as the local framework details a hierarchy of settlements within the municipality. Gisborne is identified as a "regional centre" at the top of this hierarchy which is defined as:

- *A centre with a large, diverse population (10,000 plus), employment and housing base. All essential services are connected, and higher order goods and services are provided. All levels of education are offered and access to large hospitals and numerous medical facilities is generally provided. Regional centres have strong relationships with surrounding settlements of all types.*

The framework identifies that growth will be directed towards the larger settlements such as Gisborne which have the capacity to accommodate greater level of changes as a result of the services available. Housing policies at Clause 21.09, identify that:

- *The changing demographic within the Shire is increasing demand for a greater diversity of housing, including options for lone person households and to facilitate ageing in place within the Shire and its individual settlements. [...]*

Resulting strategies reference the need to identify options for suitable housing for older persons where opportunities exist for ageing in place. The amendment will facilitate the redevelopment of the overall site with the objective of the design is to create an integrated retirement and aged care precinct with continuity of care from active senior to high level care.

The Gisborne/New Gisborne Outline Development Plan which is incorporated at Clause 21.13-1 of the Municipal Strategic Statement generally encourages the consolidation of housing opportunities within existing urban areas of the Township, particularly within a 400-metre walking distance of the Gisborne Town Centre.

The amendment will improve land use and development outcomes in Gisborne and is consistent with the Local Planning Policy Framework with no significant impact on the implementation of the local content of the Planning Policy Framework or MSS.

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

The amendment rezones land to and appropriate residential zoning so as to replace the redundant SUZ4 zoning of the land and as such will ensure the planning scheme makes better use of the Victoria Planning Provisions and that an appropriate zoning applies to the land.

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

The views of relevant agencies will be sought as part of the exhibition process for the amendment

The planning permit will require referral to the Department of Transport in relation to the alterations to the access to the Road Zone (Category 1)

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

The amendment is rezoning land to ensure that the most appropriate planning controls apply to the affected land. It is considered that the amendment will not have a significant impact on the transport system.

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

The nature of the amendment is administrative, with the application of the General Residential Zone and the use of the Schedule to Clause 52.02 of the Macedon Ranges Planning Scheme and as such there will not be a significant increase or impact on the resource and administrative costs of the responsible authority.

**Where you may inspect this amendment**

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

Macedon Ranges Shire Council offices and Service Centres at:

- [www.mrsc.vic.gov.au](http://www.mrsc.vic.gov.au)
- Kyneton Council Office, 129 Mollison Street, Kyneton.
- Gisborne Council Office, 40 Robertson Street, Gisborne.
- Woodend Library, Cnr Forest and High Streets, Woodend.
- Romsey Library, 96-100 Main Street, Romsey.

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

DRAFT

MACEDON RANGES PLANNING SCHEME

--/--  
C147

**SCHEDULE TO CLAUSE 52.02**

**1.0**  
--/--  
C147

**Under Section 23 of the Subdivision Act 1988**

Land	Easement or restriction	Requirement
61 Robertson Street Gisborne being Lot 1 on Plan of Subdivision 205979T and being the land described in Certificate of Title Volume 9765 Folio 715	The restriction contained in instrument of transfer Number N077525L registered on 8 October 1987	The whole of the restriction is authorised for removal

**2.0**  
19/01/2006  
VC37

**Under Section 24A of the Subdivision Act 1988**

Land	Person	Action
None specified		

**3.0**  
19/01/2006  
VC37

**Under Section 36 of the Subdivision Act 1988**

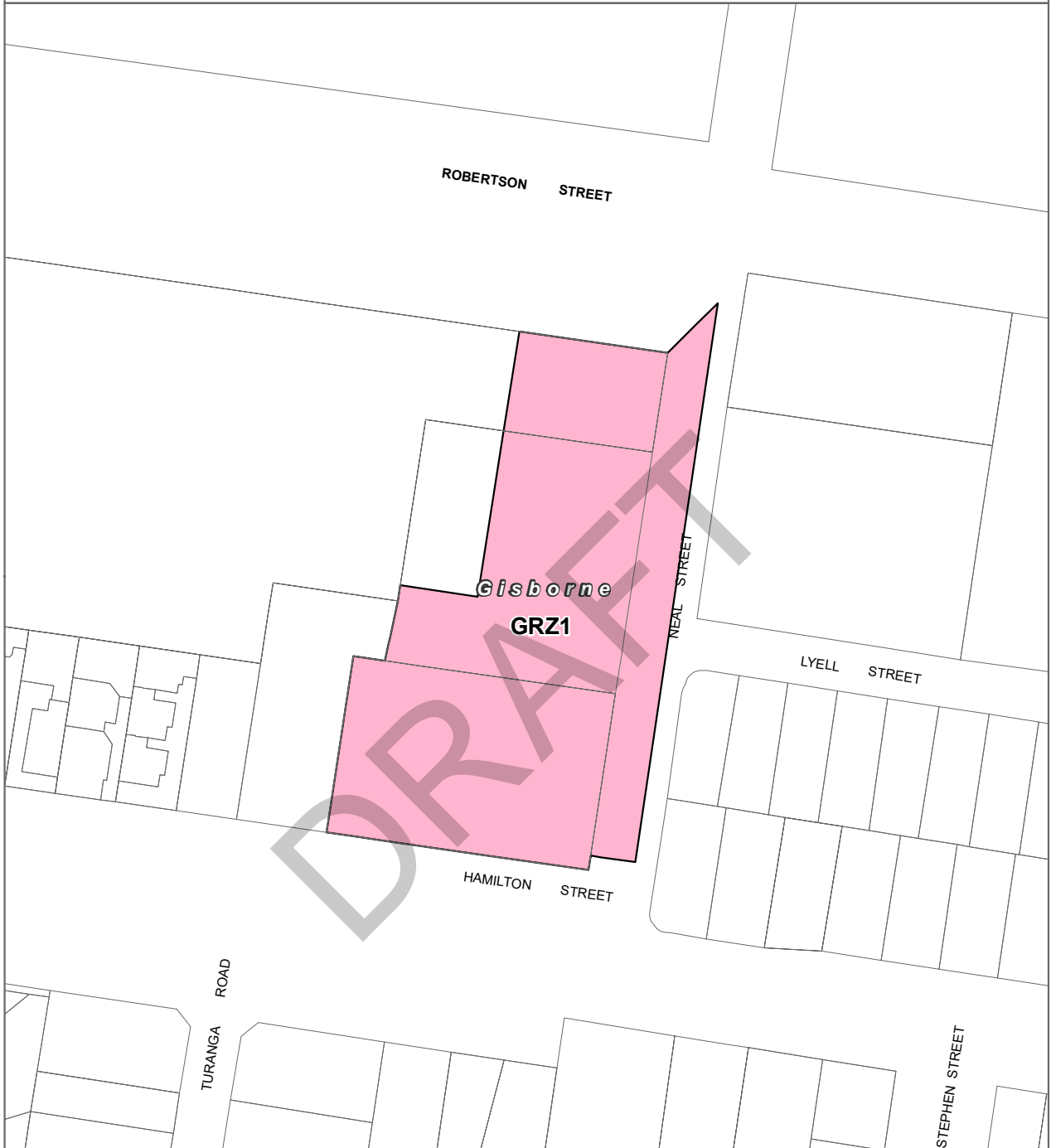
Land	Easement or right of way	Requirement
None specified		

DRAFT





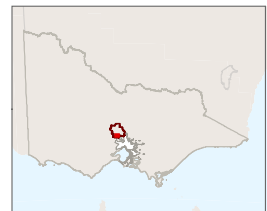
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MACEDON RANGES PLANNING SCHEME - LOCAL PROVISION  
**AMENDMENT C147macr**



**LEGEND**

-  GRZ - General Residential Zone
-  Local Government Area

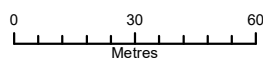


Part of Planning Scheme Map 36

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Environment,  
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MACEDON RANGES PLANNING SCHEME

**32.08 GENERAL RESIDENTIAL ZONE**

31/07/2018  
VC148

Shown on the planning scheme map as **GRZ** , **R1Z** , **R2Z** or **R3Z** with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To encourage development that respects the neighbourhood character of the area.

To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

**32.08-1 Neighbourhood character objectives**

27/03/2017  
VC110

A schedule to this zone may contain neighbourhood character objectives to be achieved for the area.

**32.08-2 Table of uses**

14/11/2022  
VC227

**Section 1 - Permit not required**

Use	Condition
<b>Automated collection point</b>	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
<b>Bed and breakfast</b>	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
<b>Community care accommodation</b>	Must meet the requirements of Clause 52.22-2.
<b>Dependent person's unit</b>	Must be the only dependent person's unit on the lot.
<b>Domestic animal husbandry (other than Domestic animal boarding)</b>	Must be no more than 2 animals.
<b>Dwelling (other than Bed and breakfast)</b> <b>Home based business</b> <b>Informal outdoor recreation</b>	
<b>Medical centre</b>	The gross floor area of all buildings must not exceed 250 square metres. Must not require a permit under Clause 52.06-3. The site must adjoin, or have access to, a road in a Transport

MACEDON RANGES PLANNING SCHEME

Use	Condition
	Zone 2 or a Transport Zone 3.
<b>Place of worship</b>	The gross floor area of all buildings must not exceed 250 square metres. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
<b>Racing dog husbandry</b>	Must be no more than 2 animals.
<b>Railway</b>	
<b>Residential aged care facility</b>	
<b>Rooming house</b>	Must meet the requirements of Clause 52.23-2.
<b>Tramway</b>	
<b>Any use listed in Clause 62.01</b>	Must meet the requirements of Clause 62.01.

**Section 2 - Permit required**

Use	Condition
<b>Accommodation (other than Community care accommodation, Dependent person's unit, Dwelling, Residential aged care facility and Rooming house)</b>	
<b>Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)</b>	
<b>Car park</b>	Must be used in conjunction with another use in Section 1 or 2.
<b>Car wash</b>	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
<b>Convenience restaurant</b>	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
<b>Convenience shop</b>	
<b>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1</b>	Must be no more than 5 animals.

MACEDON RANGES PLANNING SCHEME

Use	Condition
condition is not met	
<hr/> <b>Food and drink premises (other than Convenience restaurant and Take away food premises)</b> <b>Grazing animal production</b> <b>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</b> <b>Market</b> <b>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)</b> <b>Plant nursery</b>	
<b>Service station</b>	The site must either: <ul style="list-style-type: none"> <li>▪ Adjoin a commercial zone or industrial zone.</li> <li>▪ Adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.</li> </ul> The site must not exceed either: <ul style="list-style-type: none"> <li>▪ 3000 square metres.</li> <li>▪ 3600 square metres if it adjoins on two boundaries a road in a Transport Zone 2 or a Transport Zone 3.</li> </ul>
<b>Store</b>	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
<b>Take away food premises</b>	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
<b>Utility installation (other than Minor utility installation and Telecommunications facility)</b>	
<b>Any other use not in Section 1 or 3</b>	
<b>Section 3 – Prohibited</b>	
Use	
<b>Amusement parlour</b>	

MACEDON RANGES PLANNING SCHEME

**Use**

- Animal production (other than Grazing animal production)**
- Animal training**
- Brothel**
- Cinema based entertainment facility**
- Domestic animal boarding**
- Extractive industry**
- Horse husbandry**
- Industry (other than Automated collection point and Car wash)**
- Motor racing track**
- Nightclub**
- Office (other than Medical centre)**
- Retail premises (other than Convenience shop, Food and drink premises, Market, and Plant nursery)**
- Saleyard**
- Transport terminal**
- Warehouse (other than Store)**

**32.08-3**  
31/07/2018  
VC148

**Subdivision**

**Permit requirement**

A permit is required to subdivide land.

An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area. This does not apply to a lot created by an application to subdivide land where that lot is created in accordance with:

- An approved precinct structure plan or an equivalent strategic plan;
- An incorporated plan or approved development plan; or
- A permit for development.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<b>Class of subdivision</b>	<b>Objectives and standards to be met</b>
60 or more lots	All except Clause 56.03-5.
16 – 59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.

MACEDON RANGES PLANNING SCHEME

Class of subdivision	Objectives and standards to be met
3 – 15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> <li>The area of either lot is reduced by less than 15 percent.</li> <li>The general direction of the common boundary does not change.</li> </ul>	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> <li>The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</li> <li>An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</li> </ul>	Clause 59.02
Subdivide land into 2 lots if: <ul style="list-style-type: none"> <li>The construction of a building or the construction or carrying out of works on the land:                             <ul style="list-style-type: none"> <li>Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</li> <li>Has started lawfully.</li> </ul> </li> <li>The subdivision does not create a vacant lot.</li> </ul>	Clause 59.02

**32.08-4**  
15/05/2018  
VC143

**Construction or extension of a dwelling or residential building**

**Minimum garden area requirement**

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

MACEDON RANGES PLANNING SCHEME

Lot size	Minimum percentage of a lot set aside as garden area
400 - 500 sqm	25%
Above 500 - 650 sqm	30%
Above 650 sqm	35%

This does not apply to:

- An application to construct or extend a dwelling or residential building if specified in a schedule to this zone as exempt from the minimum garden area requirement;
- An application to construct or extend a dwelling or residential building on a lot if:
  - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
  - The lot is designated as a medium density housing site in an incorporated plan or approved development plan; or
- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.08-4 on the approval date of Amendment VC110.

**32.08-5**  
31/07/2018  
VC148

**Construction and extension of one dwelling on a lot**

**Permit requirement**

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of between 300 square metres and 500 square metres if specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
  - A lot of less than 300 square metres, or
  - A lot of between 300 and 500 square metres if specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

**No permit required**

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

**VicSmart applications**



MACEDON RANGES PLANNING SCHEME

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
<p>Construct an outbuilding or extend a dwelling if the development:</p> <p>Meets the minimum garden area requirement of Clause 32.08-4.</p> <ul style="list-style-type: none"> <li>▪ Does not exceed a building height of 5 metres.</li> <li>▪ Is not visible from the street (other than a lane) or a public park.</li> <li>▪ Meets the requirements in the following standards of Clause 54:                             <ul style="list-style-type: none"> <li>▪ A10 Side and rear setbacks.</li> <li>▪ A11 Walls on boundaries.</li> <li>▪ A12 Daylight to existing windows.</li> <li>▪ A13 North-facing windows.</li> <li>▪ A14 Overshadowing open space.</li> <li>▪ A15 Overlooking.</li> </ul> </li> </ul> <p>For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.</p> <p>If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.</p>	<p>Clause 59.14</p>
<p>Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling.</p>	<p>Clause 59.03</p>

**32.08-6**  
20/12/2021  
VC174

**Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings**

**Permit requirement**

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

MACEDON RANGES PLANNING SCHEME

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person’s unit on a lot.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.	Clause 59.03

**Transitional provisions**

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Clauses 55 and 58 of this scheme, as in force immediately before the approval date of Amendment VC174, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

**32.08-7 Requirements of Clause 54 and Clause 55**

27/03/2017  
VC110

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

**32.08-8 Residential aged care facility**

26/10/2018  
VC152

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

MACEDON RANGES PLANNING SCHEME

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

**32.08-9 Buildings and works associated with a Section 2 use**

04/12/2020  
VC180

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
<p>Construct a building or construct or carry out works where:</p> <ul style="list-style-type: none"> <li>▪ The building or works are not associated with a dwelling, primary school or secondary school and have an estimated cost of up to \$100,000; or</li> <li>▪ The building or works are associated with a primary school or secondary school and have an estimated cost of up to \$500,000; and</li> <li>▪ The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:                             <ul style="list-style-type: none"> <li>▪ A10 Side and rear setbacks.</li> <li>▪ A11 Walls on boundaries.</li> <li>▪ A12 Daylight to existing windows.</li> <li>▪ A13 North-facing windows.</li> <li>▪ A14 Overshadowing open space.</li> <li>▪ A15 Overlooking.</li> </ul> </li> </ul> <p>For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.</p> <p>If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.</p>	<p>Clause 59.04</p>

**32.08-10 Maximum building height requirement for a dwelling or residential building**

26/10/2018  
VC152

A building must not be constructed for use as a dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- the building height must not exceed 11 metres; and
- the building must contain no more than 3 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

## MACEDON RANGES PLANNING SCHEME

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

#### **Building height if land is subject to inundation**

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

### **32.08-11 Application requirements**

26/10/2018  
VC152

An application must be accompanied by the following information, as appropriate:

- For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.
- For an apartment development of five or more storeys, an urban context report and design response as required in Clause 58.01.
- For an application for subdivision, a site and context description and design response as required in Clause 56.
- Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.
  - The siting and use of existing and proposed buildings.
  - Adjacent buildings and uses.
  - The building form and scale.
  - Setbacks to property boundaries.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.
- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

### **32.08-12 Exemption from notice and review**

26/10/2018  
VC152

## MACEDON RANGES PLANNING SCHEME

**Subdivision**

An application to subdivide land into lots each containing an existing dwelling or car parking space is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**32.08-13 Decision guidelines**

24/01/2020  
VC160

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General**

- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

**Subdivision**

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

**Dwellings and residential buildings**

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For the construction and extension of an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

**Non-residential use and development**

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

**32.08-14 Signs**

26/10/2018  
VC152

Sign requirements are at Clause 52.05. This zone is in Category 3.

## MACEDON RANGES PLANNING SCHEME

**32.08-15 Transitional provisions**26/10/2018  
VC152

The minimum garden area requirements of Clause 32.08-4 and the maximum building height and number of storeys requirements of Clause 32.08-9 introduced by Amendment VC110 do not apply to:

- A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.
- Where a planning permit is not required for the construction or extension of a dwelling or residential building:
  - A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.
  - A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.
  - A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.08-3 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.

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MACEDON RANGES PLANNING SCHEME

10/09/2021  
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**SCHEDULE 1 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE**

Shown on the planning scheme map as **GRZ1** .

**MACEDON RANGES GENERAL RESIDENTIAL AREA**

**1.0**  
10/09/2021  
C131macr

**Neighbourhood character objectives**

None specified.

**2.0**  
10/09/2021  
C131macr

**Construction or extension of a dwelling or residential building - minimum garden area requirement**

**Is the construction or extension of a dwelling or residential building exempt from the minimum garden area requirement?**

No

**3.0**  
10/09/2021  
C131macr

**Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot**

**Is a permit required to construct or extend one dwelling on a lot of between 300 and 500 square metres?**

No

**Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?**

No

**4.0**  
10/09/2021  
C131macr

**Requirements of Clause 54 and Clause 55**

	Standard	Requirement
Minimum street setback	A3 and B6	None specified
Site coverage	A5 and B8	None specified
Permeability	A6 and B9	None specified
Landscaping	B13	None specified
Side and rear setbacks	A10 and B17	None specified
Walls on	A11 and B18	None specified

MACEDON RANGES PLANNING SCHEME

	Standard	Requirement
boundaries		
Private open space	A17	None specified
	B28	None specified
Front fence height	A20 and B32	None specified

**5.0 Maximum building height requirement for a dwelling or residential building**

10/09/2021  
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None specified.

**6.0 Application requirements**

10/09/2021  
C131macr

None specified.

**7.0 Decision guidelines**

10/09/2021  
C131macr

None specified.

DRAFT



MACEDON RANGES PLANNING SCHEME

**37.01 SPECIAL USE ZONE**

31/07/2018  
VC148

Shown on the planning scheme map as **SUZ** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To recognise or provide for the use and development of land for specific purposes as identified in a schedule to this zone.

**37.01-1**  
19/01/2006  
VC37

**Table of uses**

**Section 1 - Permit not required**

Use	Condition
-----	-----------

**Any use in Section 1 of the schedule to this zone**

Must comply with any condition in Section 1 of the schedule to this zone

**Section 2 - Permit required**

Use	Condition
-----	-----------

**Any use in Section 2 of the schedule to this zone**

Must comply with any condition in Section 2 of the schedule to this zone.

**Any other use not in Section 1 or 3 of the schedule to this zone**

**Section 3 - Prohibited**

Use
-----

**Any use in Section 3 of the schedule to this zone**

**37.01-2**  
31/07/2018  
VC148

**Use of land**

Any requirement in the schedule to this zone must be met.

**Application requirements**

An application to use land must be accompanied by any information specified in the schedule to this zone.

**Exemption from notice and review**

The schedule to this zone may specify that an application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.

MACEDON RANGES PLANNING SCHEME

- Any guidelines in the schedule to this zone.

**37.01-3 Subdivision**

31/07/2018  
VC148

**Permit requirement**

A permit is required to subdivide land.

Any requirement in the schedule to this zone must be met.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: <ul style="list-style-type: none"> <li>• The area of either lot is reduced by less than 15 percent.</li> <li>• The general direction of the common boundary does not change.</li> </ul>	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: <ul style="list-style-type: none"> <li>• The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</li> <li>• An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</li> </ul>	Clause 59.02
Subdivide land into 2 lots if: <ul style="list-style-type: none"> <li>• The construction of a building or the construction or carrying out of works on the land:                             <ul style="list-style-type: none"> <li>• Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</li> <li>• Has started lawfully.</li> </ul> </li> <li>• The subdivision does not create a vacant lot.</li> </ul>	Clause 59.02

**Application requirements**

An application to subdivide land must be accompanied by any information specified in the schedule to this zone.

**Exemption from notice and review**

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

MACEDON RANGES PLANNING SCHEME

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any guidelines in the schedule to this zone.

**37.01-4 Buildings and works**

20/12/2021  
VC174

**Permit requirement**

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

Any requirement in the schedule to this zone must be met.

An apartment development must meet the requirements of Clause 58.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works with an estimated cost of up to \$500,000 and the land is not: <ul style="list-style-type: none"> <li>• Within 30 metres of land (not a road) which is in a residential zone.</li> <li>• Used for a purpose listed in the table to Clause 53.10.</li> </ul>	Clause 59.04

**Transitional provisions**

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Clause 58 of this scheme, as in force immediately before the approval date of Amendment VC174, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

**Application requirements**

An application to construct a building or construct or carry out works must be accompanied by any information specified in the schedule to this zone.

## MACEDON RANGES PLANNING SCHEME

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

**Exemption from notice and review**

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- For an apartment development, the objectives, standards and decision guidelines of Clause 58.
- Any guidelines in the schedule to this zone.

**37.01-5 Signs**

31/07/2018  
VC148

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.

DRAFT

MACEDON RANGES PLANNING SCHEME

10/09/2021  
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**SCHEDULE 4 TO CLAUSE 37.01 SPECIAL USE ZONE**

Shown on the planning scheme map as **SUZ4**.

**PRIVATE HOSPITAL**

**Purpose**

To provide for private hospitals and associated uses.

1.0  
14/11/2022  
VC227

**Table of uses**

**Section 1 - Permit not required**

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5.  The gross floor area of all buildings must not exceed 50 square metres.
Hospital	
Mineral exploration	
Mining	
Search for stone	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

**Section 2 - Permit required**

Use	Condition
Car park	
Heliport	Must be in association with a Hospital
Industry (other than Automated collection point )	
Medical centre	
Mining	
Search for stone	

MACEDON RANGES PLANNING SCHEME

Use	Condition
-----	-----------

Store

Any other use not in Section 1 or 3

**Section 3 - Prohibited**

Use
-----

Accommodation

Animal husbandry (other than Apiculture)

Office (other than Medical centre)

Transport terminal (other than Heliport)

Utility installation (other than Minor utility installation and Telecommunications facility)

Warehouse (other than Store)

**2.0**

10/09/2021  
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**Use of land**

None specified.

**3.0**

10/09/2021  
C131macr

**Subdivision**

None specified.

**4.0**

10/09/2021  
C131macr

**Buildings and works application requirements**

A permit is not required to construct a building or construct or carry out works associated with any use in Section 1 of the Table of uses in this schedule.

**Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The interface with adjoining zones, especially the relationship with residential areas.
- The streetscape, including the conservation of buildings, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and landscaping of land adjoining a road.
- The availability of and connection to services.

**5.0**

10/09/2021  
C131macr

**Signs**

None specified.



# Amess Road

## Precinct Structure Plan

February 2023

Draft - Confidential

## ABORIGINAL ACKNOWLEDGMENT

Macedon Ranges Shire Council acknowledges Victorian Aboriginal people as the First Peoples and Traditional Owners and Custodians of the land and water on which we rely.

We proudly acknowledge Victoria's Aboriginal communities and their rich culture and pay our respects to their Elders past and present. Macedon Ranges Shire also recognises the intrinsic connection of Traditional Owners to Country and acknowledges their contribution in the management of land, water and resources.

We recognise and value the ongoing contribution of Aboriginal people and communities to Victorian life and how this enriches us. We embrace the spirit of Reconciliation, working towards the equality of outcomes and ensuring an equal voice.



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Amess Road Precinct Structure Plan

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## GLOSSARY OF TERMS

TERM	DEFINITION
<b>AMENITY BASED DENSITY HOUSING</b>	Housing with an average density of 20 dwellings per net developable hectare.
<b>ARTERIAL ROAD</b>	A higher-order road providing for moderate to high volumes at relatively high speeds. Declared arterial roads are identified under the Road Management Act 2004 and managed by the State Government.
<b>CO-LOCATION</b>	Adjoining land uses to enable complementary programs, activities and services as well as shared use of resources and facilities, for example, the co-location of schools and sporting fields.
<b>COMMUNITY FACILITIES</b>	Infrastructure provided by government or non-government organisations for accommodating a range of community support services, programs and activities. This includes facilities for education and learning (e.g. government and non-government schools, universities, adult learning centres); early years (e.g. preschool, maternal and child health, childcare); health and community services (e.g. hospitals, aged care, doctors, dentists, family and youth services, specialist health services); community (e.g. civic centres, libraries, neighbourhood houses); arts and culture (e.g. galleries, museums, performance space); sport, recreation and leisure (e.g. swimming pools); justice (e.g. law courts); voluntary and faith (e.g. places of worship) and emergency services (e.g. police, fire and ambulance stations).
<b>CONNECTOR STREET</b>	A lower order street providing for low to moderate volumes and moderate speeds linking local streets to the arterial road network and managed by the relevant local council.
<b>ENCUMBERED LAND</b>	Land that is constrained for development purposes, including easements for power/transmission lines, sewer, gas, waterways/drainage; retarding basins/ wetlands; landfill; conservation, protected vegetation and heritage areas. This land may be used for a range of activities (e.g. walking trails, sports fields) and is not credited. However, regard is taken to the availability of encumbered land when determining the open space requirement.
<b>FIRE THREAT EDGE</b>	The interface between urban development and an area which presents a permanent potential for fire to impact on a community.
<b>FRONTAGE</b>	The road alignment at the front of a lot. If a lot abuts two or more roads, the one to which the building, or proposed building faces.
<b>GROSS DEVELOPABLE AREA</b>	Total precinct area excluding encumbered land, arterial roads and other roads with four or more lanes.
<b>INFRASTRUCTURE DESIGN MANUAL (IDM)</b>	Design manual of standardised engineering and landscape works specifications and is a living document. The IDM documents Council's requirements for the design and development of Infrastructure that is or will become Council's Infrastructure and ensures that a minimum design criteria are met in regard to the design and construction of Infrastructure within the Macedon Ranges municipality regardless of whether it is constructed by Council or a developer.
<b>LOCAL LINEAR PARK NETWORK</b>	Corridors of open space that link together forming a network. These corridors have an opportunity to serve both a recreation and biodiversity corridor function.
<b>LAND USE BUDGET TABLE</b>	A table setting out the total precinct area, gross developable area, net developable area and constituent land uses proposed within the precinct.
<b>LOCAL SHOPS</b>	An activity centre smaller than a neighbourhood activity centre or local convenience centre (approximately 500m <sup>2</sup> retail) which may include a small convenience store and/or café, takeaway food or hair/beauty salon etc.
<b>LOCAL SPORTS RESERVE</b>	An organised and (generally) competitive formal outdoor sporting reserve.

<b>LOT</b>	A part (consisting of one or more pieces) of any land (except a road, a reserve, or common property) shown on a plan, which can be disposed of separately and includes a unit or accessor unit on a registered plan of strata subdivision and a lot or accessory lot on a registered cluster plan.
<b>LOWER URBAN DENSITY HOUSING</b>	Housing with an average density of less than 10 dwellings per net developable hectare.
<b>STANDARD DENSITY HOUSING</b>	Housing with an average density of 12 dwellings per net developable hectare.
<b>NATIVE VEGETATION</b>	Plants that are indigenous to Victoria, including trees, shrubs, herbs and grasses.
<b>NATIVE VEGETATION PRECINCT PLAN</b>	A plan, as specified in Clause 52.16 of the Macedon Ranges Shire Planning Scheme, relating to native vegetation within a defined area that may form part of the precinct structure plan. Native vegetation precinct plans are incorporated into local planning schemes and listed in the schedule to Clause 52.16. A native vegetation precinct plan can form part of a precinct structure plan.
<b>NET DEVELOPABLE AREA</b>	Land within a precinct available for development. This excludes encumbered land, arterial roads, railway corridors, government schools and community facilities and public open space. It includes lots, local streets and connector streets. Net Developable Area may be expressed in terms of hectare units (i.e. NDHa).
<b>PASSIVE OPEN SPACE</b>	Open space that is set aside for parks, gardens, linear corridors, conservation bushlands, nature reserves, public squares and community gardens that are made available for passive recreation, play and unstructured physical activity including walking, cycling, hiking, revitalisation, contemplation and enjoying nature.
<b>PRECINCT INFRASTRUCTURE PLAN</b>	Section within the precinct structure plan that defines the priority regional and local infrastructure requirements of future planning and investment by council and government agencies.
<b>PRECINCT STRUCTURE PLAN</b>	A statutory document that describes how a precinct or series of sites within an identified growth area will be developed over time. A precinct structure plan sets out the broad environmental, social and economic parameters for the use and development of land within the precinct.
<b>PUBLIC OPEN SPACE</b>	Land that is set aside in the precinct structure plan for public recreation that incorporates active and passive open space.
<b>SENSITIVE RESPONSE</b>	A design or engineered response that does not significantly conflict with the existing landform.
<b>UNENCUMBERED</b>	Land that is not constrained by uses required to enable development (such as easements for power/transmission lines, sewer, gas, waterways/ drainage: retarding basins/wetlands; landfill; conservation protection vegetation and heritage areas).
<b>URBAN GROWTH ZONE</b>	Statutory zone that applies to land that has been identified for future urban development. The UGZ has four purposes: (1) to manage transition of non-urban land into urban land; (2) to encourage development of well-planned and well-served new urban communities in accordance with an overall plan; (3) to reduce the number of development approvals needed in areas where an agreed plan is in place; and (4) to safeguard non-urban land from use and development that could prejudice its future urban development.
<b>VILLAGE HUB</b>	The heart of the precinct providing residents with a central location for daily needs, community gatherings and services.
<b>WATERWAY</b>	Rivers, tributaries, drainage lines and an existing route that water travels along.
<b>WATER SENSITIVE URBAN DESIGN</b>	A sustainable water management approach that aims to provide water-quality, flood management and green landscapes. Key principles include minimising water resistant areas; recharging natural groundwater aquifers (where appropriate) by increasing the amount of rain absorbed into the ground; encouraging onsite reuse of rain and incorporation of rain gardens' encouraging onsite treatment to improve water quality and remove pollution, and using temporary rainfall storage (regarding basins/wetlands) to reduce the load on drains.

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# 1.0

## INTRODUCTION

The Amess Road Precinct Structure Plan (the PSP) has been prepared by Echelon Planning in consultation with Macedon Ranges Shire Council, Government agencies, service authorities, precinct landowners and major stakeholders.

The PSP is a long-term plan for urban development. It describes how the land is expected to be developed and how and where services are planned to support development.

The PSP:

- Provides Government agencies, the Council, developers, investors and local communities with a level of certainty about future development.
- Sets out plans to guide the delivery of quality urban environments in accordance with the Victorian Government policies and guidelines and local policy.
- Enables the transition from non-urban land to urban land.
- Sets the vision for how land should be developed, illustrates the future urban structure and describes the outcomes to be achieved by future development.
- Outlines projects required to ensure that the future community, visitors and workers within the area are provided with timely access to services and transport infrastructure necessary to support a healthy and happy lifestyle.
- Sets out objectives, requirements and guidelines for land use, development and subdivision.

The PSP is informed by the following policies and guidelines:

- The Planning Policy Framework as set out in the Macedon Ranges Shire Planning Scheme;
- The Precinct Structure Planning Guidelines (Victorian Planning Authority, October 2021)

- Plan Melbourne Refresh 2017-2050, (Department of Environment, Land, Water and Planning 2017);
- Riddells Creek Structure Plan (Prepared by Macedon Ranges Shire Council, 2013).
- Macedon Ranges Statement of Planning Policy , (Department of Environment, Land, Water and Planning 2019);

The following planning documents have been developed in parallel with the PSP to inform and direct the future planning and development of the precinct:

- The Amess Road Development Contributions Plan (September, 2022) (DCP) that applies the requirements for development proponents to make a contribution toward infrastructure required to support the development of the precinct.
- The Amess Road Native Vegetation Precinct Plan (September, 2022) (NVPP) which identifies the native vegetation that is to be retained and that permitted for removal.

A responsible authority may manage development and issue permits as relevant under its general discretion.

**1.1 How to read this document**

This PSP guides land use and development where a planning permit is required under Schedule 1 to the Urban Growth Zone (Clause 37.07 of the Macedon Shire Ranges Planning Scheme), or any other provision of the Macedon Shire Ranges Planning Scheme that references this PSP.

A planning application and subsequent planning permit must implement the outcomes of the PSP. The outcomes are expressed as the VISION AND OBJECTIVES.

Each element of the PSP contains requirements and guidelines as relevant.

**Requirements** must be adhered to in developing the land. Where they are not demonstrated in a permit application, requirements will usually be included as a condition on a planning permit whether or not they take the same wording as in the structure plan. A requirement may reference a plan, table or figure in the structure plan.

**Guidelines** express how discretion will be exercised by the responsible authority in certain matters that require a planning permit. If the responsible authority is satisfied that an application for an alternative to a guideline, implements the outcomes, the responsible authority may consider the alternative. A guideline may include or reference a plan, table or figure in the PSP.

Meeting these Requirements and Guidelines will implement the vision of the PSP.

Development must also comply with other Acts and approvals where relevant e.g. the Environment Protection and Biodiversity Conservation Act 1999 in the case of biodiversity or the Aboriginal Heritage Act 2006 in the case of cultural heritage, amongst others.

Not every aspect of the land's use, development or subdivision is addressed in this PSP.

**1.2 Amess Road Development Contributions Plan**

The Amess Road Development Contributions Plan (DCP) has been developed in parallel with the PSP to inform and direct the future planning and development of the Precinct. The DCP requires development proponents to make a contribution toward infrastructure required to support the future community.

The DCP will set out the requirements for infrastructure funding across the precinct. The DCP will be a separate document incorporated into the Macedon Ranges Shire Planning Scheme and is implemented through the Development Contributions Plan Overlay.

The infrastructure projects that are expected to be included in the DCP are listed in Plan 15 as well as Table 6 (Chapter 4) of this PSP.

**1.3 Background Information**

The Amess Road PSP Background Report provides background information relating to the precinct, including its local and rural context, history, landform and topography, biodiversity, drainage, open space, transport infrastructure, employment and community facilities. The report also summarises various background technical studies that have informed the preparation of the PSP Land to which this PSP applies.

**1.4 Land to which this Precinct Structure Plan applies**

The land to which this PSP applies is shown on Plan 2 and on the Macedon Shire Ranges Planning Scheme Maps as Schedule 1 to the Urban Growth Zone.

The PSP applies to land located on the northeast edge of the Riddells Creek Township, approximately 65 kilometres to the northwest of the Melbourne CBD. The Precinct is bounded by Frost Lane to the north, rural Farming Zone land to the east, Amess Road to the south and Gisborne-Kilmore Road to the west. The Precincts existing key features are illustrated on Plan 3 Precinct Features.

# 2.0

## CONTEXT

The Amess Road PSP area has been identified as a designated Priority Precinct since the adoption of the Macedon Ranges Settlement Strategy in July 2011. This designation has been further confirmed and embedded in planning policy through the following:

- Riddells Creek Structure Plan, 2013
- Amendment C100 which rezoned the land to Urban Growth Zone, June 2017
- Macedon Ranges Shire Statement of Planning Policy, 2019

Macedon Ranges is made up of a number of towns with five being located on the Bendigo train line. Riddells Creek is one of those five towns which enjoys good regional public transport connections, with frequent V-Line rail services south to Melbourne via Sunbury and north to Bendigo via Gisborne and Woodend.

Riddells Creek is a township of around 4,000 residents within the settlement itself, with another 500 or so people living in the immediate surrounds. This makes it the fifth largest settlement in Macedon Ranges Shire after Gisborne, Kyneton, Woodend and Romsey.

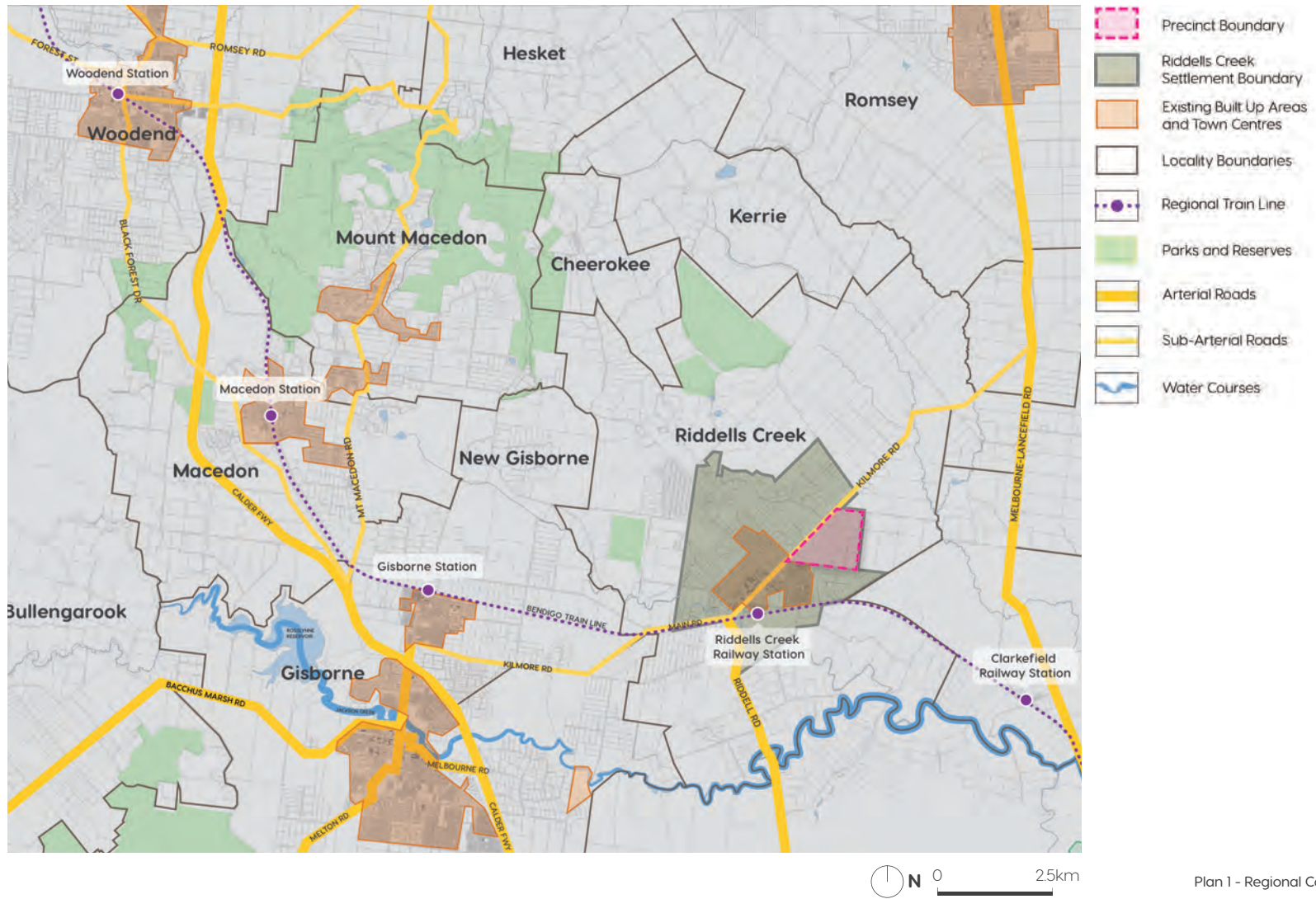
Riddells Creek has an existing Government Primary School, as well as the following Council facilities:

- A kindergarten;
- A leisure centre;
- A mental and child health centre; and
- A recreation reserve.

The Amess Road PSP is located on the northeastern edge of the Riddells Creek township, approximately 15km to the north of Sunbury and 10km to the east of Gisborne.

Amess Road Precinct Structure Plan





Amess Road Precinct Structure Plan

Plan 1 - Regional Context

# 3.0 OUTCOMES

## 3.1 Precinct Characteristics & Design Directions

The character of Riddells Creeks is largely defined by a vegetated landscape, incised creek valleys and rolling topography set against the magnificent backdrop of the Macedon Ranges. The Riddells Creek township has historically been concentrated along Main Street but has in more recent years expanded east of Racecourse Road along the railway. The township is characterised by its historic country village with leafy tree-lined streets.

The Amess Road PSP area will create an attractive extension to the existing Riddells Creek township, providing long term residential growth for Macedon Ranges Shire.

The site analysis undertaken for the site identified the following 6 key characteristics:

- Rolling Topography
- Vegetation
- Water & Drainage
- Views
- Adjacency to Riddells Creek Township
- Connection to Heritage





**Rolling Topography**

Riddells Creek has rolling topography and is largely free of steep slopes. However, there is sufficient slope to create an interesting series of neighbourhoods which will capitalise on the primarily northern aspect.



**Vegetation**

Whilst much of the precinct is already cleared, there are several pockets of existing native vegetation which could be retained as part of the open space network and areas of conservation.

Retention of existing vegetation as part of this new community will enhance parks, streets and broader open space network.



**Water & Drainage**

Water is a major feature of this precinct, with two creek corridors, the Sandy Creek and Wurundjeri Creek, crossing the site from west to east as well as other smaller drainage lines.

The creek corridors have the opportunity to be key features of the community in terms of habitat retention and creation, in addition to their drainage function. Additionally, they will provide significant linear open space and recreation opportunities.



**Views**

Long- and short-views are a significant feature of the precinct. There are views out of the precinct to surrounding landscapes and specifically the Macedon Ranges. Views within the precinct take advantage of the elevated parts of the site and the many views through to existing stands of vegetation and creek corridors within the precinct.



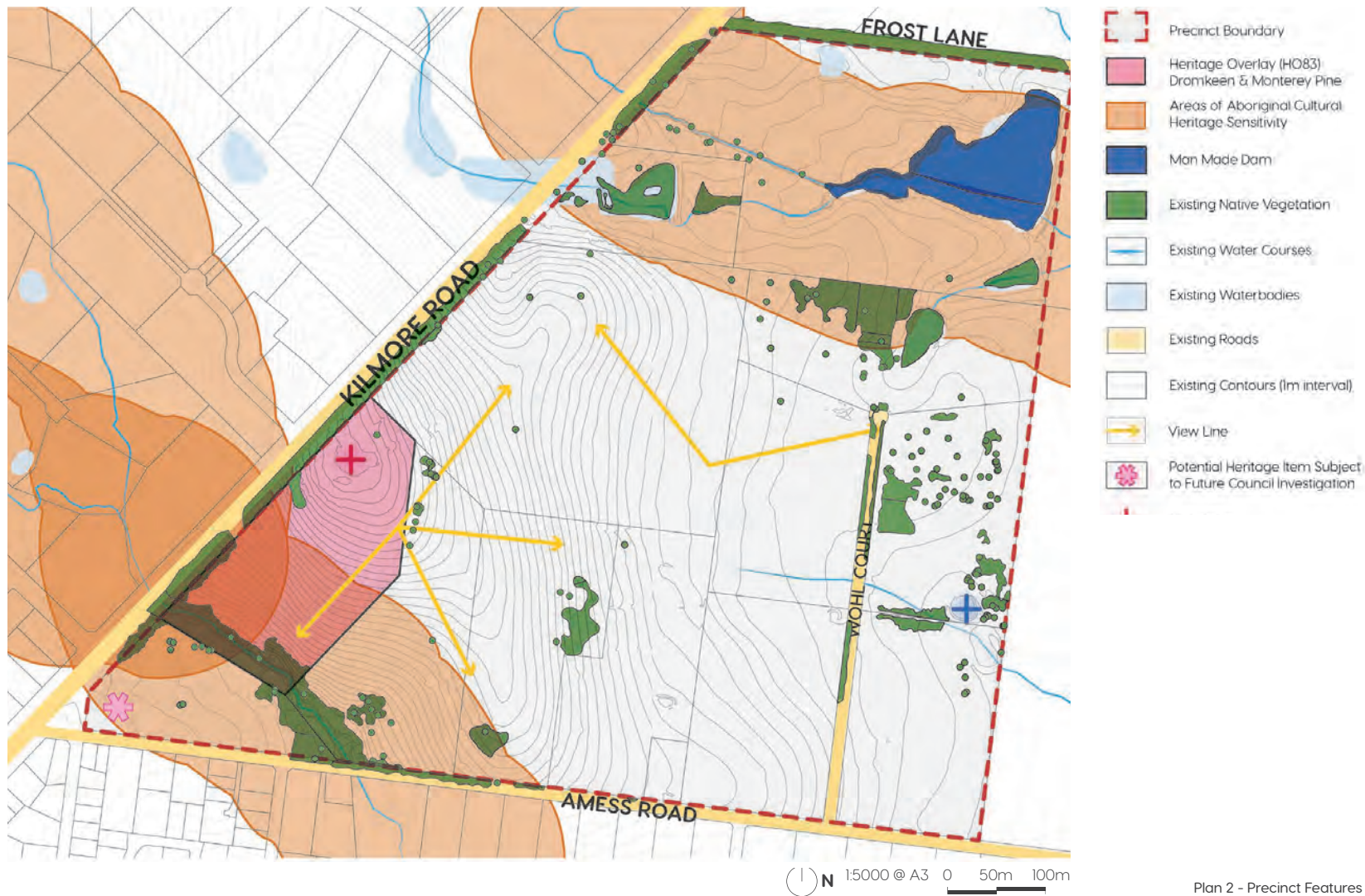
**Adjacency to Riddells Creek Township**

The close proximity to the Riddells Creek Township is a distinct advantage for this new community. Being within walking and biking distance of the town will give all residents the opportunity to share facilities via offroad pathways.



**Connection to Heritage**

Set on substantial grounds, Dromkeen provides an important link to history of the place. The house and gardens have retained their integrity and now operate as a gallery space. This sits within a large patch with mature pines and exotic planting.



Plan 2 - Precinct Features

Amess Road Precinct Structure Plan

**3.2 Adopting a Place Based Approach**

Place-based approaches identify the character and specific features of a place, and then embed those characteristics and attributes into the development of that place.

The Department of Environment, Land, Water and Planning (DELWP) identify the key characteristics of place-based design as:

- Respond to complex, intersecting local drivers that require a cross-portfolio and sectoral response
- Develop a shared understanding of local context drawing on a broad range of evidence, from data to research to lived experience and local knowledge
- Are based around shared outcomes that reflect locally agreed priorities and unite local stakeholders
- Embed deep engagement and collaborative governance structures that engage across sectors and with a diverse cross-section of the community
- Are implemented through shared action, with an iterative approach and progress monitoring that supports continual learning
- Apply formal approaches to evaluation to enable accountability and guide strategy

The Amess Road 'Place-Based' approach sought to respect and leverage the natural characteristics of the precinct by:

- Maintaining key view lines north to the Macedon Ranges, east to the farming hinterland, and into the site's existing waterways and creeklines
- Maintaining closed and framed views into the precinct by retaining key stands of vegetation
- Limiting building heights on higher parts of the site to protect existing views
- Retaining key stands of existing mature vegetation in parks, road reserves and conservation areas
- Designing green spaces to link to waterways and wetlands system
- Creating a continuous open space loop, punctuated by local parks throughout the precinct
- Designing streets and lots so that they respond to the unique and undulating nature of the land.



3.3 Vision

The Amess Road Precinct will create an attractive extension to the existing Riddells Creek township, providing long term residential growth for Macedon Ranges Shire. The Precinct will build on the cherished attributes of the existing Township and provide housing choice in addition to complementary community facilities and recreational amenities.

The Future Urban Structure will seek to respect and leverage the natural characteristics of the precinct by:

- Maintaining key view lines to the Macedon Ranges and east to the farming hinterland.
- Providing green spaces which connect to waterways and wetlands system.
- Designing streets and lots so that they respond to the unique and undulating nature of the land and provide significant opportunities for tree planting and canopy cover.
- Maintaining a 'green view' to the Precinct when viewed from the Township via the retention of healthy trees, planting of significant new trees within streets, parks and adjoining waterways, and creation of a generous open space network and green links.

Distinct neighbourhoods will be created within the Precinct, defined by their location, vantage points, features and relationship to the open space network and Village Hub. These neighbourhoods will support a variety of housing typologies and each neighbourhood will be connected via a linear green space linking local parks, wetlands and tree lines in a circuitous loop. This linear local park link will be a key feature of the Precinct and will connect into the existing Kilmore Road trail providing a pleasant and direct route into the Township.

The heritage values of Dromkeen will be recognised and protected to enable its ongoing contribution to the Township and as an important part of the Amess Road Precinct and the creation of the Village Hub will create a local space for the community to meet and socialise.

Carefully planned interfaces will enable surrounding farming properties to the east to continue to operate and amenity matters to be managed whilst protecting and enhancing roadside vegetation will maintain a green edge to the existing township which is a valuable characteristic of Riddells Creek.

The proposed urban structure will support an engaged population and encourage participation in community and recreation activities that will contribute positively to the physical and social health and wellbeing of all members of the Riddells Creek community.



Artist impression of a birds eye view the proposed connector street from the Amess Road connection in the south for the purposes on illustrating the Vision and does not represent the final outcome.

**3.4 Purpose**

The purpose of the PSP is to embed the vision for the Amess Road precinct through the preparation of an orderly and integrated place based spatial plan. To this end, the PSP will:

- Support the timely delivery of integrated transport options, including public and active transport. Active transport is facilitated via the linear park reserve.
- Facilitate the final drainage outcomes associated with the Amess Road Development Services Schemes.
- Integrate the significant areas of vegetation and biodiversity into the future urban landscape and open space network and promotes connections to greenspace.
- Integrate with and deliver the Village Hub which includes the community facilities, active recreation reserve and local shops to be enjoyed by the PSP community and the wider Riddells Creek Township.

A Glossary of Terms to assist with interpretation of the document can be found on page 5 and 6.

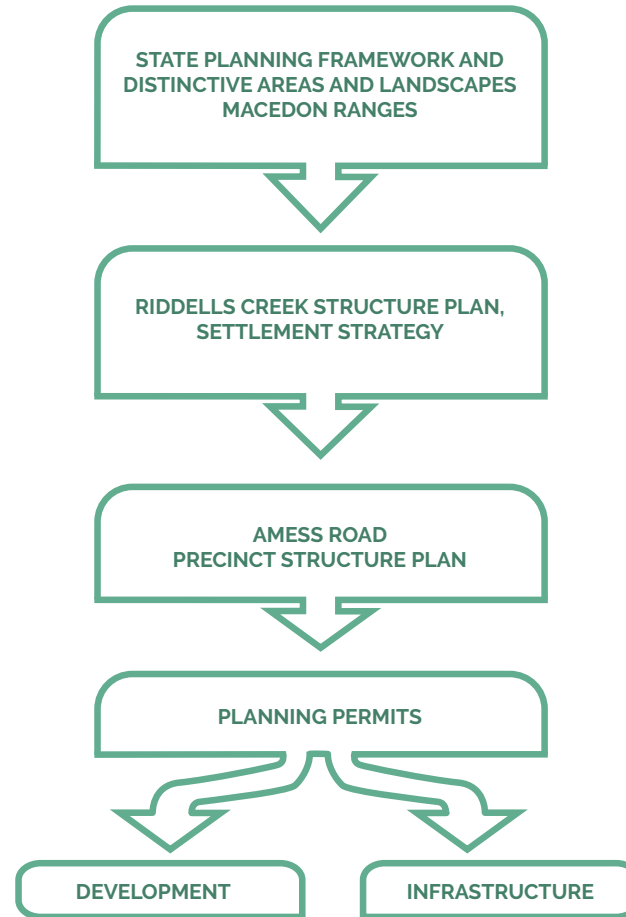


Figure 1 - Hierarchy of Planning Documents guiding the development of the Precinct

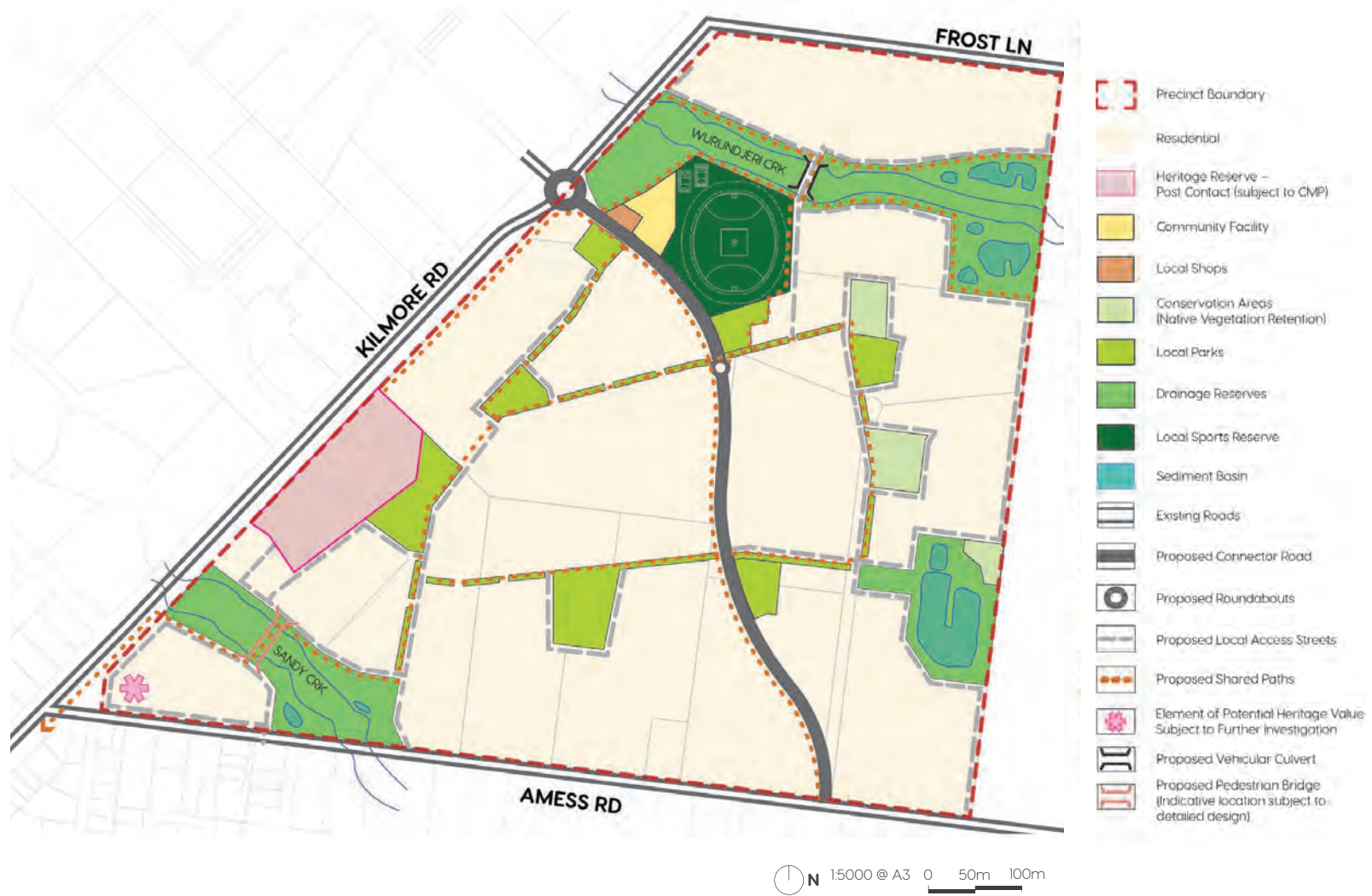
3.5 Objectives

The following objectives describe the desired development outcomes and guide the implementation of the Vision:

LANDSCAPE, CHARACTER AND COMMUNITY	
O-1	Facilitate housing diversity and choice within Riddells Creek.
O-2	Respond to the existing site characteristics (as described on page 14) and integrate them into development where appropriate and practical.
O-3	Respond to the existing topography of the land through road alignment and lot layout.
O-4	Protect heritage places and landscapes and incorporate these areas into the new urban environment in a manner that celebrates and interprets their significance.
O-5	Create a diversity of streetscapes to enhance pedestrian amenity and foster distinctive places. Design streets to enable diversity of planting and maintenance of large canopy trees is key to this objective.
O-6	Create a series of neighbourhoods with discernible character that retain and reference existing site features, such as views, vegetation and topography .
HEALTHY LIVING	
O-7	Facilitate active and healthy living by creating an urban environment that encourages cycling and walking. This will include the creation off-street pedestrian and cycling links using existing road reserves, waterways and the linear local park throughout the precinct.
O-8	Provide opportunities for participation in informal and formalised sport and activities through the provision of active open space and sporting facilities.
CONNECTIVITY	
O-9	Establish an integrated and permeable transport network to encourage walking and cycling within the PSP as well as establishing a clear connection to the Township via Sandy Creek and the extended Kilmore Road shared path.
O-10	Locate and design access to the site so that it reduces disruption to the character of the surrounding existing roads and responds to relevant safety standards.

INTEGRATED WATER MANAGEMENT, NATURAL SYSTEMS AND OPEN SPACE	
O-11	Develop a local park network to provide amenity to the precinct and to complement the conservation reserves, waterways and wetlands.
O-12	Retain and enhance the three drainage catchments as natural systems providing for drainage, flood mitigation and water quality protection while being designed to offer opportunities for passive recreation including shared paths and resting / viewing points.
O-13	To facilitate safe, resilient and water sensitive urban environments that respond to climate change, bushfire management and drainage outcomes.
NATURAL HAZARD MANAGEMENT	
O-14	Ensure that bushfire risk is considered in the layout, staging and design of development and the local street network.
PRECINCT INFRASTRUCTURE AND STAGING	
O-15	Encourage development staging to be co-ordinated with the delivery of key infrastructure.
O-16	Support the provision of local shops and community infrastructure to meet the daily needs of residents within the precinct, without compromising the function and role of the Riddells Creek township.





Plan 3 - Future Urban Structure

Amess Road Precinct Structure Plan

**3.7 Precinct land use budget**

The land budget in Table 1 provides a summary of the land required for transport, community facilities, and open space and identifies the total amount of land available for development.

The Net Developable Area (NDA) is established by deducting the land requirement for transport, community facilities, open space (sports reserves and local parks), drainage corridors and other encumbered land from the Gross Developable Area (GDA).

The GDA for Amess Road is 131.18 hectares of which 96.35 hectares, or 73.4%, is NDA.

Based on a residential development yield average of 13.5 dwellings per NDA, the Amess Road precinct will generate approximately 1,300 dwellings to accommodate approximately 3,640 new local residents.

DESCRIPTION	AMESS ROAD PSP		
	HECTARES	% OF TOTAL	% OF NDA
<b>TOTAL PRECINCT AREA (HA)</b>	131.18		
<b>TRANSPORT</b>			
Arterial Road - Intersection Flaring & Realignment	0.38	0.3%	0.4%
<b>Sub-total Transport</b>	<b>0.38</b>	<b>0.3%</b>	<b>0.4%</b>
<b>COMMUNITY</b>			
Local Community Facility (DCP Land)	0.7	0.5%	0.7%
<b>Sub-total Education and Community</b>	<b>0.7</b>	<b>0.5%</b>	<b>0.7%</b>
<b>OPEN SPACE</b>			
<b>UNCREDITED OPEN SPACE</b>			
Conversation Reserve	1.79	1.4%	1.9%
Drainage Infrastructure	17.14	13.1%	17.8%
<b>Sub-total Uncredited Open Space</b>	<b>18.93</b>	<b>14.4%</b>	<b>19.6%</b>
<b>CREDITED OPEN SPACE</b>			
Local Sports Reserve (DCP land)	4.2	3.2%	4.4%
Local Park (via CI53.01)	6.57	5.0%	6.8%
<b>Sub-total Credited Open Space</b>	<b>10.77</b>	<b>8.2%</b>	<b>11.2%</b>
<b>Sub-total All Open Space</b>	<b>29.7</b>	<b>22.6%</b>	<b>30.8%</b>
<b>OTHER</b>			
Heritage Reserve - Post Contact	4.05	3.1%	4.2%
<b>Sub-total Other</b>	<b>4.05</b>	<b>3.1%</b>	<b>4.2%</b>
<b>TOTAL NET DEVELOPABLE AREA - (NDA) HA</b>	<b>96.35</b>	<b>73.4%</b>	

Table 1 - Precinct Land Use Budget



Plan 4 - Land Use Budget Plan

Amess Road Precinct Structure Plan

# 4.0

## IMPLEMENTATION & DELIVERY

This chapter sets out the requirements and guidelines which need to be considered in preparing subdivision plans in the Amess Road Precinct. It addresses housing and built form matters through to street network, open space, biodiversity and servicing, and seeks to take a balanced and site responsive approach to deliver an attractive, inclusive and vibrant new community.

### 4.1 Housing, Subdivision & Built Form

The requirements and guidelines in this section provide guidance to future developers on the location for various lot sizes, interface treatments, and key subdivision outcomes to be achieved. It seeks to ensure the provision of a variety of lot types within the precinct which responds to/creates a distinct neighbourhood character.

REQUIREMENTS	
<b>R1</b>	Subdivision layouts, lot diversity and housing typologies must respond to the natural and existing built features of the surrounding developed area, including (but not limited to): <ul style="list-style-type: none"> <li>• Topography of the land.</li> <li>• View lines internal and external to the site.</li> <li>• Low density residential and rural interfaces to the site.</li> <li>• Existing native vegetation.</li> </ul>
<b>R2</b>	Subdivision must provide a diverse neighbourhood character by providing a range of lot sizes and dwelling types throughout the Precinct, including achieving minimum average densities and responding to site character and context in Plan 5 and Tables 2 & 3.
<b>R3</b>	Lower urban density lots must be provided in areas along the eastern boundary of the site.
<b>R4</b>	Development applications must demonstrate how lots intended for amenity based density can be practically developed by providing indicative layouts that suitably demonstrate: <ul style="list-style-type: none"> <li>• Connections to and active interfaces with adjacent streets, open space and waterways; and</li> <li>• Safe and effective internal vehicle and pedestrian circulation.</li> </ul> Unless otherwise agreed by the responsible authority.
<b>R5</b>	Development along Kilmore Road and Amess Road must provide a sensitive interface through design treatments, which include a landscaped strip with backyards adjoining (Option A), or internal loop road between the row of housing and the road reservation (Option B) as indicated by Figures 5 & 6. Where Option A is proposed lots must: <ul style="list-style-type: none"> <li>• Include a single storey dwelling.</li> <li>• Have a minimum width of 20m.</li> <li>• Have no built form within 10m of the landscape strip.</li> <li>• Provide fencing that responds to the rural character and provides a balance between safety and permeability.</li> </ul> All to the satisfaction of the responsible authority.

GUIDELINES	
G1	<p>Lots should front (in order of priority where a lot fronts multiple elements):</p> <ul style="list-style-type: none"> <li>• Public open space.</li> <li>• Local access streets.</li> <li>• Connector roads.</li> <li>• Arterial roads.</li> </ul>
G2	<p>Amenity based dwellings over two storeys (up to a maximum height of 11m) should be located in high amenity areas identified on Plan 5, unless otherwise agreed to by the responsible authority.</p>
G3	<p>Standard detached housing (as per Table 3) of no more than two storeys should be provided in areas with slope constraints, particularly land at the highly visible foot hills and with a slope in excess of 10% grade as shown on Plan 8.</p>
G4	<p>Subdivision should deliver a broad mix of lots as specified in Tables 2 &amp; 3, by:</p> <ul style="list-style-type: none"> <li>• Providing a range of lot sizes, widths, depths and densities</li> <li>• Providing amenity based density in locations where they will:                             <ul style="list-style-type: none"> <li>• Support the viability and vibrancy the Village Hub, access to community infrastructure and amenities.</li> <li>• Have good access to public transport and support walking and cycling.</li> <li>• Make a positive impact to planned neighbourhood character and identity.</li> </ul> </li> </ul>
G5	<p>Any retaining structures within public and private spaces (except for those which are part of a building) should be:</p> <ul style="list-style-type: none"> <li>• No more than 1.0 metres in height between a dwelling and a street or public space, or where visible from a street or public space.</li> <li>• Set back at least 1.0 metres from any building envelope.</li> <li>• Staggered, with a minimum 0.75 metre distance between each stagger to allow for the inclusion of landscaping where cutting and filling is deeper than 1.0 metres.</li> <li>• Positioned so that associated drainage infrastructure and structural foundation are fully located within the same lot.</li> <li>• Retaining walls abutting public reserves and road reserves shall be a rock mass retaining wall.</li> </ul>

G6	<p>Subdivision should provide for a street separating development from waterways, sporting reserves and local parks and the linear reserve unless an alternative option is proposed. Other layout options can be considered where they will contribute to unique neighbourhood character and can demonstrate the following can be achieved:</p> <ul style="list-style-type: none"> <li>• Lots directly fronting open space should be set back at least 4.0 metres from the waterway corridor and open space.</li> <li>• Lots directly fronting open space should allow for vehicular access via a rear laneway or mews.</li> <li>• A 4.0m wide “paper road” should be provided as the primary point of access from a footpath or shared path with a minimum width of 1.5 metres along the lot frontage.</li> <li>• Subdivision design should avoid rear fence treatments fronting open space.</li> <li>• Subdivision design should maximise opportunities for informal passive surveillance.</li> <li>• Subdivision design should not limit the use of adjacent open space.</li> </ul> <p>All to the satisfaction of the responsible authority and where adjacent to a waterway to the satisfaction of the responsible authority and Melbourne Water.</p>
G7	<p>Specialised housing forms, such as retirement living, or aged care should:</p> <ul style="list-style-type: none"> <li>• Respond to and integrate with adjoining development, avoiding inactive interfaces and blank façades to the public street network.</li> <li>• Be located within 400m of a bus capable road.</li> <li>• Not present a barrier to movement through the surrounding road and pedestrian movement network.</li> </ul>
G8	<p>An application for subdivision of land into residential lots or development of land for residential or mixed-use purposes should provide affordable housing as defined by the Planning and Environment Act 1987. The affordable housing should be located within walkable catchments and provide for a range of housing typologies to meet demonstrated local need.</p>

DEVELOPMENT AREA	PLANNED NEIGHBOURHOOD CHARACTER
RESIDENTIAL	All developments within residential areas should provide a lot range that supports the delivery of a diversity of housing types. Smaller lots/housing products are encouraged in areas of high amenity and accessibility, such as proximate waterways, local parks and the Village Hub.
AMENITY BASED DENSITY	Amenity based smaller lots should be located in areas of high amenity such as in close proximity to the Village Hub and adjacent to the Local Linear Park network.
LOWER URBAN DENSITY	Low urban density residential should be in areas where there is a desire to respond to the existing landscape. Lot sizes must be larger than standard density housing lots and housing placement must be sensitive to topography and have regard to management of fire risk. This can include large lot and rural style housing indicated below.

Table 2 - Housing density guide and planned neighbourhood character

HOUSING TYPES THAT MAY BE SUPPORTED	LOT SIZE CATEGORY (M <sup>2</sup> )		
	LESS THAN 350M <sup>2</sup>	350M <sup>2</sup> -600M <sup>2</sup>	600M <sup>2</sup> -800M <sup>2</sup>
Larger-lot detached housing (Lower Urban density)			
Standard detached housing (Residential)			
Small detached housing (Residential)			
Semi-detached, duplexes (Amenity Based Density)			
Attached housing, terraces (Amenity Based Density)			

Table 3 - Housing types by lot size



Artist impression of the connector street, for the purposes of illustrating the Vision and does not represent the final outcome.



Plan 5 - Amenity Based Density

Amess Road Precinct Structure Plan

**4.2 Public realm, open space and heritage**

The PSP proposes a network of parks of different sizes which can be programmed to provide for passive play/socialising/recreation and to cater to all age groups. The establishment of green linear parks within the precinct will connect each of the local parks with the waterways and conservation areas. This link provides for walking, cycling, exercise stations and seating areas on a circuitous link. Additionally, set on substantial grounds, Dromkeen will provide an important link to history of the area and should be protected and integrated into future development. The dwelling at 163 Main Road (property 1) is identified as an element of "Potential heritage value subject to further investigation" by Macedon Ranges Shire Council.

**4.2.1 Open space and natural systems**

REQUIREMENTS	
<b>R6</b>	All local parks and the local sports reserve must be located, designed and developed generally in accordance with Plan 6 and the relevant description in Table 4 unless otherwise agreed to by the responsible authority. The area of the park may vary; where a park is smaller than outlined in the table, the land must be added to another park or used to create a new park in addition to those outlined in Plan 6. Where a proposed park is larger than outlined in the table, it may be accepted so long as it does not result in the removal of another park location, unless otherwise agreed to by the responsible authority.
<b>R7</b>	Design and layout of waterway corridors, retarding basins, wetlands and any other encumbered open space must maximise the potential for integration of recreation uses and linear linkages where this does not conflict with the primary function of the land, to the satisfaction of the responsible authority.
<b>R8</b>	The layout (including design and width) of open space and natural systems, drainage infrastructure, including waterway corridors, open channels, wetlands and retarding basins must be to the satisfaction of the responsible authority.
<b>R9</b>	All public landscaped areas must be designed and constructed to enable practical maintenance and planting suitable to the local climate and soil conditions, to the satisfaction of the responsible authority.
<b>R10</b>	The first development proponent to lodge a permit application for land which contains a section of the linear local park, as outlined in Plan 6 and Table 4, must undertake a master plan for that section of the linear local park, unless otherwise agreed by the responsible authority. The masterplan must outline how the 'sections' provide for consistent continuity of the linear park with the adjoining sections (whether developed or undeveloped). Subsequent development of adjoining sections of the linear local park must be generally in accordance with the approved master plan for that section to the satisfaction of the responsible authority.

Amess Road Precinct Structure Plan

<b>R11</b>	<p>Landscaping in the linear local park must:</p> <ul style="list-style-type: none"> <li>• Avoid plantings that are in direct contact with any buildings unless the building elevation and any overhead eaves are of non-combustible materials.</li> <li>• Aim to have breaks in the horizontal and vertical continuity of plantings by use of noncombustible features such as crushed rock paths or lawn.</li> <li>• Consider non-combustible mulches such as crushed glass, rock or granitic sand.</li> <li>• Consider the CFA publication <i>Landscaping for Bushfire - Garden Design and Plant Selection</i>.</li> </ul>
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Examples of precedent local park outcomes.





- Precinct Boundary
- Local Parks (LP)
- Linear Local Parks (LLP)
- Local Sports Reserve (SR)
- Conservation Areas (CA) (Native Vegetation Retention)
- Drainage Reserves
- Sediment Basin
- Community Facility
- Local Shops
- Local Park Catchment (400 m)
- Proposed Shared Paths
- Proposed Vehicular Culvert
- Proposed Pedestrian Bridge (indicative location subject to detailed design)
- Existing Roads
- Proposed Roads
- Heritage Reserve – Post Contact (subject to CMP)

1:5000 @ A3 0 50m 100m

Plan 6 - Open Space

Amess Road Precinct Structure Plan

GUIDELINES	
<b>G9</b>	<p>Alternative locations and configurations for local parks, including the linear local park, may be considered, subject to:</p> <ul style="list-style-type: none"> <li>• Addressing the required locational attributes as outlined in Table 4.</li> <li>• Not diminishing the quality or usability of the space.</li> <li>• Not adversely impacting on the overall diversity of the precinct open space network.</li> <li>• Being equal to or more than the local park provision shown in Table 4.</li> <li>• Still being supported by the preferred path network outlined in Plan 1.</li> <li>• Maintaining the connectivity of the linear park.</li> </ul>

<b>G10</b>	Existing high-quality vegetation should be retained within public space, including road reserves and open spaces, where safe and practicable.
<b>G11</b>	<p>The open space network should:</p> <ul style="list-style-type: none"> <li>• Maximise the amenity and value of service open space through the provision of shared paths, trails and other recreational elements.</li> <li>• Respond to the values of adjoining open space, waterways, and Aboriginal and post-contact heritage.</li> <li>• Provide flexible recreational opportunities that allow for the anticipated range of sporting reserves, and local parks and recreational uses required by the community.</li> </ul>
<b>G12</b>	Any fencing of open space should be low scale and visually permeable to facilitate public safety and surveillance.



Artist impression of the interface between the Melbourne Water Reserve and the Local Sports Reserve for the purposes of illustrating the Vision and does not represent the final outcome.

Amess Road Precinct Structure Plan

PARK ID	AREA	TYPE	LOCATION AND OTHER ATTRIBUTES
LP-01	0.58	Local Park	Located to provide passive open space central the surrounding residential community
LP-02	1.25	Local Park	Located to retain existing vegetation (refer Plan 3) within a passive open space and provide an open space interface to 'Dromkeen and Monterey Pine' (HO83).
LP-03	1.32	Local Park	Located to retain existing vegetation (refer Plan 3) within a passive open space
LP-04	0.56	Local Park	Located to provide passive open space central the surrounding residential community
LP-05	0.58	Local Park	Located to retain existing vegetation (refer Plan 3) within a passive open space adjacent to the Conservation Area
LP-06	0.5	Local Park	Located adjacent to local sports reserve to provide passive open space uses to compliment the active recreation activities and protect an existing significant tree.
LLP-01	0.53	Linear Local Park	Located to provide a connection from the circuitous linear park link to the Village Hub
LLP-02	0.23	Linear Local Park	Located to provide a circuitous linear park link through the precinct
LLP-03	0.17	Linear Local Park	Located to provide a connection from Sandy Creek to the circuitous linear park link
LLP-04	0.17	Linear Local Park	Located to provide a circuitous linear park link through the precinct
LLP-05	0.17	Linear Local Park	Located to provide a circuitous linear park link through the precinct
LLP-06	0.19	Linear Local Park	Located to provide a circuitous linear park link through the precinct
LLP-07	0.10	Linear Local Park	Located to provide a circuitous linear park link through the precinct
LLP-08	0.04	Linear Local Park	Located to provide a circuitous linear park link through the precinct
LLP-09	0.18	Linear Local Park	Located to provide a circuitous linear park link through the precinct
SR-01	4.20	Local Sports Reserve	Located in the north of the precinct to serve the PSP and wider Riddells Creek catchment and accessible via the connector street network

Table 4 - Open Space Delivery Guide

4.6.2 Heritage

REQUIREMENTS	
<b>R12</b>	<p>A sensitive interface to the 'Dromkeen and Monterey Pine' (HO83) must be provided to protect the heritage significance of the site as identified in the Heritage Overlay in the Macedon Shire Ranges Planning Scheme. In particular, the road layout, subdivision design and development must:</p> <ul style="list-style-type: none"> <li>• Provide a street or park buffer between the "Potential Heritage Reserve - Post Contact" and new dwellings.</li> </ul> <p>All to the satisfaction of the responsible authority.</p>
<b>R13</b>	<p>The road layout, subdivision design and development proposed on 1012 Kilmore Road must:</p> <ul style="list-style-type: none"> <li>• Create a parcel that provides an appropriate curtilage to the building.</li> <li>• Maintain convenient access to the site.</li> <li>• Ensure the parcel containing heritage building has access to the internal subdivision street network.</li> </ul> <p>All to the satisfaction of the responsible authority.</p>

GUIDELINES	
<b>G13</b>	<p>The boundary windrows on the property at 1012 Kilmore Road ("Dromkeen and Monterey Pine") should be retained to reinforce an understanding of the original site boundaries and to protect views to and from the property, subject to:</p> <ul style="list-style-type: none"> <li>• The assessment of the windrows by a qualified arborist.</li> <li>• Access requirements to and from the site.</li> </ul>
<b>G14</b>	<p>Aboriginal and historic cultural heritage should be recognised through the design of public places, infrastructure and interpretive installations. Opportunity should be explored through cultural heritage interpretation trails along public path networks in areas of known historic cultural history or areas of Aboriginal cultural heritage sensitivity, in consultation with relevant stakeholders.</p>
<b>G15</b>	<p>Subdivision design should respond sensitively to the visual setting and character of heritage places.</p>
<b>G16</b>	<p>A consistent suite of lighting and furniture should be used across neighbourhoods, appropriate to the type and role of street or public space.</p>

4.3 Landscape, Character & Interfaces

The landscape character of the Amess Road Precinct is one which will be celebrated and translated into a new urban extension to the Riddells Creek Township. The requirements and guidelines in this section aim to ensure that development within the PSP creates a new community which optimises landscaping, creates a unique character to the PSP and considers the features of the township and surrounding properties.

4.3.1 Landscape

REQUIREMENTS									
<b>R14</b>	<p>Street trees must be provided on both sides of all roads/streets (excluding laneways) in accordance with the cross-sections at Appendix 5.2, and at regular intervals appropriate to tree size at maturity and not exceeding the average intervals below unless otherwise agreed by the responsible authority or located within a bushfire hazard setback area identified in Plan 8:</p> <table border="1"> <thead> <tr> <th>AVERAGE INTERVAL</th> <th>TREE SIZE</th> </tr> </thead> <tbody> <tr> <td>8 – 10 metres</td> <td>Small trees (less than 10 metre canopy)</td> </tr> <tr> <td>10 – 12 metres</td> <td>Medium trees (10 – 15 metre canopy)</td> </tr> <tr> <td>12 – 15 metres</td> <td>Large trees (Canopy larger than 15 metres)</td> </tr> </tbody> </table>	AVERAGE INTERVAL	TREE SIZE	8 – 10 metres	Small trees (less than 10 metre canopy)	10 – 12 metres	Medium trees (10 – 15 metre canopy)	12 – 15 metres	Large trees (Canopy larger than 15 metres)
AVERAGE INTERVAL	TREE SIZE								
8 – 10 metres	Small trees (less than 10 metre canopy)								
10 – 12 metres	Medium trees (10 – 15 metre canopy)								
12 – 15 metres	Large trees (Canopy larger than 15 metres)								
<b>R15</b>	Trees in parks and streets must be suitable for local conditions and planted in modified and improved soil, as required, to support tree longevity.								
<b>R16</b>	Street tree planting must use locally appropriate species and be consistent with any guidance provided within the <i>Macedon Ranges Shire Council Street Tree Planting Preferred Species List</i> unless otherwise approved by the responsible authority.								

GUIDELINES	
<b>G17</b>	Street networks should be designed to maximise the number of connections and direct views to waterways, open space and the surrounding landscape.
<b>G18</b>	Significant elements of the landscape and built form should be used as focal points for view lines along streets. Elements may include items such as hill tops, ridge lines, prominent vegetation and other landmarks.
<b>G19</b>	Significant vegetation should be retained within the public domain, including parks and road reserves, where practical.
<b>G20</b>	Consistent provision of street lighting and furniture should be provided across neighbourhoods, appropriate to the type and role of the street or public space, unless otherwise approved by the responsible authority.
<b>G21</b>	Trees in streets and parks should be larger species wherever space allows to facilitate increased canopy cover.

4.3.2 Interfaces

REQUIREMENTS	
<b>R17</b>	<p>Subdivision of land along the Settlement Edge interface area shown in Plan 7 must:</p> <ul style="list-style-type: none"> <li>• Provide lower urban density lot sizes and dwelling types in accordance with table 3 of the PSP.</li> <li>• Provide front fencing that is low scale and visually permeable to facilitate the rural lifestyle character of this area.</li> <li>• Maximise side setbacks and create openness between the dwellings.</li> </ul>
<b>R18</b>	<p>Lots adjacent to Kilmore Road and Amess Road must not have direct access from these roads.</p>
<b>R19</b>	<p>Additional vegetation planted within 20m of the existing vegetation in Kilmore Road must:</p> <ul style="list-style-type: none"> <li>• Avoid being planted in direct contact with the building unless the building elevation and any overhead eaves are of non-combustible materials.</li> </ul>
<b>R20</b>	<p>Lots along the linear local park must utilise one or a variety of the following options:</p> <ul style="list-style-type: none"> <li>• Residential interface and rear loaded dwellings to a linear park (Linear Local Park Interface Option 1).</li> <li>• Residential interface and front loaded dwellings with paper road or mews to linear park (Linear Local Park Interface Option 2).</li> <li>• Residential interface with site boundary edge to linear park (Linear Local Park Interface Option 3).</li> <li>• Residential interface with front or side yard to a local access street (Linear Local Park Interface Option 4).</li> </ul> <p>All to the satisfaction of the responsible authority.</p>

GUIDELINES	
<b>G22</b>	<p>Street networks should be designed to maximise the number of connections and direct views to waterways, open space and surrounding landscape using appropriate interface treatments that allow ease of access to and through public land and points of interest.</p>
<b>G23</b>	<p>Development abutting open space should be well articulated and facilitate passive surveillance from windows, balconies and pedestrian access points.</p>
<b>G24</b>	<p>Significant landscape features, such as high points, vegetation, open space and waterways, should be used as focal points for view lines along streets.</p>
<b>G25</b>	<p>Subdivision design should incorporate natural and constructed design elements which respond to local heritage, neighbouring land uses and topography to assist in place making and the achievement of a "sense of place".</p>



Plan 7 - Interface Concept Plan

Amess Road Precinct Structure Plan

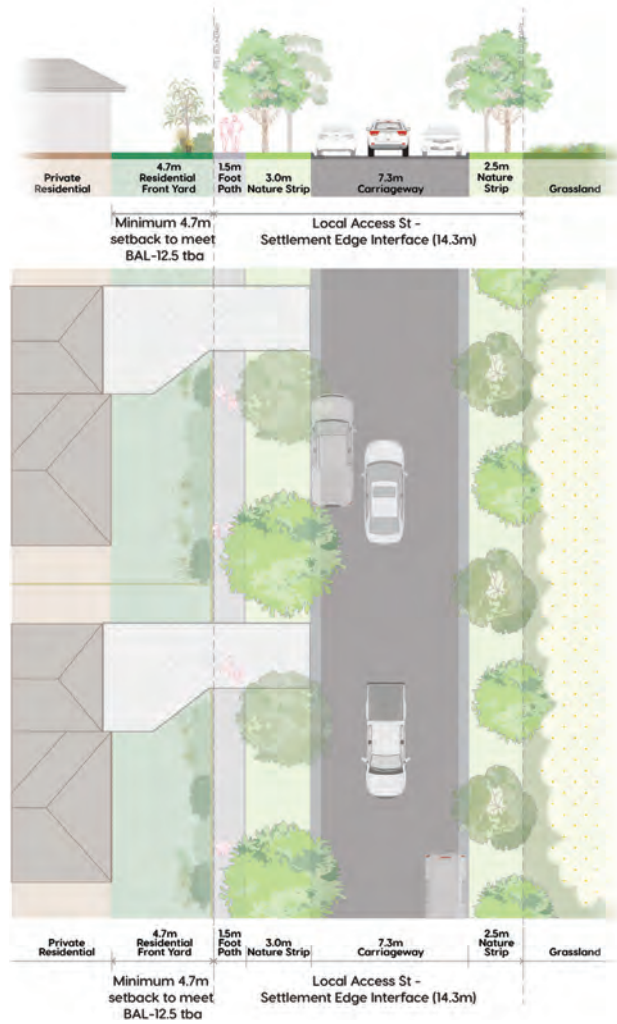


Figure 2 - Settlement Edge Interface



Amess Road Precinct Structure Plan



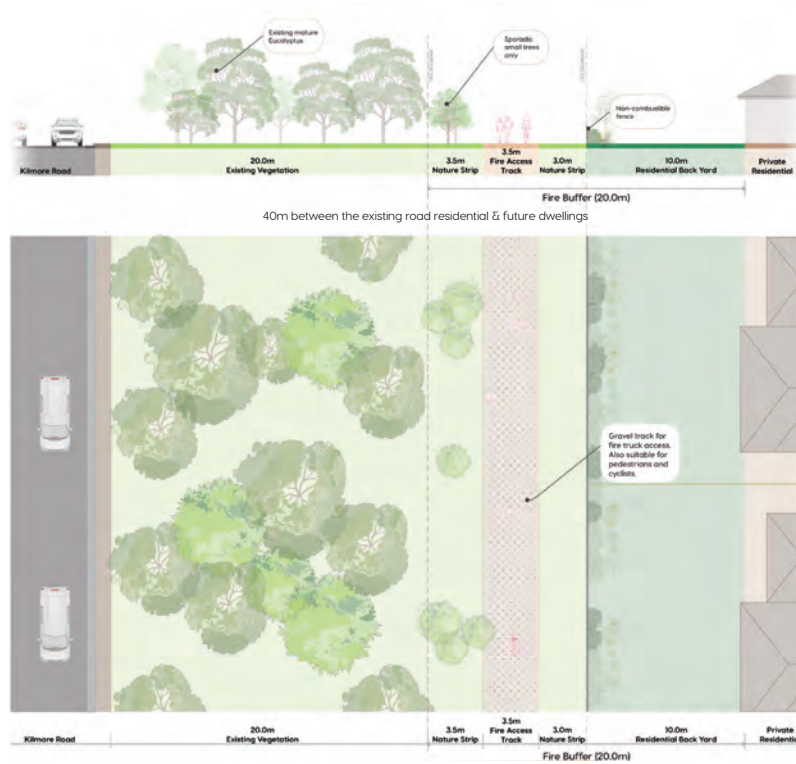


Figure 3 - Kilmore Road Interface - Option 1

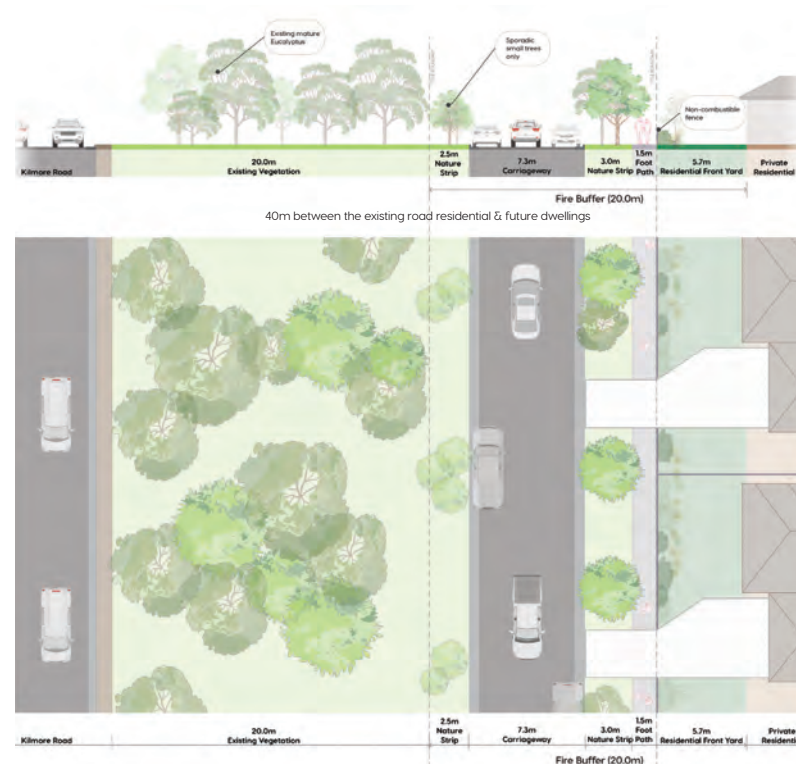


Figure 4 - Kilmore Road Interface - Option 2



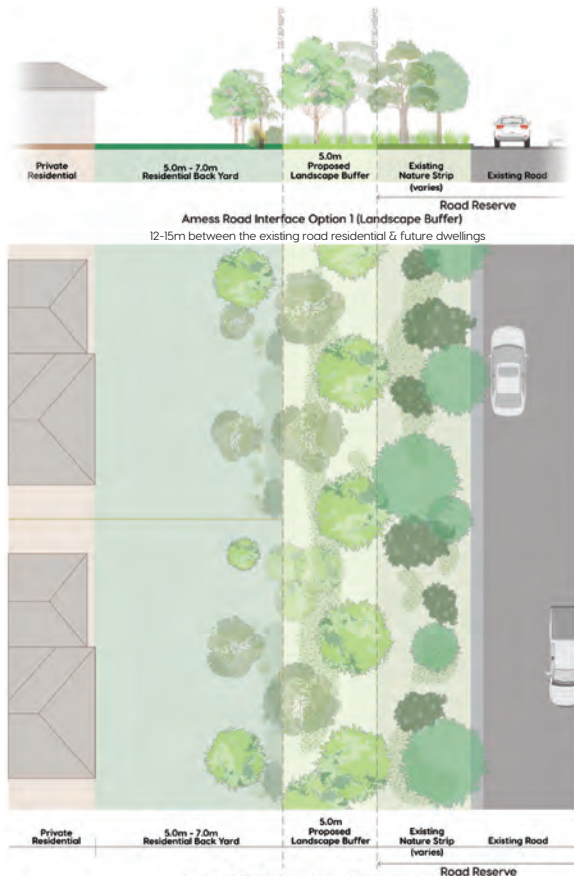


Figure 5 - Amess Road Interface - Option 1

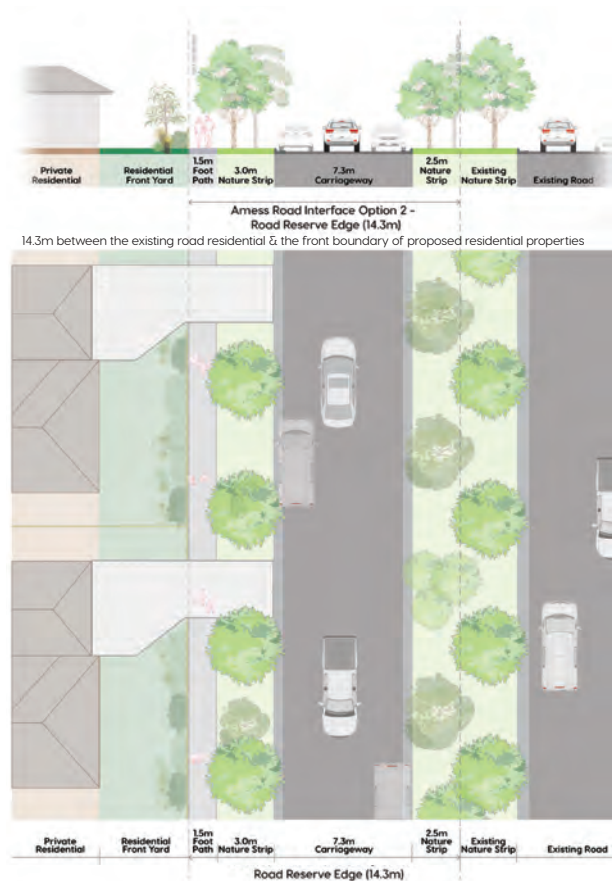


Figure 6 - Amess Road Interface - Option 2



Amess Road Precinct Structure Plan



Figure 7 - Frost Lane Interface - Option 1

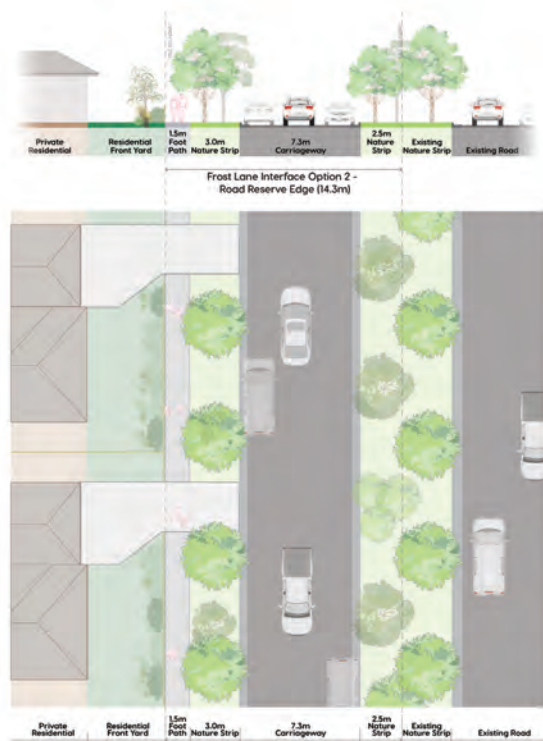
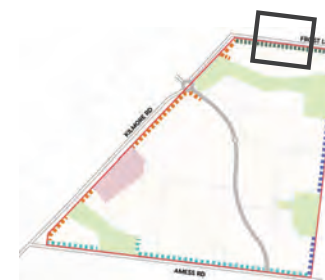


Figure 8 - Frost Lane Interface - Option 2



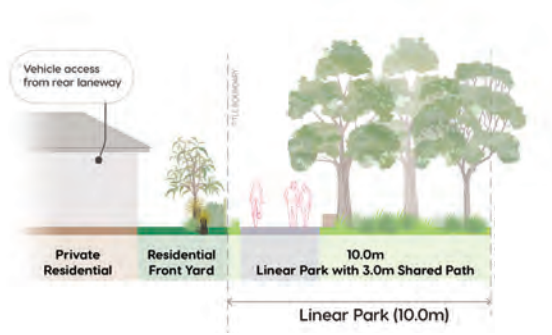


Figure 9 - Linear Local Park Interface Option 1 - residential interface and rear loaded dwellings to a linear park

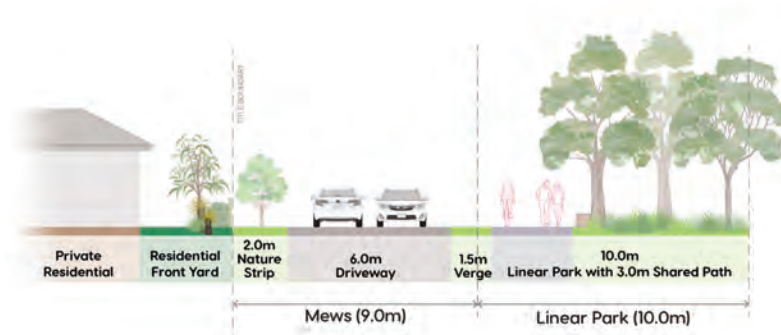


Figure 10 - Linear Local Park Interface Option 2 - residential interface and front loaded dwellings with paper road or mews to linear park

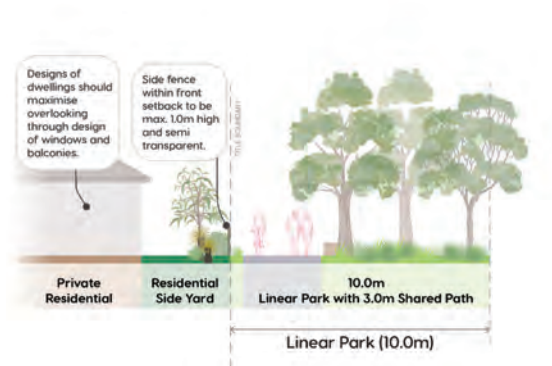


Figure 11 - Linear Local Park Interface Option 3 - residential interface with site boundary edge to linear park

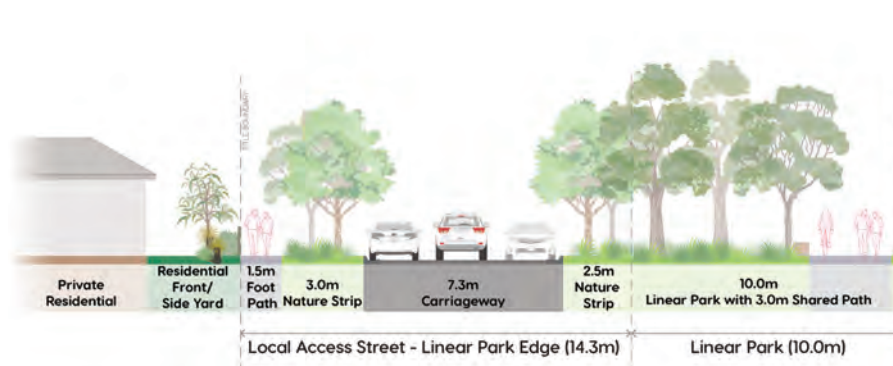


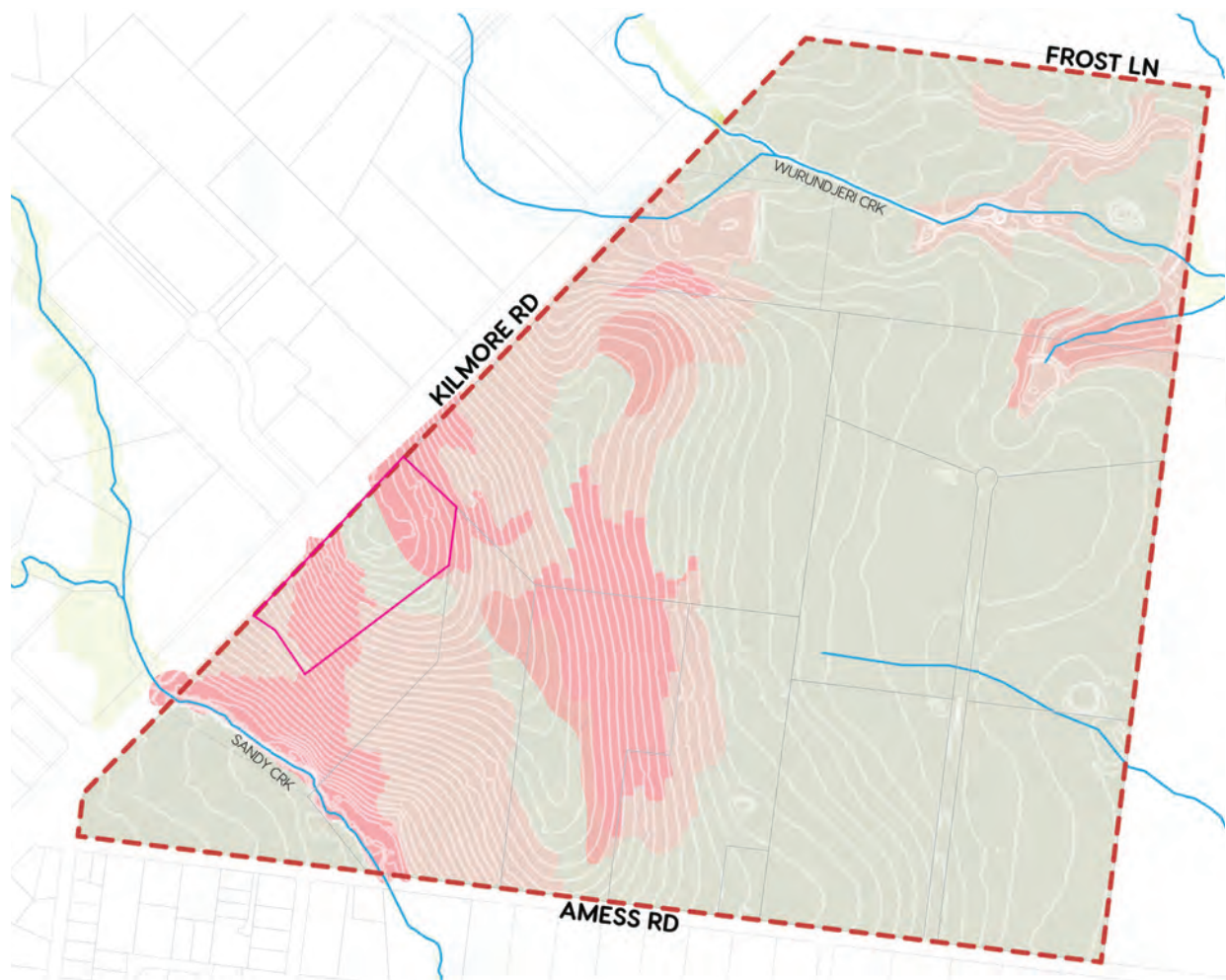
Figure 12 - Linear Local Park Interface Option 4 - residential interface with front or side yard to a local access street

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4.3.3 Slope and topography

REQUIREMENTS	
<b>R21</b>	Subdivision must respond to natural topography by minimising the extent of modification and engineering to existing ground levels and the risk of erosion through consideration of: <ul style="list-style-type: none"> <li>• Alignment of roads and streets.</li> <li>• Orientation and size of lots.</li> <li>• Location, purpose and design of any open space.</li> </ul>
<b>R22</b>	Any vertical retaining structures in public places (with the exception of those that are part of building walls) must be no more than 1.0 metres in height, unless otherwise agreed by the responsible authority.
<b>R23</b>	Subdivision, engineering, landscape design and buildings and works must provide a sensitive response to current landforms and minimise the need for excavation and cut and fill earthworks.
<b>R24</b>	Earthworks, retaining structures and embankments must be carefully and sensitively designed to transition gradually into natural contours.
<b>R25</b>	In areas of slope greater than 5%, streets must align generally with the contours and include canopy street trees to minimise the visual impact of development.
<b>R26</b>	In areas of slope greater than 5%, development must minimise landscape scarring and avoid the need for large amounts of cut and fill to the satisfaction of the responsible authority.

GUIDELINES	
<b>G26</b>	Any retaining structure (with the exception of those which are part of a building) should be: <ul style="list-style-type: none"> <li>• No more than 1.0 metres in height between a dwelling and a street or public space, or where visible from a street or public space.</li> <li>• Set back at least 1.0 metres from any building envelope.</li> <li>• Staggered, with a minimum 0.75 metre distance between each stagger to allow for the inclusion of landscaping, where cutting and filling is deeper than 1.0 metres.</li> <li>• Positioned so that associated drainage infrastructure and structural foundations are fully located within the same lot.</li> <li>• All to the satisfaction of the responsible authority.</li> </ul>



-  Precinct Boundary
-  Existing Countours (1m interval)
-  0%-5% Slope
-  5%-7% Slope
-  7%-10% Slope
-  >10% Slope
-  Existing Water Courses
-  Potential Heritage Reserve - Post Contact (subject to CMP)

Plan 8 - Slope Plan

Amess Road Precinct Structure Plan

4.4 Healthy Living and Connectivity

The Vision articulated for the PSP has, at its core, an objective to create a healthy and connected community. To achieve this it is necessary to make getting around as a pedestrian or cyclist easier, safer and more inviting. In order to do this requirements, guidelines and road cross sections focus on the following:

- Delineating a network of streets where the highest level of pedestrian priority is provided.
- Providing dedicated off road links for cyclists and pedestrians where significant tree planting and canopy creates a cool and pleasant environment.
- Providing an extension of the shared path along Kilmore Road that connects through to the Riddells Creek town centre.
- Identifying a series of cross sections which provide for increased street tree planting and provides canopy cover and a comfortable pedestrian environment.

4.4.1 Pedestrian and Cycling Network

REQUIREMENTS	
<b>R27</b>	<p>Development of the linear local park as shown on Plan 6 and Plan 10 must:</p> <ul style="list-style-type: none"> <li>• Provide for a shared path (pedestrian and cycling) which is interconnected with the surrounding footpath and cycle network.</li> <li>• Be designed and located to provide efficient movement of pedestrians and cyclists.</li> <li>• Adopt measures to facilitate active transport priority such as where a local access street crosses the linear park to the satisfaction of the responsible authority.</li> <li>• Utilise the cross section designs in Appendix 4.5 where appropriate.</li> <li>• Have a standard minimum width of 10m, unless otherwise agreed to by responsible authority.</li> </ul>
<b>R28</b>	<p>Shared and pedestrian paths along waterways must:</p> <ul style="list-style-type: none"> <li>• Be delivered by development proponents consistent with the network shown on Plan 10.</li> <li>• Be constructed to a standard that satisfies the requirements of the responsible authority and the catchment management authority.</li> </ul> <p>All be to the satisfaction of the responsible authority and catchment management authority.</p>

<b>R29</b>	The extension of the existing shared path in Kilmore Road must be connected to the proposed shared trail network of the PSP.
<b>R30</b>	Lighting must be installed along shared, pedestrian, and cycle paths linking to key destinations, unless otherwise agreed by the responsible authority.

GUIDELINES	
<b>G27</b>	Location of walkways or pedestrian and cycle paths in addition to those described through the standard cross sections should consider the need for appropriate lighting and passive surveillance.
<b>G28</b>	Path networks associated with open space located inside and outside the precinct should include way finding signage that clearly identifies key destinations.
<b>G29</b>	Subdivision layout should encourage the inclusion of cycle and pedestrian pathways in areas of high natural amenity such as adjacent to drainage lines and waterway corridors.

4.4.2 Public Transport

REQUIREMENTS	
	Any road or intersection nominated in Plan 9 as a potential public transport route must be constructed (including partial construction where relevant) in accordance with the corresponding cross section in the PSP and the Department of Transport’s guidance for public transport and land use development.
	Bus stop facilities must be designed to the satisfaction of Public Transport Victoria and be an integral part of town centres and activity generating land uses such as sports fields and employment areas.

GUIDELINES	
<b>G30</b>	The street network should be designed to ensure all households have direct and convenient walking access to public transport services.





- Precinct Boundary
  - Drainage Reserves/  
Local Parks/ Linear Local  
Parks/ Sports Reserve/  
Conservation Reserves
  - Heritage Reserve –  
Post Contact (subject to CMP)
  - Connector Street  
(bus capable)
- 
- Local Streets
- Standard
  - Standard with Shared Path
  - Settlement Edge
  - Linear Local Park Edge
  - Waterway/Drainage Edge
  - Conservation Area/  
Park Edge
  - Culvert Crossing with  
Shared Path
  - Proposed Vehicular Culvert
  - Proposed Pedestrian Bridge  
(indicative location subject to  
detailed design)
  - Controlled Intersections
  - Existing Roads

1:5000 @ A3 0 50m 100m

Plan 9 - Street Network

Amess Road Precinct Structure Plan

4.4.3 Street Network

REQUIREMENTS	
<b>R31</b>	<p>Design of all subdivisions and streets must provide:</p> <ul style="list-style-type: none"> <li>• A permeable, direct and safe street network prioritising walking and cycling.</li> <li>• Safe and convenient crossing points of connector roads and local streets at all intersections and on key desire lines as well as crossing waterways.</li> <li>• Safe pedestrian crossings of arterial roads at all intersections, at key desire lines, and on regular intervals appropriate to the function of the road and public transport provision.</li> <li>• Safe and convenient transition between on- and off-road bicycle networks.</li> <li>• Convenient access to regional and local points of interest and destinations for effective integration with neighbouring properties, and sports reserves.</li> <li>• Direct and convenient walking access to public transport services.</li> <li>• Connect to the existing road network and existing shared path in Kilmore Road.</li> </ul>
<b>R32</b>	The connector street network must provide a safe, low speed environment.
<b>R33</b>	Where a single street spans across multiple properties that street may consist of multiple cross sections so long as a suitable transition has been allowed for between each. Where that street has already been constructed or approved for construction to a property boundary, the onus is on the development connecting into that street to adopt a consistent cross-section until that suitable transition can be made.
<b>R34</b>	Convenient and direct access to the connector street network must be provided through neighbouring properties where a property does not otherwise have access to the connector street network or signalised access to the arterial network, as appropriate and to the satisfaction of the responsible authority.

<b>R35</b>	<p>Where a lot is eight metres or less in width, vehicle access must be via rear laneway, unless otherwise approved by the responsible authority. Configuration of vehicle access to all other lots must ensure that there is sufficient separation between crossovers to allow for:</p> <ul style="list-style-type: none"> <li>• A minimum of one on-street car park for every two residential lots.</li> <li>• The planting of street trees in accordance with the objectives and requirements of the PSP.</li> </ul>
<b>R36</b>	<p>Approximately 30% of local streets (including connector streets) within a subdivision must apply an alternative cross section to the 'standard' cross section for these streets outlined in Appendix 5.2.</p> <p>Examples of potential variations are provided in Appendix 5.3, which include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Varied street tree placement.</li> <li>• Varied footpath or carriageway placement.</li> <li>• Introduction of elements to create a boulevard effect.</li> <li>• Differing tree outstand treatments.</li> <li>• For the purposes of this requirement, changes to street tree species between or within streets does not constitute a variation.</li> </ul> <p>Alternative cross section must ensure that:</p> <ul style="list-style-type: none"> <li>• Minimum required carriageway dimensions are maintained to ensure safe and efficient operation of emergency vehicles on all streets as well as buses on connector streets.</li> <li>• The performance characteristics of standard cross sections as they relate to pedestrian and cycle use are maintained.</li> <li>• Relevant minimum road reserve widths for the type of street (illustrated in Appendix 5.2) are maintained.</li> </ul>



Amess Road Precinct Structure Plan

GUIDELINES	
<b>G31</b>	Street block lengths should not exceed 240 metres to ensure a permeable and low speed environment for pedestrians, cyclists and vehicles is achieved.
<b>G32</b>	Cul-de-sacs should provide convenient pedestrian and vehicular connections.
<b>G33</b>	The use of roundabouts on arterial or connector roads should not detract from the safe and convenient crossing of those roads by pedestrians and cyclists.
<b>G34</b>	The frequency of vehicular crossovers on widened verges (a verge in excess of six metres) or verges where existing vegetation is to be retained should be minimised through a combination of: <ul style="list-style-type: none"> <li>• Rear loaded lots with laneway access.</li> <li>• Vehicular access from the side of a lot.</li> <li>• Vehicular access via a service lane.</li> <li>• Combined or grouped crossovers.</li> <li>• Increased lot widths.</li> </ul>
<b>G35</b>	The alignment and layout of streets as illustrated in Plan 9 may be adjusted so long as connectivity and function are maintained, to the satisfaction of the responsible authority.
<b>G36</b>	Street trees should be provided on both sides of all roads and streets (excluding laneways) at regular intervals appropriate to tree size at maturity, unless otherwise agreed by the responsible authority. The design and siting of street trees should address relevant council policies & guidelines.



Examples of mature street canopy cover sought for the streets in the Amess Road PSP.

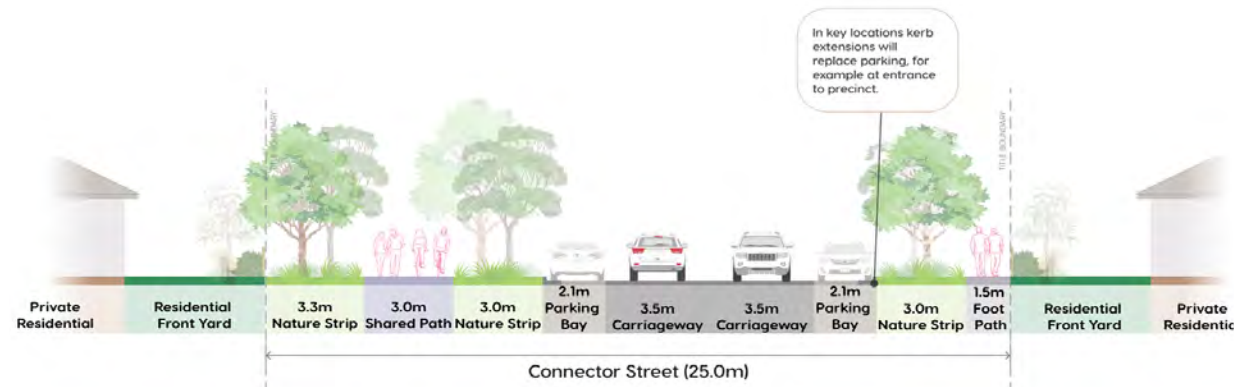


Figure 13 - Cross section showing the greening of the connector street within the PSP area.



Artist impression of the connector street, for the purposes on illustrating the Vision and does not represent the final outcome.

4.5 Village Hub

The Village Hub will comprise local shops (500m2), co-located with the future local sports reserve, and community facility.

Combined or shared services, within a whole-of-community setting, can create service efficiency, promote positive cultural change and strengthen local communities.

The local shops will provide residents with day to day needs and will provide opportunities for some small local enterprises to develop. Rather than creating a second town centre, the local shops are proposed to provide an opportunity for local retail uses, such as a general convenience store and/or café, takeaway food or hair/beauty salon.

LAND USE	EMPLOYMENT MEASURE	QUANTITY OF LAND USE	ANTICIPATED QUANTITY OF JOBS
Local Shops	1 job per 40m2	500	13
Community Centre	10 jobs per centre	1	10
Home Based Businesses	5 jobs per 100 dwellings	1300	65

Table 5 - Anticipated Employment Creation

The sporting reserve is proposed to include a full size AFL oval, two netball courts, and a pavillion. This facility will provide a vital asset for both the PSP community and the wider Riddells Creek Community.

Additionally the multi purpose community facility will provide for the following:

- 2 Kindergarten rooms;
- 3 consulting rooms which can be used flexibly between multiple service providers such as MCH, family support programs and outreach community health services; and
- Flexible community meeting spaces able to be configured for varying sizes and varying activities (including classroom-based activities).



Indicative Layout of the Village Hub for the purposes on illustrating the Vision

Plan 11 - Village Hub Concept Plan

Amess Road Precinct Structure Plan

4.5.1 Local Shops and Community Infrastructure

REQUIREMENTS	
<b>R37</b>	Land use and development within the Amess Road Hub must consider the Village Hub concept plan (Plan 11).
<b>R38</b>	Allocation of land uses, building design and interface treatments in the local shops must create a positive address to streets and minimise negative impacts on the amenity of adjacent residential areas.
<b>R39</b>	The community centre must be designed to front and be directly accessed from a public street with off-street car parks located away from the main building entry. Site design must ensure that any other adjoining streets or public spaces are positively addressed and the use of fencing is minimised.
<b>R40</b>	Any connector road or access street abutting the community facility must be designed to achieve slow vehicle speeds and provide designated pedestrian crossing points in the vicinity of the school site.

GUIDELINES	
<b>G37</b>	Any private childcare, medical, or similar facility should be located proximate to the village hub, as appropriate.
<b>G38</b>	Community facilities and sporting reserves which are co-located should be designed to maximise efficiencies through the sharing of car parking and other complementary infrastructure.
<b>G39</b>	The design and layout of community facilities and sports reserves should be integrated where possible with neighbouring facilities, and fencing minimised, to enable community use of facilities out of hours; to deliver continuous pedestrian paths of travel; and to achieve efficiencies such as sharing and overall reduction of car parking spaces.
<b>G40</b>	The community facility and sports reserve should be accessible by active and public transport routes and provide active street frontages.
<b>G41</b>	Emergency service facilities should have access to the arterial road network to maximise coverage and reduce response times.
<b>G42</b>	The indicative layout of community facilities and open space as illustrated in Plan 11 may be altered to the satisfaction of the relevant responsible authorities.



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4.6 Bushfire management & safety

The study area is in a relatively low bushfire risk location on the eastern side of the Riddells Creek township. No part of the study area, or surrounding landscape for approximately 1km, is covered by the Bushfire Management Overlay (BMO). Reliably low threat or non-vegetated areas will be created as development progresses, which will result in areas of the precinct being able to be excised from the Bushfire Prone Area. The following requirements and guidelines are in place to ensure that future subdivisions appropriately consider the threat of bushfire

**REQUIREMENTS**

<b>R41</b>	Bushfire protection measures must be considered in the layout, staging and design of development and the local street network.
<b>R42</b>	Habitable buildings adjoining bushfire hazards shown on Plan 12 must be setback in accordance with setbacks identified on the plan. However, a lesser setback may be considered subject to a site-specific assessment of bushfire risk, vegetation classifications and setbacks to the satisfaction of the Responsible Authority and relevant fire authority.

**GUIDELINES**

<b>G43</b>	Any additional planting within 20m of the existing vegetation in Kilmore Road should: <ul style="list-style-type: none"> <li>• Aim to have breaks in the horizontal and vertical continuity of plantings by use of noncombustible features such as crushed rock paths or lawn.</li> <li>• Consider non-combustible mulches such as crushed glass, rock or granitic sand.</li> <li>• Consider the CFA publication Landscaping for Bushfire - Garden Design And Plant Selection available at <a href="https://www.cfa.vic.gov.au/plan-prepare/how-to-prepareyour-property/landscaping">https://www.cfa.vic.gov.au/plan-prepare/how-to-prepareyour-property/landscaping</a>.</li> </ul>
<b>G44</b>	Subdivision should include a network of streets that provide multiple evacuation routes away from bushfire risks and areas of bushfire hazard.
<b>G45</b>	Where a setback is required from a bushfire hazard, the setback should, as far as practicable, not be wholly reliant on building setbacks within the boundaries of privately owned residential lots.
<b>G46</b>	All fencing adjoining grassland and woodland areas shown on Plan 12 should be made from noncombustible materials.
<b>G47</b>	Landscape design and plant selection in open spaces, including waterways and drainage corridors, should not increase bushfire risk.

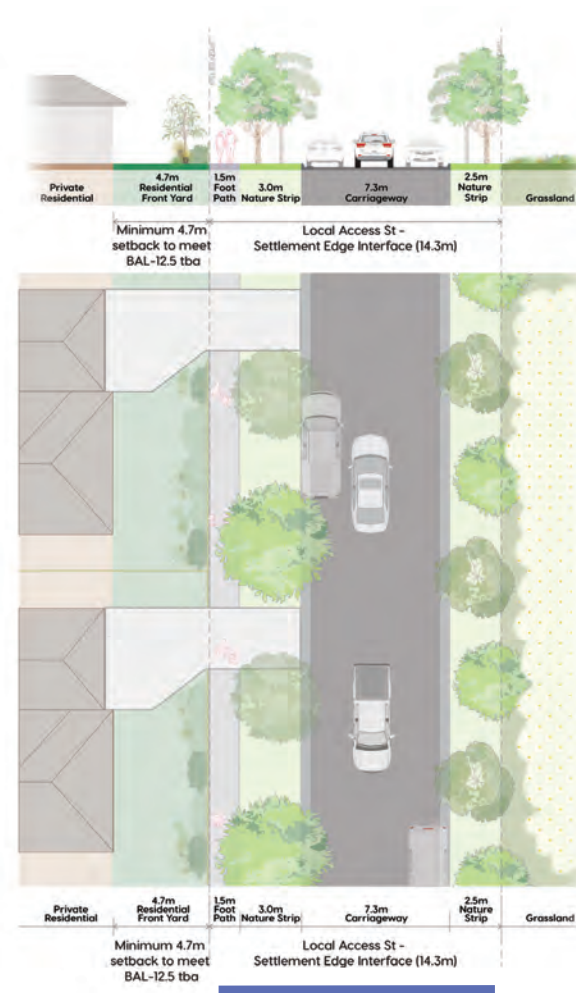


Figure 14 - Settlement Edge Interface



Plan 12 - Bushfire

Amess Road Precinct Structure Plan

4.7 Integrated Water Management

Integrated water management (IWM) deals with all elements of water management, supply and disposal as a single system, recognising that new approaches are necessary in order to conserve our valuable water resources while improving and protecting our environment.

The requirements and guidelines in this section aim to ensure that stormwater is adequately managed on site to ensure there are no downstream impacts as a result of future development. The consideration of Integrated Water Management and Water Sensitive Urban Design initiatives is also addressed.

REQUIREMENTS	
<b>R43</b>	Development must give effect to relevant policies and strategies being implemented by the responsible authority, Melbourne Water and Greater Western Water, including any approved Integrated Water Management (IWM) plan.
<b>R44</b>	Stormwater conveyance and treatment (including interim solutions) must be designed generally in accordance with the relevant Development Services Scheme and Plan 13 to the satisfaction of Melbourne Water and the responsible authority, and to avoid or mitigate the risk of erosion from sodic and dispersive soils.
<b>R45</b>	The final layout and design of constructed wetlands, retarding basins, stormwater quality treatment infrastructure, and associated paths, boardwalks, bridges, and planting, must be designed to the satisfaction of Melbourne Water and the responsible authority, and include appropriate considerations to mitigate the risk of erosion from sodic and dispersive soils.
<b>R46</b>	Stormwater runoff from the development must meet the performance objectives of the CSIRO Best Practice Environmental Management Guidelines for Urban Stormwater prior to discharge to receiving waterways and as outlined on Plan 13, unless otherwise approved by Melbourne Water and the responsible authority. Proposals that exceed the performance objectives are highly encouraged and can be considered, to the satisfaction of the relevant authorities.
<b>R47</b>	The design and layout of connector street network and open spaces (including linear links) must ensure the long-term viability of vegetation (especially existing mature River Red Gums) and optimise water use efficiency through the use of overland flow paths, stormwater harvesting and/or passive irrigation, and Water Sensitive Urban Design initiatives.

<b>R48</b>	Applications must demonstrate, through the preparation of IWM Plans: <ul style="list-style-type: none"> <li>• Waterways and integrated water management design enables land to be used for multiple recreation and environmental purposes.</li> <li>• Overland flow paths and piping within road reserves will be connected and integrated across property/parcel boundaries.</li> <li>• Melbourne Water and the responsible authority freeboard requirements for overland flow paths will be adequately contained within the road reserves.</li> <li>• Relevant IWM requirements of this PSP will be achieved to the satisfaction of the retail water authority, including the supply of recycled water where required by the relevant water authority.</li> </ul>
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GUIDELINES	
<b>G48</b>	Where practical, development should include IWM initiatives to reduce reliance on potable water and increase the utilisation of stormwater and wastewater contributing to a sustainable urban environment.
<b>G49</b>	Where practical, IWM systems should be designed to: <ul style="list-style-type: none"> <li>• Maximise habitat values for local flora and fauna species.</li> <li>• Enable future harvesting and/or treatment and re-use of stormwater.</li> <li>• Protect and manage Matters of National Environmental Significance (MNES) values, particularly within conservation areas, in relation to water quality and suitable hydrological regimes (both surface and groundwater).</li> <li>• Recognise and respond to Aboriginal cultural heritage significance.</li> </ul>
<b>G50</b>	The design and layout of roads, road reserves, and public open space should optimise water use efficiency and long-term viability of vegetation and public uses through the use of overland flow paths, Water Sensitive Urban Design initiatives such as street swales, rain gardens and/ or locally treated storm water for irrigation to contribute to a sustainable and green urban environment.
<b>G51</b>	Where practical, and where primary waterway or conservation functions are not adversely affected, land required for IWM initiatives should be integrated with the precinct open space and recreation system and as depicted on Plan 6 and Table 4.

WATER INFRA-STRUCTURE ID	TYPE	PROPERTY #	REQUIRED LAND AREA (HA)	ATTRIBUTES	RESPONSIBILITY
WL1	Waterway	1,2,14	4.66	Future Amess Road DS	MW/MRSC TBC
WL2	Wetland/ Drainage	7,9	3.33	Future Amess Road DS	MW/MRSC TBC
WL3	Water-way/ Wetland/ Drainage	5	5.53	Future Amess Road DS	MW/MRSC TBC
WL4	Water-way/ Wetland/ Drainage	4,5	3.62	Future Amess Road DS	MW/MRSC TBC

Table 6 - Water Infrastructure



Plan 13 - Integrated Water Management

Amess Road Precinct Structure Plan

**4.8 Biodiversity, vegetation & landscape character**

Although a large portion of the PSP area has previously been used for cropping, some high value native vegetation remains on the site. The PSP has been prepared to consider all of the existing native vegetation and the Future Urban Structure protects the vegetation with the highest values via the creation of conservation reserves. The existing vegetation in Frost Lane, Kilmore Road and Amess Road is also proposed to be retained to the greatest extent possible. A Native Vegetation Precinct Plan has been prepared to be read in conjunction with this PSP. However, the following section includes additional requirements and guidelines relating the vegetation and landscape character that future development is to consider.

REQUIREMENTS	
<b>R49</b>	Native vegetation removal must undertaken in accordance with Plan 14 and the NVPP unless otherwise agreed by the responsible authority.
<b>R50</b>	Where trees are retained, applications for subdivision and/ or development must apply Tree Protection Zones.
<b>R51</b>	Any development or public infrastructure to be located abutting or adjacent to retained biodiversity must be designed and located in a manner that avoids or minimises the potential for future biodiversity degradation.

GUIDELINES	
<b>G52</b>	Strategic revegetation or restoration should link and develop retained native vegetation or habitat areas with emphasis on enhancing corridors along and around constructed waterways and wetlands without exceeding the bushfire hazard threat level identified on Plan 12.
<b>G53</b>	Planting in the open space networks should maximise the use of indigenous species to the satisfaction of the responsible authority and the relevant land manager.
<b>G54</b>	The layout and design of waterways, wetlands and retarding basins (including the design of paths, bridges and boardwalks, and the stormwater drainage system) should integrate with biodiversity and natural systems to the satisfaction of Melbourne Water and other relevant responsible authorities.



Plan 14 - NVPP Plan

Amess Road Precinct Structure Plan

4.9 Precinct infrastructure delivery

This section aims to put requirements and guidelines in place relating to utilities such as water, sewer, stormwater, gas, telecommunications and electricity. Additionally, it provides guidance on development staging and subdivisional works

4.9.1 Utilities

REQUIREMENTS	
R52	Utilities must be placed outside natural waterway corridors or on the outer edges of these corridors to avoid disturbance to existing native vegetation, significant landform features and heritage sites, to the satisfaction of the responsible authority.
R53	Above-ground utilities (such as electricity substations and sewer pump stations) must be identified at the subdivision design stage to enable appropriate integration into the subdivision layout and minimise any adverse amenity impacts.
R54	All development must be serviced by reticulated services including, water, sewer, stormwater, gas, telecommunications and electricity to the satisfaction of the relevant services authority.
R55	Delivery of underground services must be coordinated, located and bundled where possible to utilise common trenching to facilitate the planting of trees and other vegetation within road verges to the satisfaction of the responsible authority.

GUIDELINES	
G55	Above-ground utilities should be located outside of prominent view lines and screened with vegetation as appropriate
G56	Design and placement of underground services in new or upgraded streets should have regard to the regional Infrastructure Design Manual.
G57	Utility easement to the rear of lots should only be provided where there is no practical alternative.





Plan 15 - Precinct Infrastructure Plan

Amess Road Precinct Structure Plan

4.9.2 Development staging

REQUIREMENTS	
<b>R56</b>	<p>Development staging must provide for the timely provision and delivery of:</p> <ul style="list-style-type: none"> <li>• Boulevard connector streets, connector streets, connector street waterway crossings and connector street intersections with arterial roads.</li> <li>• Street links between properties, constructed to the property boundary.</li> <li>• On- and off-road pedestrian and bicycle network paths, including the linear park.</li> <li>• Essential infrastructure.</li> <li>• Land for community infrastructure, sports fields and local open space.</li> </ul>
<b>R57</b>	<p>Streets must be constructed to property boundaries where an inter-parcel connection is intended or indicated in the PSP by any date or stage of development required or approved by the responsible authority. An interim arrangement for a turning area may be undertaken to the satisfaction of the responsible authority.</p>

GUIDELINES	
<b>G58</b>	<p>Staging of development should be determined largely by the development proposals on land within the precinct and the availability of infrastructure services. Development applications should demonstrate how the development will:</p> <ul style="list-style-type: none"> <li>• Integrate with adjoining developments, including the timely provision of roads and path connections, to a practical extent.</li> <li>• Provide open space and amenity to new residents in the early stages of the development, where relevant.</li> <li>• Provide for continuous sealed road access to each new allotment constructed to an urban standard.</li> <li>• Deliver any necessary trunk service extensions, including confirmation of the agreed approach and timing by the relevant service provider.</li> <li>• Deliver the ultimate Melbourne Water DSS drainage solution, or alternately consider an interim solution which protects and minimise the effect of the urban catchment on downstream landowners.</li> </ul>

<b>G59</b>	<p>Infrastructure projects identified in the Plan 15 should be delivered as per the timing priority identified in the timing column of Table 6. Where infrastructure is proposed to be delivered outside or ahead of the sequence identified in Table 6, the onus is on the developer to fund the infrastructure works as 'Works In Kind'.</p> <p>Note: Project delivery timing outlined in Table 6 is indicative and subject to periodic review by the relevant responsible authority</p>
<b>G60</b>	<p>Development staging should have regard to:</p> <ul style="list-style-type: none"> <li>• Proximity to existing or proposed development fronts or serviced land.</li> <li>• Proximity to significant existing public transport infrastructure or public transport service.</li> <li>• Proximity to existing or committed or proposed community infrastructure, such as schools.</li> <li>• Proximity to new or existing arterial or connector road infrastructure.</li> <li>• Its role in facilitating delivery of the above infrastructure.</li> </ul> <p>Staging that meets alternative criteria to the above may be considered by the responsible authority where an applicant satisfactorily demonstrates that development will not be isolated from basic and essential infrastructure and services.</p> <p>Note: Project delivery timing outlined in Table 6 is indicative and subject to periodic review and the availability of funds in the infrastructure contribution plan account.</p>
<b>G61</b>	<p>Development staging should be coordinated with the delivery of key local and state infrastructure.</p>
<b>G62</b>	<p>Each stage of development, where at the edge of the urban area, should comply with any relevant interface objectives, requirements or guidelines contained in the PSP.</p>

4.9.3 Subdivision works

REQUIREMENTS	
<b>R58</b>	<p>Subdivision of land within the PSP must provide and meet the cost for all local infrastructure, other than that provided for within the Amess Road DCP. This includes (but is not limited to):</p> <ul style="list-style-type: none"> <li>• Connector streets and local streets.</li> <li>• Local bus stop infrastructure (where locations have been agreed in writing by Head, Department of Transport).</li> <li>• Landscaping, including canopy tree planting, of all existing and future roads and local streets.</li> <li>• Intersection works and traffic management measures along connector streets, and local streets.</li> <li>• Council approved fencing and landscaping (where required) along arterial roads and reserves.</li> <li>• Shared pedestrian and bicycle paths along local connector roads, local streets, waterways and within local parks.</li> <li>• Bicycle parking.</li> <li>• Appropriately scaled lighting along all roads, major shared and pedestrian paths, and traversing public open space.</li> <li>• Basic improvements to local parks and open space (refer to open space delivery below).</li> <li>• Infrastructure as required by utility service providers including water, sewerage, drainage (except where the item is funded through a Development Services Scheme), electricity, gas, and telecommunications</li> </ul>

<b>R59</b>	<p>All public open space including the linear park/green link (where not otherwise provided via the Amess Road DCP) must be finished to a standard that satisfies the requirements of the responsible authority prior to the transfer of the public open space, including but not limited to:</p> <ul style="list-style-type: none"> <li>• Removal of all existing and disused structures, foundations, pipelines, stockpiles, and any soil contamination.</li> <li>• Basic levelling including the supply and spread of minimum 75mm topsoil and subsoil if required on the proposed areas of open space to provide a stable free draining surface.</li> <li>• Clearing of rubbish, weeds and rocks, levelled, topsoiled and grassed with warm climate grass.</li> <li>• Provision of water tapping, potable and recycled water connection points.</li> <li>• Sewer, gas and electricity connection points must also be provided to land identified as sports reserve.</li> <li>• Planting of trees and shrubs (with drought tolerant species).</li> <li>• Adequate protection of existing trees that are to be retained including exclusion zones as appropriate.</li> <li>• Vehicular exclusion devices (fence, bollards, or other suitable method).</li> <li>• Maintenance access points.</li> <li>• Construction of minimum 1.5 metre wide pedestrian paths around the perimeter of the reserve, connecting and linking into any other surrounding paths or points of interest, except where shown as a shared path on Plan 10.</li> <li>• Installation of park furniture including seating, drinking fountains, shelters, tables, local scale playgrounds and other local scale play elements such as half basketball courts and hit-up walls, soccer goals, rubbish bins and appropriate paving to support these facilities, consistent with the type of public open space listed in the open space delivery guide at Table 4.</li> </ul>
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<b>R60</b>	<p>Sports reserves must be vested in the relevant authority in the following condition:</p> <ul style="list-style-type: none"> <li>• Free from surface and protruding rocks and structures.</li> <li>• Reasonably graded and/or top soiled to create a safe and regular surface, with a maximum.</li> <li>• 1:6 gradient.</li> <li>• Bare, patchy and newly graded areas seeded, top-dressed with drought resistant grass.</li> <li>• Consistent with the Amess Road DCP, where these works are not considered to be temporary, works are eligible for a works-in-kind credit against an DCP obligation. Works associated with adjacent road construction, such as earthworks for a road embankment, are not eligible for works-in-kind credit.</li> </ul>
<b>R61</b>	<p>Where an inter-parcel connection is intended or indicated in the PSP, streets must be constructed to property boundaries at the relevant stage of development required or approved by the responsible authority. Provision should be made for temporary vehicle turning until the inter-parcel connection is delivered.</p>
<b>R62</b>	<p>Where a street has already been constructed or approved for construction to a property boundary, subsequent development must connect with that street to adopt a consistent cross section until a suitable transition can be made.</p>

**4.9.4 Precinct Infrastructure Plan**

The Precinct Infrastructure Plan (PIP) outlined in Table 6 sets out the infrastructure and services required to meet the needs of proposed development within the precinct. The infrastructure items and services are to be provided through a number of mechanisms including:

- Subdivision construction works by developers.
- Agreement under section 173 of the Planning & Environment Act 1987.
- The DCP.
- Utility service provider requirements.
- Capital works projects by Council.
- Works in kind (WIK) projects undertaken by developers on behalf of Council or State Government Agencies.

Table 7 - Precinct Infrastructure Plan

PROJECT CATEGORY	DCP PROJECT	TITLE	PROJECT DESCRIPTION	LEAD AGENCY	INDICATIVE TIMING	INCLUDED IN THE DCP?
<b>Transport</b>						
Intersection	IN-01	Intersection: Connector road/ Kilmore Road / Gyro Close	Land and Construction of an ultimate 4 way roundabout roundabout treatment.	MRSC/DoT	M	YES
Intersection	IN-02	Intersection: Amess Road/ Kilmore Road	Construction of an upgraded T-Intersection.	MRSC/DoT	M	YES
Transport	RD-01	Road: Shared Path Extension on Kilmore Road	Construction of an extension to the existing shared path from Richardson Street to the southern boundary of Sandy Creek.	MRSC	M	YES
Transport	RD-02	Road: Existing Amess Road Upgrade	Construction of upgrade to existing Amess Road to a 7m rural standard from IN-02 to the connector road connection to Amess Road.	MRSC	M	YES
Transport	PBR-01	Sandy Creek Pedestrian Bridge	Construction of pedestrian bridge across Sandy Creek (ultimate location subject to detailed design).	MRSC	M	YES
Transport	-	Gravel Fire Track	Construction of gravel fire track adjacent to Kilmore Road.	MRSC	M	NO
<b>Public Transport</b>						
Bus	-	Riddells Creek Bus route extension	Delivery of PPTN and local bus routes.	Director of Transport	S-L	NO
Bus	-	Bus Stops	Provision of bus stops to be delivered as part of subdivision construction approvals.	Director of Transport	M-L	NO
<b>Drainage</b>						
Vehicular Culvert	CU-01	Wurundjeri Creek Culvert Crossing	Construction of a new culvert across Wurundjeri Creek constructed waterway.	MRSC	M-L	YES
Drainage/ Wetlands	-	Drainage Corridor	Delivery of ultimate drainage infrastructure.	Melbourne Water	S-L	NO
Drainage Corridor	-	Drainage Corridor	Pathways and passive recreation opportunities within the drainage corridor.	MRSC	M	NO
<b>Community</b>						
Community Centre	CI-01	Amess Road Community Centre (Amess Road Community Hub)	Land and Construction of of a multi-purpose community centre at Amess Road Community Hub, including community rooms and additional facilities to cater for childcare and maternal child health.	MRSC	M-L	YES
Local Sports Reserve	SR-01	Amess Road Sports Reserve (Amess Road Community Hub)	Land and Construction of a sports reserve incorporating playing surfaces and car parks, including all construction works, landscaping and related infrastructure.	MRSC	M-L	YES
Local Sports Reserve	SR-01C	Amess Road Sports Reserve (Amess Road Community Hub)	Construction of a pavilion , including all building works, landscaping and related infrastructure.	MRSC	M-L	YES
Local Park Network	-	Local Park and Linear Park network	Basic improvements to open space, including earthworks, grading, paths, local playgrounds etc.	MRSC	S-L	NO

Amess Road Precinct Structure Plan



# 5.0

## APPENDICES

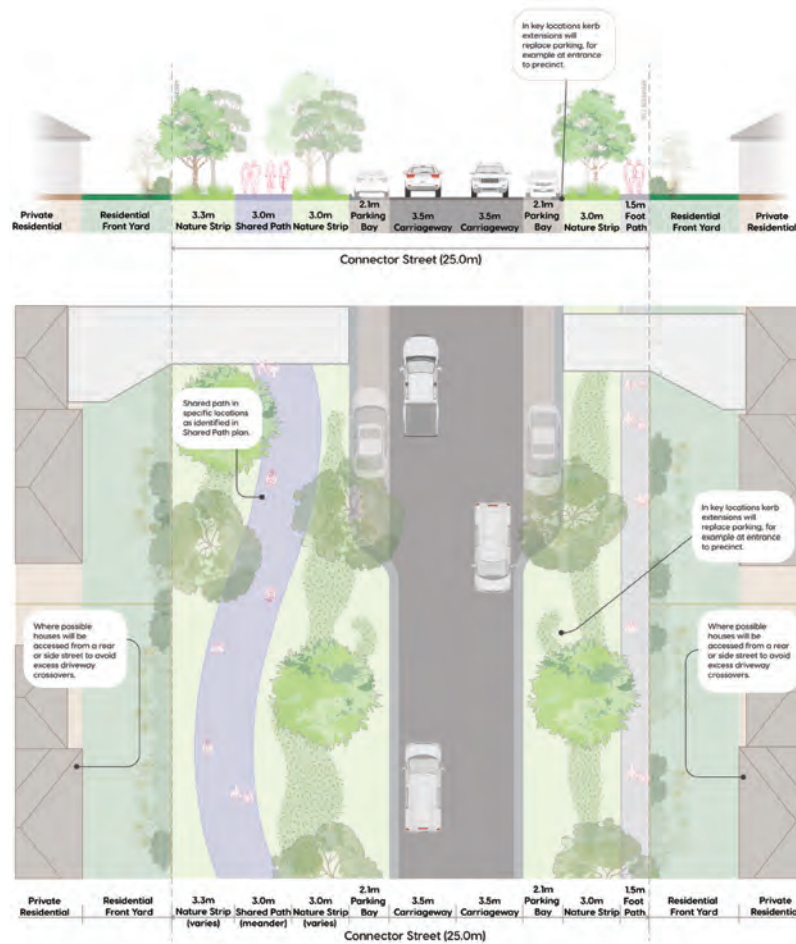
Amess Road Precinct Structure Plan

### 5.1 Parcel specific land budget table

PSP PROPERTY ID	TOTAL AREA (HECTARES)	TRANSPORT	COMMUNITY	OPEN SPACE				OTHER	TOTAL NET DEVELOPABLE AREA (HECTARES)	NET DEVELOPABLE AREA % OF PROPERTY
		ARTERIAL ROAD - INTERSECTION FLARING & REALIGNMENT (DCP LAND)	LOCAL COMMUNITY FACILITY (DCP LAND)	UNCREDITED OPEN SPACE		CREDITED OPEN SPACE		HERITAGE RESERVE POST CONTACT		
				CONSERVATION RESERVE	DRAINAGE INFRASTRUCTURE (MELBOURNE WATER DSS LAND)	LOCAL SPORTS RESERVE (DCP LAND)	LOCAL PARK (VIA CL 5.3.01)			
1	4.91	0.46	-	-	1.29	-	-	-	3.62	74%
2	9.85	-	-	-	1.75	-	0.47	4.05	3.58	36%
3	21.13	-	-	-	-	0.85	1.43	-	18.85	89%
4	4.99	0.38	0.7	-	1.25	1.7	0.19	-	0.77	15%
5	22.49	-	-	-	7.89	1.26	-	-	13.34	59%
6	8.68	-	-	0.57	-	0.39	1	-	6.72	77%
7	8.20	-	-	1.15	1.7	-	0.1	-	5.25	64%
8	8.02	-	-	-	-	-	0.5	-	7.52	94%
9	8.21	-	-	-	1.64	-	-	-	6.57	80%
10	8.07	-	-	-	-	-	0.28	-	7.79	97%
11	0.60	-	-	-	-	-	-	-	0.60	100%
12	7.58	-	-	-	-	-	0.33	-	7.25	96%
13	8.17	-	-	-	-	-	1.23	-	6.94	85%
14	8.88	-	-	-	1.62	-	1.02	-	6.24	70%
Wohl Court *	1.41	-	-	0.07	-	-	0.02	-	1.32	94%
<b>TOTAL</b>	<b>131.18</b>	<b>0.38</b>	<b>0.70</b>	<b>1.79</b>	<b>17.14</b>	<b>4.20</b>	<b>6.57</b>	<b>4.05</b>	<b>96.35</b>	<b>73.45%</b>

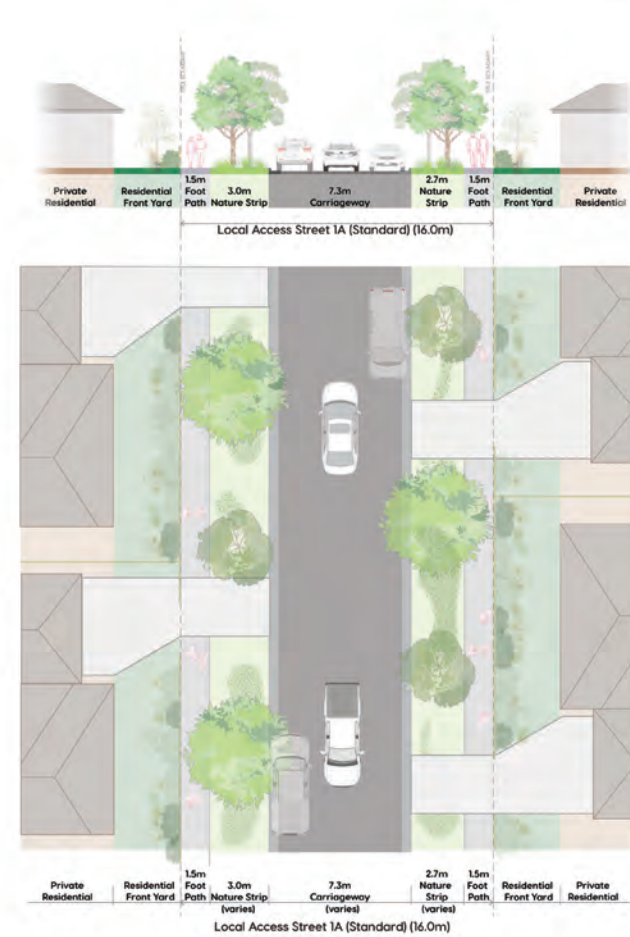
\* Wohl Court is an existing road reserve that will be discontinued once the main connector road through the PSP has been constructed. A formal discontinuation process (under Road Management Act 2004) will be required.

5.2 Street cross sections



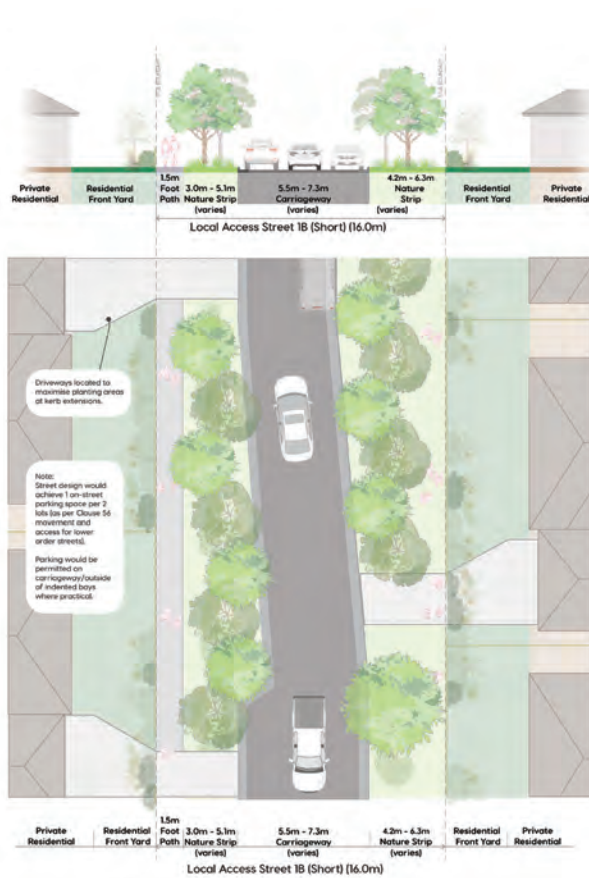
Note: Connector Street will have a variety of interface treatments including front loaded (with consolidated driveways where possible), siding and rear loaded products. Connector Street will be bus capable.

Connector Street

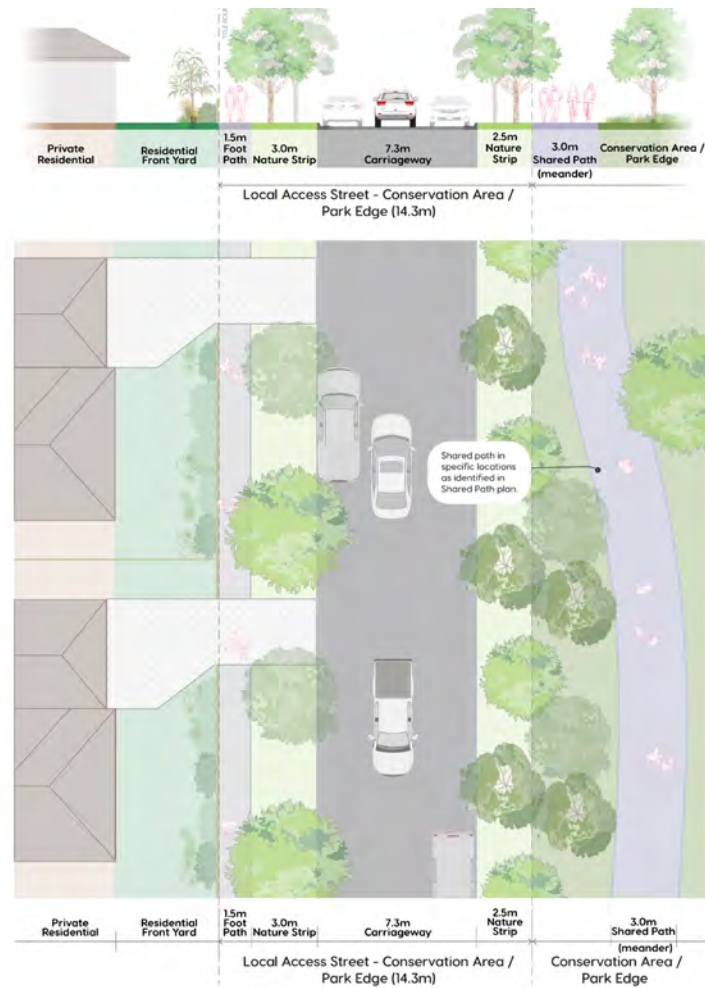


Local Access Street IA (Standard)

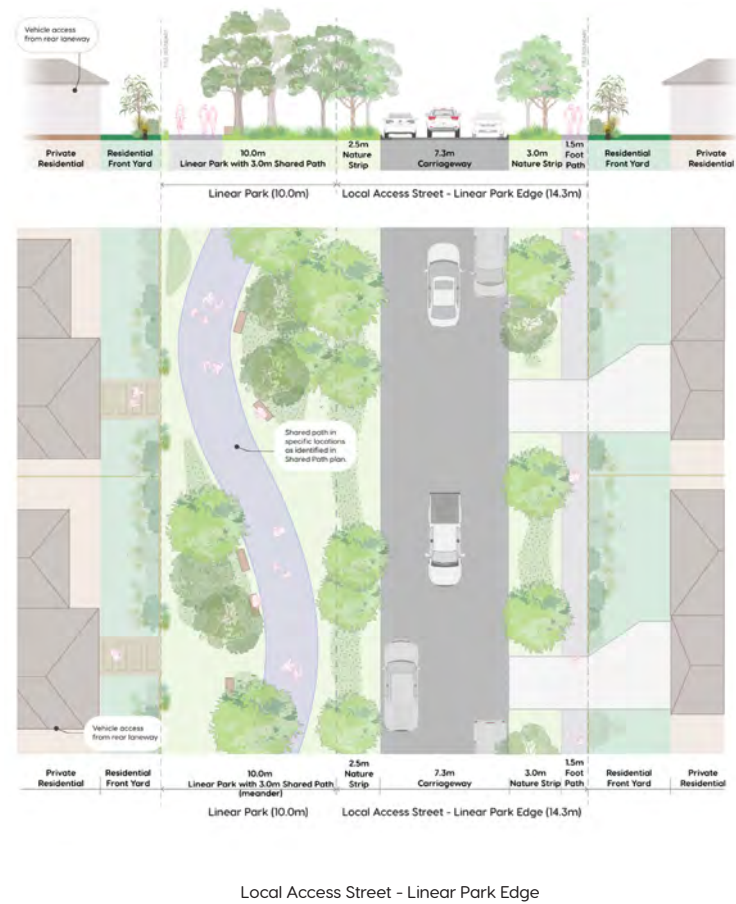
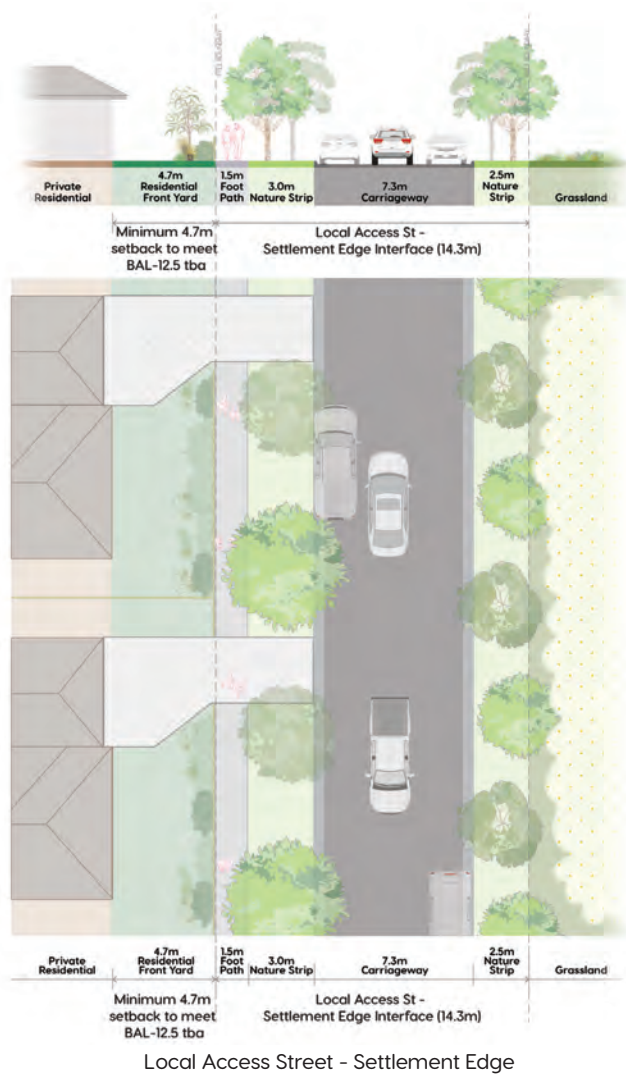


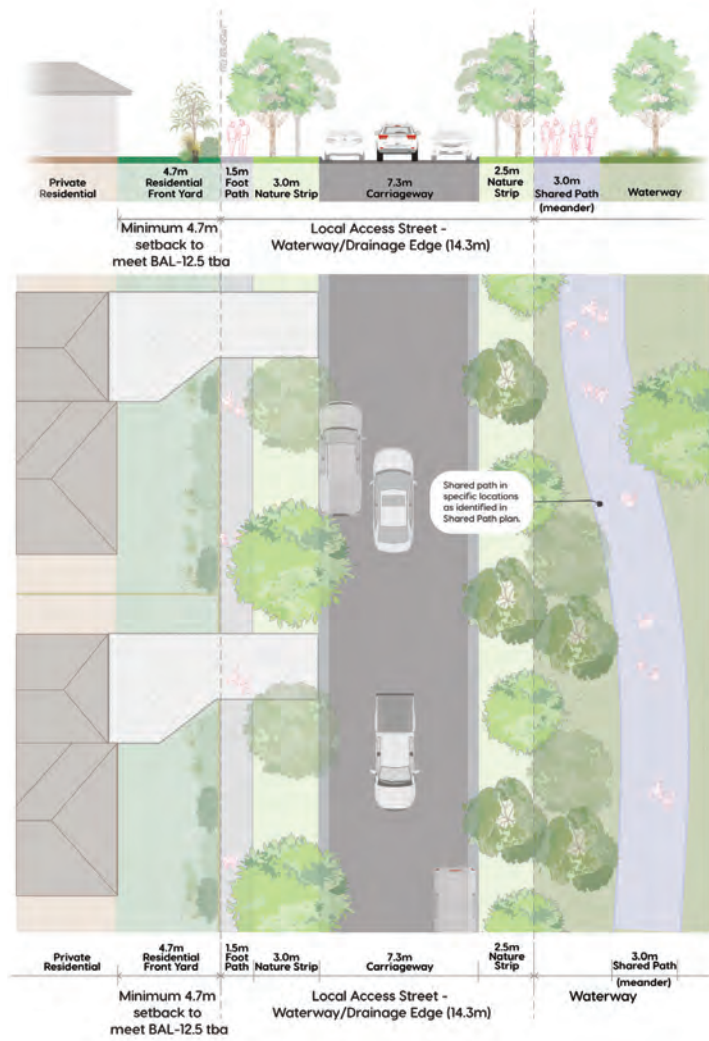


Local Access Street IB (Short)

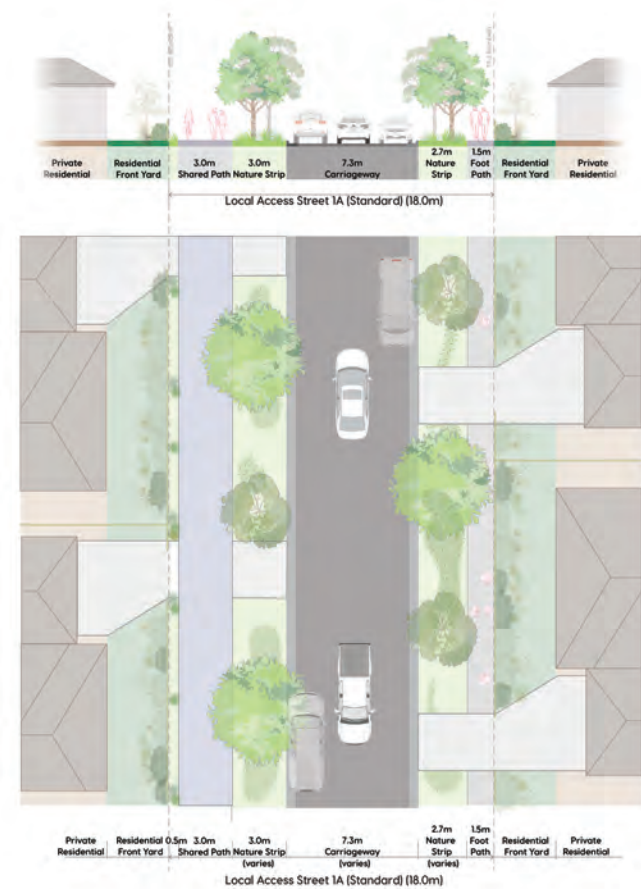


Local Access Street - Conservation Area / Park Edge





Local Access Street - Waterway/Drainage Edge

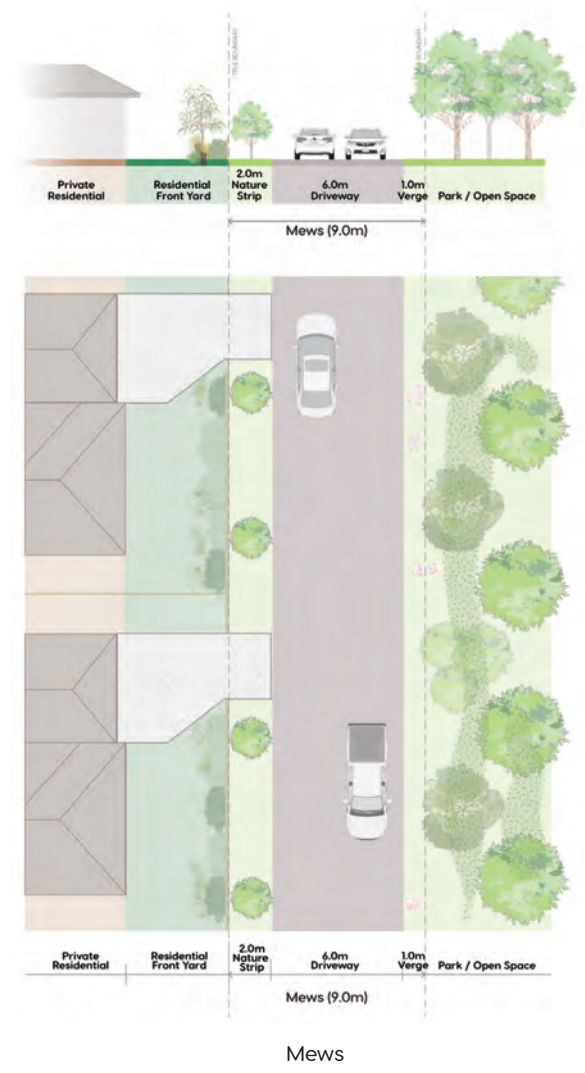


Local Access Street (Standard with Shared Path)

Amess Road Precinct Structure Plan



Local Access Street  
(Culvert with Shared Path)



Mews

Amess Road Precinct Structure Plan

5.3 Service Placement Guidelines

5.3.1 Standard street cross sections

Figures 003 and 004 in the Engineering Design and Construction Manual for Subdivision in Growth Areas (April 2011) outline placement of services for a typical residential street environment. This approach is appropriate for the majority of the 'standard' road cross sections outlined in Appendix C containing grassed nature strips, footpaths and road pavements.

5.3.2 Non-standard street cross sections

To achieve greater diversity of streetscape outcomes in Melbourne's growth areas, which enhances character and amenity of these new urban areas, non-standard road cross sections are required. Nonstandard road cross sections will also be necessary to address local needs, such as fully sealed verges for high pedestrian traffic areas in town centres and opposite schools. This PSP contains suggested non-standard 'variation' road cross sections, however other non-standard outcomes are encouraged. For non-standard road cross sections where service placement guidance outlined in Figure 003 and 004 in the Engineering Design and Construction Manual for Subdivision in Growth Areas (April 2011) is not applicable, the following service placement guidelines will apply.

	UNDER PEDESTRIAN PAVEMENT	UNDER NATURE STRIPS	DIRECTLY UNDER TREES <sup>1</sup>	UNDER KERB	UNDER ROAD PAVEMENT <sup>2</sup>	WITHIN ALLOTMENTS	NOTES
Sewer	Possible	Preferred	Possible	No	Possible	Possible <sup>3</sup>	
Potable water	Possible <sup>4</sup>	Preferred	Preferred	No	Possible	No	Can be placed in combined trench with gas
Recycled water	Possible <sup>4</sup>	Preferred	Preferred	No	Possible	No	
Gas	Possible <sup>4</sup>	Preferred	Preferred	No	No	No	Can be placed in combined trench with potable water
Electricity	Preferred <sup>4</sup>	Possible	Possible	No	No	No	Pits to be placed either fully in footpath or nature strip
FTTH/ Telco	Preferred <sup>4</sup>	Possible	Possible	No	No	No	Pits to be placed either fully in footpath or nature strip
Drainage	Possible	Possible	Possible	Preferred	Possible	Possible <sup>3</sup>	
Trunk services	Possible	Possible	Possible	Possible	Preferred	No	

1 Trees are not to be placed directly over property service connections

2 Placement of services under road pavement is to be considered when service cannot be accommodated elsewhere in road reserve. Placement of services beneath edge of road pavement/parking bays is preferable to within traffic lanes

3 Where allotment size/frontage width allows adequate room to access and work on a pipe

4 Where connections to properties are within a pit in the pedestrian pavement/footpath

Table 8 - Stormwater Drainage and Water Quality Treatment Infrastructure

### 5.3.3 General principles for service placement

General principles for service placement

- Place gas and water on one side of road, electricity on the opposite side
- Place water supply on the high side of road
- Place services that need connection to adjacent properties closer to these properties
- Place trunk services further away from adjacent properties
- Place services that relate to the road carriageway (e.g. drainage, streetlight electricity supply) closer to the road carriageway
- Maintain appropriate services clearances and overlap these clearances wherever possible
- Services must be placed outside of natural waterway corridors or on the outer edges of these corridors to avoid disturbance to existing waterway values.

5.4 Small Lot Housing Code

Single Class 1a Buildings and Associated Class 10a Buildings

Part 1

10 Maximum street setback

- 1.1 The front wall of a new Class 1a Building must be set back no more than 1.5 metres than the street setback specified in Table 1.

2.0 Minimum street setbacks and articulation

In this standard, street does not include lane, footway, alley or right of way.

- 2.1 Walls of a building must be setback from front and side street alignments the distances specified in Table 1.

Table 1 Street setbacks

Designation of the allotment in the subdivision permit	Minimum setback from front street alignment	Minimum setback from side street alignment, where the lot is on a corner
Type A	4.0 metres for a building facing a declared road  1.5 metres for a building facing a street where there is a recreation reserve on the other side of the street and opposite the allotment  3.0 metres in any other case	1.5 metres
Type B	4.0 metres for a building facing a declared road  1.5 metres in any other case	1 metre

A front street setback may be to a reserve if the dwelling is rear-loaded.

- 2.2 Walls of a building must be articulated in accordance with Table 2.

Table 2 Articulation at front and side street

Minimum articulation at front Street Alignment	Minimum articulation at side Street Alignment
No less than 25 per cent of the area of the front façade of a building must be setback at least an additional 300mm	If a wall is more than 10.0 metres in length, 10 per cent of the area of the wall must be setback at least an additional 300mm

For the purposes of this standard, the area of the front façade means the area of the walls of the building facing the front street and measured from a two-dimensional elevation and excludes any roof area and the area of garage and carports doors / opening.

- 2.3 The entrance (to a door or opening) of any garage or carport, that is accessed from the front street alignment (not a lane), must be setback:
  - a. no less than 5.0 metres from the front street alignment; or
  - b. no less than 2.0 metres from the side street alignment.

- 24 The following may encroach into the setback distance required by standard 2.1 by no more than 1.5 metres –
  - a. eaves, fascia and gutters; and
  - b. decks, steps or landings less than 800mm in height; provided these encroachments do not project over a street alignment.
- 25 At least one of the following design features must be provided to the front of the building and may encroach into the setbacks required by standard 2.1 –
  - a. a porch, verandah or pergola that –
    - i. is open on at least 2 sides;
    - ii. has a width that does not exceed 80 per cent of the frontage of the allotment or 4m, whichever is the greater; and
    - iii. projects at least 800mm and no more than 1.5 metres forward of the front wall (inclusive of the eave);
 or
  - b. a balcony on the second storey or above, that –
    - ii. for any part of the balcony that is forward of the front wall, has a width that does not exceed 80 per cent of the frontage of the allotment or 4.0 metres, whichever is the greater; and
    - v. projects at least 300mm and no more than 1.0 metre forward of the front wall, if the balcony is roofed; or
    - vi. projects at least 800mm and no more than 1.5 metres forward of the front wall, if the balcony is not roofed;
 or
  - c. fin/s or sunhood/s having a minimum combined dimension of 3.1 metres which must project at least 300mm and not more than 1.0 metre forward of the front wall to which it is attached.

3.0 Building height

- 3.1 The height and/or storeys of a building must not exceed those specified in the zone, inclusive of any schedule. If no height specified:
  - a. the building height must not exceed 11 metres; and
  - b. the building must contain no more than 3 storeys at any point.
 The reference to zone in this standard includes an applied zone.

4.0 Site coverage

- 4.1 The site area covered by buildings must not exceed the area specified in Table 3.

Table 3 Site coverage

Designation of the allotment in the subdivision permit	Site coverage
Type A	90 per cent  The percentage may be calculated as the average of allotments that have simultaneously approved/lodged attached dwellings
Type B	100 per cent

When calculating site coverage under standard 4.1, eaves, fascia and gutters not exceeding 600mm in total width, unroofed swimming pools, unroofed terraces, unroofed patios, unroofed decks and pergolas may be disregarded.

5.0 Permeability

- 5.1 The site area covered by permeable surfaces must be at least the area specified in Table 4.

Table 4 Permeability

Designation of the allotment in the subdivision permit	Permeable surfaces
Type A	10 per cent  The percentage may be calculated as the average of allotments that have simultaneously approved/lodged attached dwellings
Type B	No minimum permeable surface specified

6.0 Car parking

- 6.1 Provision must be made for the number of car parking space(s) specified in Table 5.

Table 5 Car parking

Designation of the allotment in the subdivision permit	Minimum number of car parking spaces
Type A	1 car parking space if the building has two or less bedrooms  2 car parking spaces if the building has 3 or more bedrooms
Type B	1 car parking space

- 6.2 The car parking space(s) required under standard 6.1 must be accessible from a public street or lane or right of way, however, if the allotment has a frontage width of less than 6.0m access to the car parking space(s) must only be from the rear of the allotment.
- 6.3 If 1 car parking space is required under standard 6.1 it must be at least 6.0 metres long and 3.5 metres wide.
- 6.4 If 2 car parking spaces are required under standard 6.1 –
  - a. one space must be at least 6.0 metres long and 3.5 metres wide; and
  - b. the second space must be at least 4.9 metres long and 2.6 metres wide.
- 6.5 The minimum ceiling height to a garage, carport or car parking space is 2.1 metres.
- 6.6 Despite standard 6.4, if the 2 required car parking spaces adjoin each other in a garage or carport or in a space constrained by walls, the double space may be 5.5 metres in width.
- 6.7 If the car parking space(s) required under standard 6.1 is in a garage or carport and the door(s) or opening(s) to the garage or carport faces the front street –
  - a. the width of the door(s) or opening(s) must not exceed 50 per cent of the width of the of the frontage of the allotment; or
  - b. the area of the door(s) or opening(s) must not exceed 30 per cent of the area of the front façade of the building.

7.0 Side and rear setbacks

Standard 7 does not apply to a wall of a building or a carport that complies with standard 8.

- 7.1 A building must be set back from a side or rear boundary not less than the distance specified in Table 6.

Table 6 Side and rear setbacks

Building height at any point	Minimum setback from side or rear boundary	Minimum setback from a lane
3.6 metres or less	1.0 metre	0 metres
More than 3.6 metres but not more than 6.9 metres	1.0 metre plus 0.3 metres for every metre of height over 3.6 metres	0 metres
More than 6.9 metres	2.0 metres plus 1.0 metre for every metre of height over 6.9 metres	2.0 metres plus 1.0 metre for every metre of height over 6.9 metres

- 7.2 The following may encroach into the setback distance required by Table 7 by not more than 500mm (this standard does not apply to setback from lane) –
  - a. porches and verandahs;
  - b. masonry chimneys;
  - c. sunblinds and sunhoods;
  - d. flues and pipes;
  - e. domestic fuel tanks and water tanks; and
  - f. heating and cooling equipment and other services.
- 7.3 Eaves, fascias and gutters may encroach into the setback distance required by Table 6 by not more than 600mm (this standard does not apply to setback from lane).
- 7.4 The following may encroach into the setback distance required by Table 6 (this standard does not apply to setback from lane) –
  - a. landings with an area of not more than 2 square metres and less than 1.0 metre high;
  - b. unroofed stairways and ramps;
  - c. pergolas;
  - d. shade sails; and
  - e. decks less than 800mm above natural ground level.



8.0 Walls on boundaries

The maximum height of a wall on or within 0.2 metres of a side or rear boundary, or a carport on or within 1.0m of a side or rear boundary (not a lane), must not exceed 3.6 metres unless:

- a. it abuts an existing building on the adjoining allotments or will abut a simultaneously approved building on the boundary; and
- b. the height difference between the existing adjoining building or the simultaneously approved building or carport does not exceed 3.6 metres.
- c. notwithstanding standard 8.1(a) the length difference between the existing or simultaneously approved building must not exceed a total of 2.0 metres, and the additional length must not cast additional shadow on a light court in accordance with Standard 11.

8.1 There is no maximum wall on boundary length, provided the other Standards are satisfied.

9.0 Daylight to existing habitable room windows

9.1 The application is exempt from the requirements of the *Building Regulations 2018*.

10.0 Solar access to existing north-facing windows

10.1 The application is exempt from the requirements of the *Building Regulations 2018*.

11.0 Overshadowing of secluded private open space

11.1 A building must not reduce the sunlight to any secluded private open space of an existing building on an adjoining allotment to less than 6 square metres, with a minimum dimension of 2.0 metres.

For the purposes of calculating the area of direct sunlight at this standard, the length of shadow cast is calculated by multiplying the height of building and/or fence by 0.9 when the sun is true north.

12.0 Overlooking

12.1 A window in a habitable room, where the floor level of the room is more than 2.5m above natural ground level and the window faces (at an angle less than 45°) secluded private open space or habitable room windows of an existing dwelling within a horizontal distance of 4.5 metres, the window must either –

- a. have a sill height at least 1.7 metres above floor level; or
- b. have fixed obscure glazing in any part of the window below 1.7 metres above floor level.

In this standard, a window facing a habitable room window means a window within 1.5 m from the edge of the other habitable room window.

12.2 A raised open space that faces secluded private open space or habitable room windows of an existing dwelling within a horizontal distance of 4.5 metres, must be screened to a height of at least 1.7m above the floor level and be no more than 25 per cent transparent.

13.0 Daylight to habitable room windows

- 13.1 Each required habitable room window of a building on an allotment must face –
- a. an outdoor space or light court with a minimum area of 3 square metres and a minimum dimension of 1.0 metre clear to the sky, not including land on an adjoining allotment; or
  - b. a verandah provided it is open for at least one third of its perimeter; or
  - c. a carport provided it has two or more open sides and is open for at least one third of its perimeter

For the purposes of this standard, a side of a carport or verandah will be open if the roof covering of the carport or verandah is not less than 500mm from another building on the allotment or the adjoining allotment boundary.

14.0 Private open space

- 14.1 If a dwelling on an allotment has three or more bedrooms it must have –
- a. at least 24 square metres of private open space at the side or rear of the building with a minimum dimension of 3.0 metres; or
  - b. at least 24 square metres provided in 2 or more parcels, provided that –
    - i. each parcel is at least 12 square metres; and
    - ii. at least 1 parcel has a minimum dimension of 3.0 metres; or
  - c. a balcony or roof-top area of at least 12 square metres of private open space with a minimum dimension of 3.0 metres.

- 14.2 If a dwelling on an allotment has two or less bedrooms it must –
- a. have at least 12 square metres of private open space at the side or rear of the building with a minimum dimension of 3.0 metres; or
  - b. a balcony or rooftop area that is at least:
    - i. 10 per cent of the total floor area of the building excluding garages and carports; or
    - ii. 6 square metres with a minimum dimension of 2 metres, whichever is the greater.

- 14.3 If the private open space is provided at the side or rear of the dwelling or as a roof top area, an area of at least 6 square metres, with a minimum dimension of 2.0 metres, must have access to direct sunlight.

For the purposes of calculating the area of direct sunlight at this standard, the length of shadow cast is calculated by multiplying the height of building and/or fence by 0.9 when the sun is true north.

Class 10b Buildings

Part 2

- 22.0 Fences and overshadowing of secluded private open space
- 22.1 The application is exempt from the requirements of the *Building Regulations 2018*.

15.0 Front fence height

- 15.1 A front fence on or within 3m of the street alignment must not exceed the maximum height specified in specified in Table 7.

Table 7 Front fence height

Street type	Maximum fence height
A declared road	2.0 metres
Any other street	1.2 metres

- 15.2 A front fence, other than a front fence to a declared road, must be at least 15 per cent transparent above 700mm height.
- 16.0 Fences setback more than 150mm from side and rear boundaries
  - 16.1 A fence that is setback more than 150mm from a side or rear boundary must not exceed 2.5 metres in height and the part of the fence between 2.0 metres and 2.5 metres in height must be at least 25 per cent transparent.
- 17.0 Fences on or within 150mm of side or rear boundaries
  - 17.1 A fence that is on or within 150mm of a side or rear boundary must not exceed 2.5 metres in height and the part of the fence between 2.0 metres and 2.5 metres in height must be at least 25 per cent transparent.
- 18.0 Fences forward of front walls
  - 18.1 Any part of a fence that is constructed forward of the front wall of a dwelling must comply with the height and transparency requirements of standards 15.1 and 15.2.
- 19.0 Fences on street alignments
 

In this standard street does not include lane, footway, alley or right of way.

  - 19.1 Despite standards 15.1 and 15.2, a fence within 3.0 metres of a point of intersection of street alignments must not exceed a height of 1.0 metre above footpath level.
  - 19.2 A fence within 1.0 metre of a side street alignment -
    - a. must not exceed 2.0 metres in height; and
    - b. may be solid for no more than 65 per cent of its length, the remaining length of the fence must be at least 15 per cent transparent.
  - 19.3 A fence on a rear street alignment must not exceed 2.0 metres in height above natural ground level.
  - 19.4 A fence adjacent to and within 1.0 metre of a street alignment or public open space must not contain barbed wire or other sharp protrusions.
- 20.0 Fences and daylight to windows in existing building
  - 20.1 The application is exempt from the requirements of the *Building Regulations 2018*.
- 21.0 Fences and solar access to existing north-facing habitable room windows
  - 21.1 The application is exempt from the requirements of the *Building Regulations 2018*.





# Amess Road

## Development Contributions Plan

March 2023

Draft - Confidential

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SUMMARY

Table 1 provides an overview of the project categories and charges included within this Development Contributions Plan. A more detailed explanation of apportionment, methods of calculation, and the description and costs of individual projects is included within the document.

Table 1 - Summary of charges

SUMMARY - NET DEVELOPABLE AREA (NDA) BY CHARGE AREA			
CHARGE AREA	TOTAL COST OF CONTRIBUTION	NET DEVELOPABLE HECTARES	CONTRIBUTION PER NET DEVELOPABLE HECTARE (NDHA)
RESIDENTIAL	\$26,713,508.12	96.35	\$277,254.88

SUMMARY - DEVELOPMENT INFRASTRUCTURE LEVY (DIL)		
CHARGE AREA	TOTAL COST OF CONTRIBUTION	CONTRIBUTION PER NET DEVELOPABLE HECTARE (NDHA)
TRANSPORT	\$12,200,377.04	\$126,625.60
RECREATION	\$6,968,990.90	\$72,329.95
COMMUNITY	\$6,567,750.00	\$68,165.54
CULVERT CROSSING	\$976,390.18	\$10,133.78
<b>TOTAL</b>	<b>\$26,713,508.12</b>	<b>\$277,254.88</b>

SUMMARY - BREAKDOWN OF DEVELOPMENT INFRASTRUCTURE LEVY (DIL)		
PROJECTS	TOTAL COST OF PROJECTS	CONTRIBUTION PER NET DEVELOPABLE HECTARE (NDHA)
LAND	\$4,532,240.90	\$47,039.34
CONSTRUCTION	\$22,181,267.22	\$230,215.54
<b>TOTAL</b>	<b>\$26,713,508.12</b>	<b>\$277,254.88</b>

SUMMARY - COMMUNITY INFRASTRUCTURE LEVY		
	ESTIMATED DWELLINGS	ESTIMATED TOTAL CONTRIBUTION
CAPPED AT \$1,253 PER DWELLING	1300	\$1,628,900

SUMMARY - TOTAL ESTIMATE PROJECT COSTS AGAINST LEVIES COLLECTED			
PROJECTS	TOTAL COST OF PROJECTS	TOTAL LEVIES COLLECTED	PERCENTAGE TOTAL COLLECTED BY LEVIES
DIL	\$43,258,413.66	\$26,713,508.12	61.75%
CIL	\$3,555,000	\$1,628,900	45.82%
<b>TOTAL</b>	<b>\$46,813,413.66</b>	<b>\$28,342,408.12</b>	<b>60.54%</b>

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# 1.0

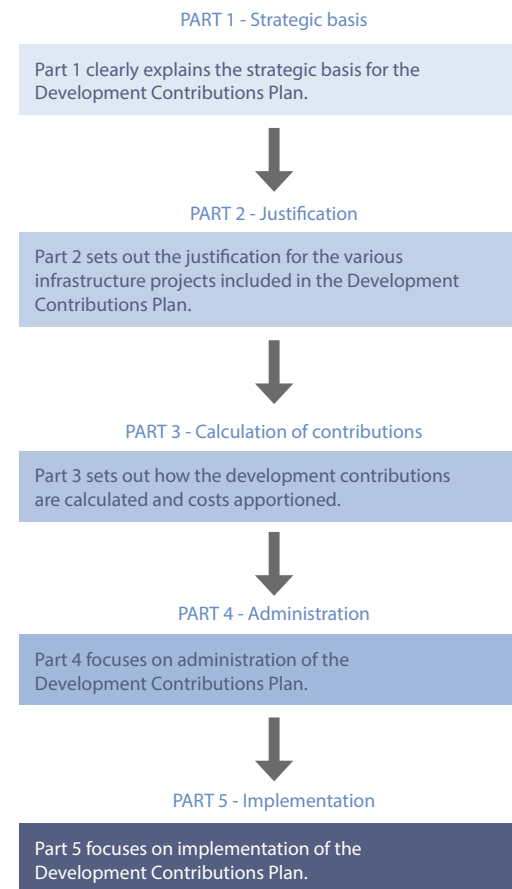
## INTRODUCTION

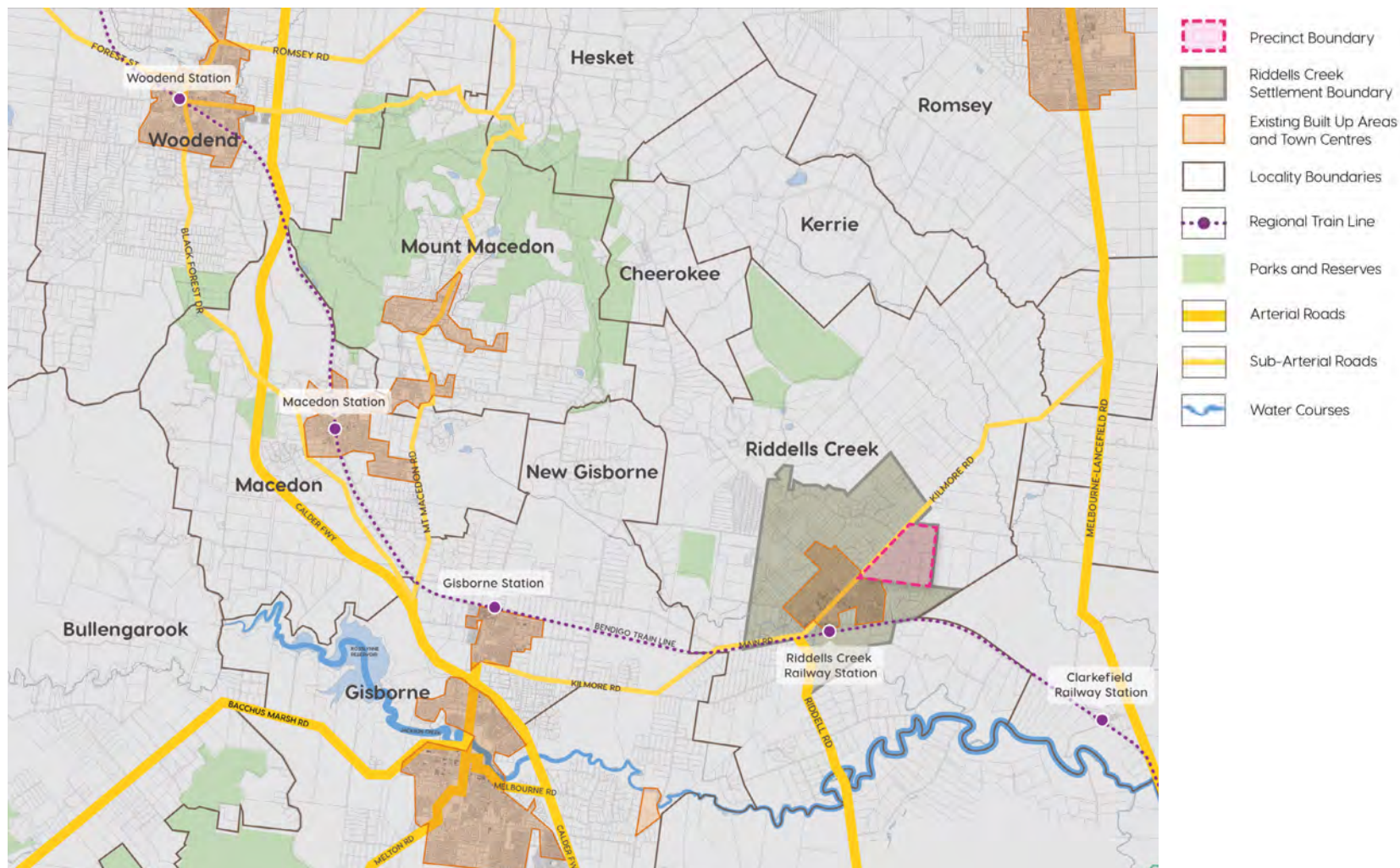
Amess Road Development Contributions Plan (the DCP) has been prepared by by Macedon Ranges Shire Council with Government agencies, service authorities and major stakeholders.

The DCP:

- Outlines projects required to ensure that future community, visitors and workers within the area are provided with timely access to the services and infrastructure necessary to support a healthy and happy lifestyle.
- Establishes a framework for development proponents to make a financial contribution towards the cost of identified infrastructure projects
- Ensures that the cost of providing new infrastructure and services is shared equitably between various development proponents and the wider area
- Provides the details of the calculation of financial contributions that must be made by future developments towards the nominated projects
- Provides developers, investors and local communities with certainty about development contribution requirements and how they will be administered.

The DCP comprises five parts:





Plan 1 - Regional Context

**1.1 Strategic basis**

The strategic basis for the DCP is established by the State and Local Planning Policy Framework and of the Macedon Ranges Planning Scheme and the following documents:

- The Precinct Structure Planning Guidelines (Victorian Planning Authority);
- Plan Melbourne Refresh 2017-2050, (Department of Environment, Land, Water and Planning 2017);
- Loddon Mallee South Growth Plan (Department of Transport, Planning & Local Infrastructure, 2014);
- Riddells Creek Structure Plan (Prepared by Macedon Ranges Shire Council, 2013).
- Amess Road Precinct Structure Plan and supporting technical documents. In particular the Amess Road Precinct Structure Plan Community Infrastructure Assessment, prepared by ASR Research which assesses and considers both the existing facility provision in the township and the need created by the PSP area.

Combined, the above sets out a broad, long term vision for the sustainable development of the DCP area and its surrounds.

**1.2 Planning and Environment Act 1987**

The DCP has been prepared in accordance with Part 3B of the Planning and Environment Act 1987 (the Act) and has been developed in line with the State and Local Planning Policy Framework of the Macedon Ranges Planning Scheme as well as Victorian Government Guidelines. It is consistent with the Ministerial Direction on development contributions plans made under section 46M(1) of the Act and has had regard to the Victorian Government’s Development Contribution Plan Guidelines.

The DCP provides for the charging of a development infrastructure levy pursuant to section 46j(a) of the Act towards works, services or facilities. It also provides for the charging of a community infrastructure levy pursuant to section 46j(b) of the Act as some items are classified as community infrastructure under the Act, the Ministerial Direction on development contributions plans and the Development Contributions Plan Guidelines.

The DCP forms part of the Macedon Ranges Shire Planning Scheme pursuant to section 46i of the Act and is an incorporated document under Clause 72.04 of the Macedon Ranges Shire Planning Scheme. The DCP is implemented in the Macedon Ranges Shire Planning Scheme through Schedule 3 to Clause 45.06 Development Contributions Plan Overlay (DCPO3) that applies to the area illustrated on Plan 3.

**1.3 Amess Road Precinct Structure Plan**

Amess Road Precinct Structure Plan (the PSP) is a long-term plan for urban development. It describes how the land to which the DCP applies is expected to be developed, and how and where services are planned to support development.

The PSP applies to 131.18 hectares of land as illustrated on Plan 2.

The Precinct is located approximately 65 kilometres to the northwest of the Melbourne CBD. The Precinct is bounded by Frost Lane to the north, rural Farming Zone land to the east, Amess Road to the south and Gisborne-Kilmore Road to the west.

The need for the infrastructure set out in the DCP has been determined according to the anticipated development scenario for Amess Road as described in the PSP.

The DCP has a strong relationship to the PSP, as the PSP provides the rationale and justification for infrastructure items that have been included within the DCP.

Accordingly, the DCP is an implementation-based planning tool that identifies the infrastructure items required by the new community and apportions the cost of this infrastructure in an equitable manner across the plan area.

The PSP has been developed following a comprehensive planning process that establishes the future direction of development within the precinct.



Plan 2 - Future Urban Structure

1.4 The area to which the development contributions plan applies

In accordance with section 46K(1)(a) of the Act, the DCP applies to land illustrated on Plan 3. The area is also shown on DCPO3 in the Macedon Ranges Shire Planning Scheme.

In identifying infrastructure items for delivery, consideration has been given to ensure they are not already wholly funded through another contribution mechanism, such as a mandatory infrastructure construction requirement as outlined in Table 6 of the PSP, an existing local DCP, an agreement under section 173 of the Act, or as a condition on an existing planning permit.



Amess Road Development Contributions Plan

Plan 3 - DCP & Main Catchment Areas

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**1.4.1 Project identification**

The DCP uses a project identification system of project category and sequential number in its tables and plans. The following types of projects are included in the DCP:

- Transport projects
  - RD – Roads/Shared User Paths
  - IN – Intersections
  - PBR - Pedestrian Bridges
- Community facility projects
  - CI – Community facilities
- Active recreation projects
  - SR – Sports reserve
- Culvert Crossing projects
  - CU- Culverts

**1.4.2 Parcel identification**

Each of the properties in the Amess Road precinct has been given a unique property identification number that reflects the property numbers included in the PSP as illustrated on Plan 4.



Plan 4 - Land Use Budget

Amess Road Development Contributions Plan



# 2.0

## INFRASTRUCTURE PROJECT JUSTIFICATION

### 2.1 Infrastructure items included in the Development Contributions Plan

Items can be included in a DCP if they will be used by the future community of an area. New development does not have to trigger the need for new infrastructure projects in its own right. The development is charged in line with its projected share of use. An item can be included in a DCP regardless of whether it is within or outside the DCP area.

Before inclusion in the DCP, all infrastructure projects have been assessed to ensure they have a relationship or nexus to proposed development within the DCP area. The cost apportionment methodology adopted in the DCP relies on the nexus principle. A new development is deemed to have a nexus with an infrastructure project if its future residents or employees are expected to make use of that infrastructure project. Consideration is also given to the existing township context including the existing population and services/facilities.

A summary of how each infrastructure project is related to proposed development within the DCP area is set out below and individual infrastructure project apportionments are identified in Tables 2-6.

The infrastructure projects that have been included in the DCP all have the following characteristics:

- They are essential to the health, safety and wellbeing of the community;
- They will be used by a broad cross-section of the community;
- They will reflect the vision and strategic aspirations expressed in the PSP;
- They are not recurrent items; and
- They are the basis for the future development of an integrated network.

**2.2 Items not included in the development contributions plan**

**2.2.1 Developer works**

The following items are not included in the DCP; they must be provided by developers as a matter of course and/or pursuant to agreements with servicing agencies in implementing the PSP:

- Connector streets and local streets (except those included in the DCP)
- Intersection works and traffic management measures along arterial roads, connector streets and local streets (except those included in the DCP)
- Local bus stop infrastructure (where locations have been agreed in writing by Public Transport Victoria)
- Landscaping of all existing and future roads and local streets
- Local shared, pedestrian and bicycle paths along local streets, connector streets, utilities easements, waterways and within local parks including bridges, intersections, and barrier crossing points (except those included in the DCP)
- Council-approved fencing and landscaping along arterial roads, the railway corridor and shared paths, as required
- Bicycle parking
- Appropriately scaled lighting along all roads, major shared and pedestrian paths, and traversing the open space network
- Basic improvements to local parks and open space
- Local drainage system
- Local street or path crossings of waterways, unless included in the DCP or outlined as the responsibility of an agency in the PSP
- Infrastructure as required by utility services providers, including water, sewerage, drainage (except where the item is funded through a Melbourne Water Development Services Scheme), electricity, gas and telecommunications

The items listed above are considered to be normal to the construction of a development and are not considered to warrant cost sharing arrangements beyond those set out in the DCP.

They may be further addressed and defined by an agreement under section 173 of the Act and/or conditions in planning permits.

Upgrade of the existing road network to an urban standard will be implemented through subdivision permit conditions to the satisfaction of the responsible authority, except where specified as a DCP project.

**2.2.2 State infrastructure**

Construction of the following items has not been included within the DCP as they are determined to be State infrastructure:

- Public transport
- Upgrades to the declared road network.

The delivery of State infrastructure will be provided as warranted.

**2.2.3 Public open space contributions**

This DCP does not provide funding for unencumbered public open space in the form of local parks as it is provided through Clause 53.01 of the Macedon Shire Ranges Planning Scheme.

2.3 Infrastructure projects

The following three types of infrastructure projects are included in the DCP:

- Transport
- Community & Active Recreation
- Culvert Crossing

2.3.1 Transport projects

Transport projects are based on the transport network and include a combination of:

- Construction of controlled intersections and associated works;
- Shared path construction;
- Pedestrian bridge construction; and
- Land for the above.

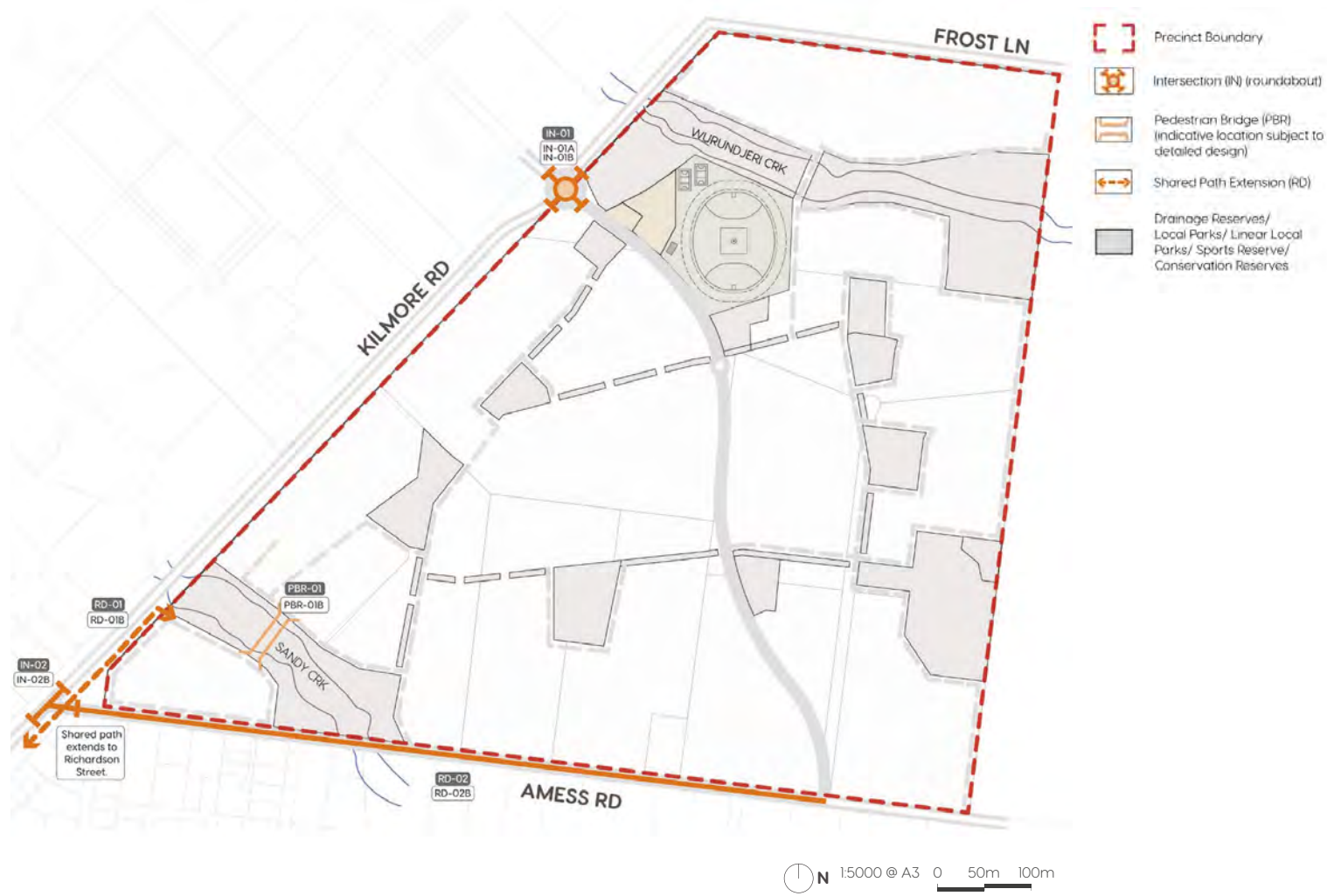
The transport projects funded by the DCP are shown on Plan 5 and described in Table 2.

The transport projects in the DCP are based on the transport network illustrated on Plan 4 and supported by the reports:

- Amess Road, Riddells Creek Precinct Structure Plan Traffic and Transport Review, September 2022, (Ratio)
- Amess Road PSP Infrastructure Costing Assessment, September 2022 (Verve) (Appendix A).
- Amess Road Land Valuations, September 2022 (O'Briens Valuers and Property Consultants)

Table 2 - Transport Projects

DCP PROJECT ID	PROJECT TITLE PROJECT DESCRIPTION	INDICATIVE PROVISION TRIGGER	SUITABLE AS WORKS IN KIND?
IN-01A	<b>Intersection: Connector road/ Kilmore Road / Gyro Close</b> Purchase land within the precinct to facilitate IN-01B	As required by traffic/access demand	Yes
IN-01B	<b>Intersection: Connector Road/ Kilmore Road / Gyro Close</b> Construction of an ultimate 4 way roundabout	As required by traffic/access demand	Yes
IN-02B	<b>Intersection: Realigned Amess Road/Kilmore Road/Sandy Creek Road</b> Construction of the realigned Amess Road and an ultimate 4 way roundabout	As required by traffic/access demand	Yes
RD-01B	<b>Road: Shared Path Extension on Kilmore Road</b> Construction of an extension to the existing shared path from Richardson Street to IN-02	As required by pedetrian/access demand	Yes
RD-02B	<b>Road: Existing Amess Road Upgrade</b> Construction of upgrade to existing Amess Road to a 7m rural standard from IN-02 to the connector road connection to Amess Road.	As required by pedetrian/access demand	Yes
PBR-01B	<b>Sandy Creek Pedestrian Bridge</b> Construction of pedestrian bridge across Sandy Creek (ultimate location subject to detailed design)	As required by pedestrian/access demand	Yes



Plan 5 - Transport Projects

2.3.2 Community facility and Active Recreation projects

Community facility and Active Recreation projects include land and construction.

The community and active recreation projects are based on the population projections determined through an analysis of Macedon Ranges Shire demographic information, audit of existing community facilities and guidelines for PSP preparation in a regional context, outlined in the Amess Road Riddells Creek PSP Community Infrastructure Assessment (ASR Research, 2022). The community facilities defined in the Community Infrastructure Needs Assessment are the best estimates of the future requirements and specifications of the future communities of Amess Road and Riddells Creek as a whole.

The scope (as defined in Table 3 & 4) of each of the community projects is detailed in Appendix C – Project cost estimates & estimates detail. Infrastructure costing sheets for community facilities and active recreation projects were prepared by WT Partnership.

The Development Agency may refine the scope of a facility to reflect the capacity of any non-DCP funds that can be made available (for example a grant or other funding streams).

In refining any project scope the Development Agency must ensure that the funds levied from developers/landowners do not exceed the value nominated in the DCP (inclusive of any indexing provisions as allowed for by the DCP).

The community and active recreation facility projects funded by the DCP are shown on Plan 6 and described in Table 3 & 4.

Table 3 - Community Facility Projects

DCP PROJECT ID	PROJECT TITLE PROJECT DESCRIPTION	INDICATIVE PROVISION TRIGGER	SUITABLE AS WORKS IN KIND?
CI-01A	<b>Amess Road Community Centre (Amess Road Community Hub)</b> Purchase of land within the precinct to facilitate CI-01B	At time of subdivision, as required according to demand levels	Yes
CI-01B	<b>Amess Road Community Centre (Amess Road Community Hub)</b> Construction of a multi-purpose community centre at Amess Road Community Hub, including community rooms and additional facilities to cater for childcare and maternal child health.	As required according to demand levels	No

Table 4 - Active Recreation Projects

DCP PROJECT ID	PROJECT TITLE PROJECT DESCRIPTION	INDICATIVE PROVISION TRIGGER	SUITABLE AS WORKS IN KIND?
SR-01A	<b>Amess Road Sports Reserve (Amess Road Community Hub)</b> Purchase of land within precinct to facilitate AR-01B.	At time of subdivision, as required according to demand levels	Yes
SR-01B	<b>Amess Road Sports Reserve (Amess Road Community Hub)</b> Construction of a sports reserve incorporating playing surfaces and car parks, including all construction works, landscaping and related infrastructure.	As required according to demand levels	No



Plan 6 - Community and Active Recreation Facility Projects

**2.3.3 Culvert Crossing projects**

The DCP makes funding available for the construction of the necessary drainage infrastructure not already funded by the Melbourne Water DSS.

The drainage infrastructure has been identified through the Amess Road Precinct Structure Plan Preliminary Stormwater Management Plan (Stormy Water Solutions Consulting, August 2022) for the PSP and Verve has prepared the designs and costs for culvert required as part of the drainage infrastructure (Appendix D).

The drainage projects are identified in Plan 7 and Table 5.

DCP PROJECT ID	PROJECT TITLE PROJECT DESCRIPTION	INDICATIVE PROVISION TRIGGER	SUITABLE AS WORKS IN KIND?
CU-01B	<b>Wurundjeri Creek Culvert Crossing</b> Construction of a new culvert across Wurundjeri Creek constructed waterway	At time of subdivision, as required according to the delivery of the road network and ultimate drainage outcome	Yes

Table 5 - Culvert Projects



Plan 7 - Culvert Projects



2.4 Project timing

Each infrastructure project in the DCP has an assumed indicative provision trigger specified in Tables 2–6. The timing of the provision and the items in the DCP are consistent with information available at the time the DCP was prepared.

Macedon Ranges Shire Council is the Development Agency as well as the Collecting Agency and will monitor and assess the required timing for individual items and have regard to its capital works program.

The Collecting Agency may consider alternatives to the priority delivery of works or land where:

- Infrastructure is to be constructed / provided by development proponents as works or land in kind, as agreed by the collecting agency.
- Network priorities require the delivery of works or land to facilitate broader road network connections.
- Community needs determine the delivery of works or land for community facilities, sports reserves and open space.

All items in the DCP will be provided as soon as is practicable and as soon as sufficient contributions are available, consistent with Section 4 and acknowledging the development agency's capacities to provide the balance of funds not recovered by the DCP.

2.5 Distinction between development and community infrastructure

In accordance with the Act and the Ministerial Direction on the Preparation and Content of Development Contributions Plans and Ministerial Reporting Requirements for Development Contributions Plans (2016), the DCP makes a distinction between 'development' and 'community' infrastructure.

The Community Infrastructure Levy is paid by the home builder at the time a building approval is sought (unless an alternative time is agreed between the collecting agency and a development proponent). The Community Infrastructure Levy is paid at a 'per-dwelling' rate. The Planning and Environment Act 1987 fixes the maximum amount that may be charged as a Community Infrastructure Levy. At the current time, the maximum amount is \$1,253 per dwelling. The Governor in Council may, from time to time, by Order published in the Government Gazette vary the maximum amount that may be collected by the Community Infrastructure Levy. If in the future the Community Infrastructure Levy is varied, then the levy applicable to the release of the remaining dwellings may be adjusted in accordance with the revised legislative and regulatory approach.

The infrastructure projects listed in Table 6 are assessed as community infrastructure and will be funded by the Community Infrastructure Levy. All other infrastructure projects assessed as development infrastructure and funded by the Development Infrastructure Levy.

Contributions relating to development infrastructure are to be made by developers at the time of subdivision. If subdivision is not applicable, payments must be made prior to construction works.

DCP PROJECT ID	PROJECT TITLE PROJECT DESCRIPTION	INDICATIVE PROVISION TRIGGER	SUITABLE AS WORKS IN KIND?
SR-01C	<b>Amess Road Sports Reserve (Amess Road Community Hub)</b> Construction of a pavilion to serve SR-01B, including all building works, landscaping and related infrastructure.	As required according to demand levels	No

Table 6 - Community Infrastructure Levy Projects

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# 3.0

## CALCULATION OF CONTRIBUTIONS

The general cost apportionment method includes the following steps:

- Calculation of the Net Developable Area (NDA) and demand units (refer to Table 7);
- Calculation of infrastructure project costs (refer to Tables 8 and 9);
- Identification and allowance for external use and cost apportionment (refer to Tables 10);
- Summary of costs payable for each infrastructure project (refer to Tables 8 and 9); and
- The Development Infrastructure Levy per hectare for each development type (refer to Table 8) and the Community Infrastructure Levy per dwelling (refer to Table 9).

### 3.1 Calculation of Net Developable Area and demand units

The following section sets out how NDA is calculated and outlines the development projections anticipated for the area. Calculations of NDA for each individual property is outlined in the property specific land budget included within the PSP and is then to be assumed as correct and applied for that property unless the Collecting Agency agrees to a different NDA for that property.

#### 3.1.1 Net developable area

In the DCP, all development infrastructure contributions are payable on the net developable area of land on any given development site. Calculations of NDA for each individual property is outlined in the parcel-specific land budget included at Appendix A.

For the purposes of the DCP the NDA is defined as the total amount of land within the precinct that is made available for development. It is the total precinct area minus community facilities, open space, transport infrastructure and encumbered land. NDA includes any land for lots, housing and employment buildings, all local streets (including some connector streets), and any small parks defined at subdivision stage that are in addition to those outlined in the PSP.

The NDA for the DCP is outlined in Table 7. The contributions 'per net developable hectare' must not and will not be amended to respond to minor changes to the land budget that may result from the subdivision process. In other words, the DCP is permanently linked to the calculation of the NDA set out in Appendix A.

The NDA may only change if the collecting agency agrees to a variation to the summary land use budget (Table 7) and the detailed parcel-specific land budget (Appendix A) and associated tables.

DESCRIPTION	AMESS ROAD PSP		
	HECTARES	% OF TOTAL	% OF NDA
TOTAL PRECINCT AREA (HA)	131.18		
<b>TRANSPORT</b>			
Arterial Road - Intersection Flaring (DCP Land)	0.38	0.3%	0.4%
<b>Sub-total Transport</b>	<b>0.38</b>	<b>0.3%</b>	<b>0.4%</b>
<b>COMMUNITY</b>			
Local Community Facility (DCP Land)	0.7	0.5%	0.7%
<b>Sub-total Education and Community</b>	<b>0.7</b>	<b>0.5%</b>	<b>0.7%</b>
<b>OPEN SPACE</b>			
<b>UNCREDITED OPEN SPACE</b>			
Conversation Reserve	1.79	1.4%	1.9%
Drainage Infrastructure	17.14	13.1%	17.8%
<b>Sub-total Uncredited Open Space</b>	<b>18.93</b>	<b>14.4%</b>	<b>19.6%</b>
<b>CREDITED OPEN SPACE</b>			
Local Sports Reserve (DCP land)	4.2	3.2%	4.4%
Local Park (via CI53.01)	6.57	5.0%	6.8%
<b>Sub-total Credited Open Space</b>	<b>10.77</b>	<b>8.2%</b>	<b>11.2%</b>
<b>Sub-total All Open Space</b>	<b>29.7</b>	<b>22.6%</b>	<b>30.8%</b>
<b>OTHER</b>			
Heritage Reserve - Post Contact	4.05	3.1%	4.2%
<b>Sub-total Other</b>	<b>4.05</b>	<b>3.1%</b>	<b>4.2%</b>
<b>TOTAL NET DEVELOPABLE AREA - (NDA) HA</b>	<b>96.35</b>	<b>73.4%</b>	

Table 7 - Precinct Land Use Budget

3.1.2 Land budget & demand units

The 'net developable hectare' is the demand unit for the DCP.

'Urban development' is the one development type included in this DCP. Urban development is defined broadly to include all forms of development, including residential subdivision and development within the "local shops" area. Urban development also includes any non-residential uses within the residential area such as place of worship, education centre, retirement village, nursing home, childcare centre, medical centre, convenience store or any other approved use.

The Amess Road DCP contains a total of 96.35 net developable hectares.

3.1.3 Property-specific calculations

The NDA used to calculate the contributions associated with the DCP is based on an assessment of individual properties. The NDA for each property is listed in the property-specific land budget located in Appendix A.

**3.2 Calculation of contributions charges**

**3.2.1 Calculation of costs**

Each infrastructure project has been assigned a land and/or construction cost, as listed in Table 8. Costs in Table 8 are expressed in 2022 dollars and will be adjusted annually in accordance with the method specified in Section 4.6.

Transport construction costs have been determined by an Infrastructure Costing Assessment completed by Verve (refer to Appendix B for road cost sheets).

Community infrastructure costs have been determined by Preliminary Cost Estimates prepared by WT Partnership (refer to Appendix C for community facilities cost sheets).

Integrated Water Management costs have been determined by an Infrastructure Costing Assessment completed by Verve (refer to Appendix D for Integrated Water Management cost sheets).

**3.2.2 Estimate of land value**

The area of land to be acquired for each DCP project on each property was identified from the property specific land budget prepared for the PSP. A description of the precinct land area was provided to a registered valuer to prepare an estimate of value. This in turn determines the value for each project requiring land identified in the DCP.

The estimates of value were prepared using the Public Land Equalisation Method (PLEM). The PLEM calculates the average public land contribution required for the PSP (expressed as a percentage of NDA). The land required for each property is also calculated and compared against the average.

Public land contributions on a property that are less than or equal to the precinct average have an estimate of value using a per property broad hectare method. Any components of public land contributions that exceed the precinct average have an estimate of value using a site-specific method.

**3.2.3 Per property broad hectare estimate of value**

The per property broad hectare estimate of value prepared for each individual property assumes the unencumbered, highest-and-best use as indicated by the PSP.

The estimates of value are prepared on a 'Before and After' basis where:

- The 'Before' assessment is based on the total developable area of each property and ignores the land and infrastructure items to be provided by the DCP. Any development that occurs subsequent to the approval of the DCP is ignored for the purpose of the valuation.
- The 'After' assessment comprises the remaining portion of each property after all land required by the DCP has been provided. Severance or enhancement, disturbance, special value etc. are ignored for the purpose of the 'after' valuation.

**3.2.4 Site specific value estimate**

The site-specific approach prepares an estimate of value for each separate infrastructure item. For example, if a landowner has land identified for a road widening, a community centre and a local sports reserve, a site-specific estimate of value would be prepared for all three items separately.

Site specific estimates of value generally assume that the land identified can be sold as serviced development lots, i.e. street frontages etc. have already been constructed, therefore the land has a lower expected development cost.

### 3.3 Cost apportionment

The DCP apportions a charge to new development according to its projected share of use of identified infrastructure items. Since development contribution charges are levied 'up-front', a measure of actual use by individual development sites is not possible. Therefore, costs must be shared in accordance with the estimated share of use.

This DCP calculates what each new development should pay towards provision of the identified infrastructure item; this is the total cost of the item (after deducting other finding sources and making allowances for any external demand) divided by the total demand units within the main catchment area. The balance of the cost of the items not recovered by the DCP will be funded by alternative sources by Macedon Ranges Shire Council.

#### 3.3.1 External Use

An allowance has been made for other use external to the PSP for specific projects; that is, use that does not solely emanate from the Amess Road PSP area. Table 10 quantifies any external demand (as a percentage) for each infrastructure project. Where an external demand has been assessed, a percentage discount has been made to the dollar amount that would otherwise be recovered in relation to the DCP.

#### 3.3.2 Schedule of costs

Tables 8 and 9 calculate the amount of contributions payable by the PSP for each infrastructure category.

#### 3.3.3 Social and affordable housing

Macedon Ranges Shire Council may consider an exemption or discount of the development infrastructure levy and the community infrastructure levy for the development of social and affordable housing.

#### 3.3.4 Summary of charges per hectare

Tables 8 and 9 calculate the amount of contributions payable by the charge area.

Table 8 - Development Infrastructure Levy (DIL)

DCP PROJECT NUMBER	PROJECT	INFRASTRUCTURE CATEGORY	LAND AREA HA	ESTIMATED PROJECT COST: LAND	ESTIMATED PROJECT COST: CONSTRUCTION	TOTAL ESTIMATED PROJECT COST: LAND & CONSTRUCTION	% APPORTIONED TO DCP (INTERNAL USE)	TOTAL COST RECOVERED BY DCP	CONTRIBUTION PER NDHA
<b>TRANSPORT PROJECTS</b>									
IN-01A	Intersection: Connector Road/Kilmore Road/Gyro Close	Development	0.38	\$342,000.00	-	\$342,000.00	100%	\$342,000.00	\$3,549.56
IN-01B	Intersection: Connector Road/Kilmore Road/Gyro Close	Development	0.00	-	\$5,565,276.65	\$5,565,276.65	100%	\$5,565,276.65	\$57,761.04
IN-02B	Intersection: Realigned Amess Road/Kilmore Road/Sandy Creek Road	Development	0.00	-	\$2,497,038.05	\$2,497,038.05	100%	\$2,497,038.05	\$25,916.33
RD-01B	Road: Shared Path Extension on Kilmore Road	Development	0.00	-	\$282,232.52	\$282,232.52	100%	\$282,232.52	\$2,929.24
RD-02B	Road: Existing Amess Road Upgrade	Development	0.00	-	\$2,955,783.63	\$2,955,783.63	100%	\$2,955,783.63	\$30,677.57
PBR-01B	Sandy Creek Pedestrian Bridge	Development	0.00	-	\$558,046.19	\$558,046.19	100%	\$558,046.19	\$5,791.86
<b>SUB-TOTAL TRANSPORT PROJECTS</b>			<b>0.38</b>	<b>\$342,000</b>	<b>\$11,858,377.04</b>	<b>\$12,200,377.04</b>		<b>\$12,200,377.04</b>	<b>\$126,625.60</b>
<b>COMMUNITY FACILITY PROJECTS</b>									
CI-01A	Amess Road Community Centre (Amess Road Community Hub)	Development	0.7	\$1,925,000	-	\$1,925,000	45%	\$866,250	\$8,990.66
CI-01B	Amess Road Community Centre (Amess Road Community Hub)	Development	0.00	-	\$12,670,000	\$12,670,000	45%	\$5,701,500	\$59,174.88
<b>SUB-TOTAL COMMUNITY FACILITY PROJECTS</b>			<b>0.7</b>	<b>\$1,925,000</b>	<b>\$12,670,000</b>	<b>\$14,595,000</b>		<b>\$6,567,750</b>	<b>\$68,165.54</b>

DCP PROJECT NUMBER	PROJECT		LAND AREA HA	ESTIMATED PROJECT COST: LAND	ESTIMATED PROJECT COST: CONSTRUCTION	TOTAL ESTIMATED PROJECT COST: LAND & CONSTRUCTION	% APPORTIONED TO DCP (INTERNAL USE)	TOTAL COST RECOVERED BY DCP	CONTRIBUTION PER NDHA
<b>SPORTS RESERVE PROJECTS</b>									
SR-01A	Amess Road Sports Reserve (Amess Road Community Hub)	Development	4.2	\$7,386,646.44	-	\$7,386,646.44	45%	\$3,323,990.90	\$34,499.13
SR-01B	Amess Road Sports Reserve (Amess Road Community Hub)	Development	0.00	-	\$8,100,000	\$8,100,000	45%	\$3,645,000.00	\$437,830.83
<b>SUB-TOTAL SPORTS RESERVE PROJECTS</b>			<b>4.2</b>	<b>\$7,386,646.44</b>	<b>\$8,100,000</b>	<b>\$15,486,646.44</b>		<b>\$6,968,900.90</b>	<b>\$72,329.95</b>
<b>CULVERT CROSSING PROJECTS</b>									
CU-01B	Wurundjeri Creek Culvert Crossing	Development	0.00	\$-	\$976,390.18	\$976,390.18	100%	\$976,390.18	\$10,133.78
<b>SUB-TOTAL CULVERT CROSSING PROJECTS</b>			<b>0.00</b>	<b>-</b>	<b>\$976,390.18</b>	<b>\$976,390.18</b>		<b>\$976,390.18</b>	<b>\$10,133.78</b>
<b>TOTAL COST ALL PROJECTS</b>			<b>5.28</b>	<b>\$9,653,646.44</b>	<b>\$33,604,767.22</b>	<b>\$43,248,413.66</b>		<b>\$26,713,508.12</b>	<b>\$277,254.88</b>
<b>TOTAL DEVELOPMENT INFRASTRUCTURE LEVY PER NDA</b>									<b>\$277,254.88</b>



DCP PROJECT NUMBER	PROJECT	INFRASTRUCTURE CATEGORY	LAND AREA HA	ESTIMATED PROJECT COST: LAND	ESTIMATED PROJECT COST: CONSTRUCTION	TOTAL ESTIMATED PROJECT COST: LAND & CONSTRUCTION	% APPORTIONED TO DCP (INTERNAL USE)	TOTAL COST ATTRIBUTED TO DCP
SR-01C	Amess Road Sports Reserve (Amess Road Community Hub)	COMMUNITY	0.00	-	\$3,555,000	\$3,555,000	45.82%	\$1,628,900
<b>SUBTOTAL COMMUNITY FACILITIES (COMMUNITY INFRASTRUCTURE LEVY)</b>			<b>0.00</b>	<b>-</b>	<b>\$3,555,000</b>	<b>\$3,555,000</b>		<b>\$1,628,900</b>
<b>TOTAL COST OF ALL PROJECTS</b>								<b>\$3,555,000</b>
<b>TOTAL COMMUNITY INFRASTRUCTURE LEVY PER DWELLING</b>								<b>\$1,253</b>
<b>TOTAL COMMUNITY INFRASTRUCTURE LEVY ESTIMATED RAISED IN AMESS ROAD DCP</b>								<b>\$1,628,900</b>

Table 9 - Community Infrastructure Levy (CIL)

DCP PROJECT ID	PROJECT	% APPORTIONED TO DCP (INTERNAL USE)	EXTERNAL APPORTIONMENT SOURCES AND % APPORTIONED
CI-01A	Amess Road Community Centre (Amess Road Community Hub)	45%	Macedon Ranges Shire - 55%
CI-01B	Amess Road Community Centre (Amess Road Community Hub)	45%	Macedon Ranges Shire - 55%
SR-01A	Amess Road Sports Reserve (Amess Road Community Hub)	45%	Macedon Ranges Shire - 55%
SR-01B	Amess Road Sports Reserve (Amess Road Community Hub)	45%	Macedon Ranges Shire - 55%
SR-01C	Amess Road Sports Reserve (Amess Road Community Hub)	45.82%	Macedon Ranges Shire - 54.18%

Table 10 - External Apportionment

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# 4.0

## IMPLEMENTATION & ADMINISTRATION

This section sets out how the DCP will be administered and covers the:

- Timing of payment;
- Provision of works; and
- Land in kind and how funds generated by the DCP will be managed in terms of reporting, indexation and review periods.

The Development Infrastructure levy applies to subdivision and/or development of land.

The Community Infrastructure Levy applies to the construction of dwellings.

### 4.1 Collecting agency (agency responsible for collecting infrastructure levy)

Macedon Ranges Shire Council is the collecting agency pursuant to section 46K(1)(fa) of the Planning & Environment Act 1987, which means that it is the public authority to whom all levies are payable. As the collecting agency, Macedon Ranges Shire Council is responsible for the administration of the DCP and its enforcement pursuant to section 46QC of the Planning & Environment Act 1987.

### 4.2 Development agency (agency responsible for works)

Macedon Ranges Shire Council is the development agency and is responsible for the provision of all infrastructure projects funded by the DCP and timing of all works.

**4.3 Payment of contributions and payment timing**

**4.3.1 Development infrastructure**

**For subdivision of land**

A Development Infrastructure Levy in accordance with the Amess Road DCP, must be paid to the Collecting Agency for each demand unit (Net Developable Hectare - NDH) in the subdivision within the following specified time, namely after certification of the plan of subdivision but not more than 21 days prior to the issue of a Statement of Compliance in respect to that plan under the Subdivision Act 1988 or included in an implementation agreement under Section 173 of the Planning & Environment Act 1987.

Where the subdivision is to be developed in stages, the Development Infrastructure Levy in accordance with the Amess Road DCP for the stage to be developed, may only be paid to the collecting agency for each demand unit (NDH) in the stage within 21 days prior to the issue of a Statement of Compliance of that stage provided that a Schedule of Development Contributions is submitted with each stage of the plan of subdivision. This Schedule of Development Contributions must show the amount of the development contributions payable for each stage and value of the contributions for prior stages to the satisfaction of the collecting agency or included in an implementation agreement under Section 173 of the Planning & Environment Act 1987.

If the Collecting Agency agrees to works and/or provision of land in lieu of the payment of the infrastructure levy, the landowner must enter into an agreement under Section 173 of the Planning & Environment Act 1987 in respect of the proposed works and/or provision of land in kind to specific requirements.

**For development of land where no subdivision is proposed**

Provided a Development Infrastructure Levy has not already been paid for the land, a Development Infrastructure Levy in accordance with the Amess Road DCP must be paid to the Collecting Agency for each demand unit (Net Developable Hectare) proposed to be developed prior to the commencement of any development (i.e. Development includes the area of all buildings, car park, access ways, landscaping and ancillary components). The Collecting Agency may agree to a different time for payment.

If the Collecting Agency agrees to works and/or provision of land in lieu of the payment of the infrastructure levy, the owner must enter into an agreement under Section 173 of the Planning & Environment Act 1987 or other arrangement acceptable to the collecting agency proposed in respect of the proposed works and/or land to be provided in kind.

**For development of land where no planning permit is required**

The following requirement applies where no planning permit is required. The land may only be used and developed subject to the following requirement being met:

- Unless some other arrangement has been agreed to by the collecting agency in a section 173 agreement, prior to the commencement of any development, a development infrastructure levy must be paid to the collecting agency in accordance with the provision of the DCP for the land.

If the collection agency agrees to works and/or provision of land in lieu of the payment of the infrastructure levy, the landowner must enter into an agreement under section 173 of the Act in respects of the proposed works or provision of land that is proposed to be provided in kind.

**4.3.2 Community Infrastructure Levy**

The Community Infrastructure Levy must be paid by the person applying for a building permit prior to the issue of a building permit.

Community Infrastructure Levies for 'residential buildings' will be calculated at the rate for a single dwelling. For all other forms of accommodation, a Community Infrastructure Levy must be paid for each dwelling within the development.

A Community Infrastructure Levy is not payable for a dwelling on a lot which was created prior to the approval date of this DCP.

**4.3.3 Works-in-kind**

Under Section 46P of the Act, Council as the collecting agency may accept the provision of land, works, services or facilities by the applicant in part, or in full, in lieu of the amount of levy payable. This can be agreed with Council before or after the application for the permit is made or before the development is carried out. The agreement must include a list of the DCP infrastructure that Council has agreed in writing to allow to be provided as works in lieu. As a guide, the agreement will also address:

- The works constitute projects funded by the DCP
- The collecting agency (Council) agrees that the timing of the works would be consistent with priorities in the DCP;
- The works are defined and agreed within a Section 173 Agreement;
- The development proponent complies with appropriate tendering, documentation, supervision and related provisions as required by the responsible authority;
- Works must be provided to a standard that generally accords with the DCP, unless an alternative is agreed by the collecting agency and the development agency;
- Detailed design must be approved by the collecting agency and the development agency and must generally accord with the standards outlined in the DCP unless an alternative is agreed by the collecting agency and the development agency;
- The construction of works must be completed to the satisfaction of the collecting agency and the development agency;
- There should be no negative financial impact on the DCP to the satisfaction of the collecting agency;

In particular, the works will only be accepted in lieu of a financial contribution required by the DCP to the extent that they constitute part or all of the design of the infrastructure item and reduce the cost to complete that design, to the satisfaction of the collecting agency. Temporary works will not be accepted as works in kind.

Where the collecting agency agrees that works are to be provided by a development proponent in lieu of cash contribution (subject to the arrangements specified above):

- The credit for the works provided (unless an alternative approach is agreed with the collecting agency) shall equal the final cost of the works up to the maximum identified in the DCP, taking into account the impact of indexation, or to an alternative figure approved by the collecting agency;
- The value of works provided in accordance with the principle outlined above will be offset against the development contributions liable to be paid by the development proponent; and
- No further financial contributions will be required until the agreed value of any credits are used.

**4.3.4 Credit for over-provision**

Where the collecting agency agrees that a development proponent can deliver an infrastructure item (either works and/or land), the situation may arise where the developer makes a contribution with a value that exceeds the liability required by the DCP.

In such a case the developer may be entitled to credits against other projects in the DCP to the extent of the excess contribution. Alternatively, a developer may seek an agreement with the collecting agency to provide cash reimbursement where an over-contribution has been made.

The details of credits and reimbursements for construction will need to be negotiated with, and agreed to by the collecting agency. The value of credits and reimbursements for the transfer of land will need to be at the values that are outlined in the DCP, subject to revaluation and indexation of the land as specified in Section 4.5.

**4.3.5 Non-Government Schools**

Where land is subdivided or developed for the purpose of a non-government school and the use of that land is subsequently for a purpose other than a non-government school, the owner of that land must pay to the collecting agency development contributions in accordance with the provision of the DCP. The development infrastructure levy and, where applicable, the community infrastructure levy must be paid within 28 days of the date of the commencement of the construction of any buildings or works for that alternative use.

**4.4 Funds administration**

The administration of the contributions made under the DCP will be transparent and development contributions charges will be held until required for provision of the items in that class. Details of funds received and expenditures will be held by the collecting agency in accordance with the provisions of the Local Government Act 1989 and the Planning and Environment Act 1987.

The administration of contributions made under the DCP will be transparent and demonstrate the:

- Amount and timing of funds collected
- Source of the funds collected
- Amount and timing of expenditure on specific projects
- Project on which the expenditure was made
- Account balances for individual project classes
- Details of works in kind arrangements for project provision
- Pooling or quarantining of funds to deliver specific projects, where applicable.

The collecting agency will provide for regular monitoring, reporting and review of the monies received and expended in accordance with the DCP.

The collecting agency will establish interest bearing accounts and all monies held in these accounts will be used solely for the provision of infrastructure as itemised in the DCP, as required under section 46QA of the Act.

Should the collecting agency resolve to not proceed with any of the infrastructure projects listed in the DCP, the funds collected for these items will be used for the provision of alternative works in the same infrastructure class as specified in the DCP. Such funds may also be used for the provision of additional works, services and facilities where approved by the Minister responsible for the Act, or will be refunded to the owners of the land subject to these infrastructure charges.

**4.5 Construction and land value costs indexation**

Capital costs of all infrastructure items, including land, are tabled in 2022 dollars and will be adjusted by the collecting agency each financial year. Indexation for construction and land costs will occur on 1 July each year.

In relation to the costs associated with infrastructure items other than land, the cost must be adjusted according to the following method:

- Roads, intersections and bridges – the capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as published in the latest edition of Rawlinsons Australian Construction Handbook.
- All other construction items – the capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as published in the latest edition of Rawlinsons Australian Construction Handbook.

Estimates of land value will be revised annually by a registered valuer based on a PLEM methodology for each lot that includes land for a DCP project. Revisions may occur more frequently if market conditions warrant.

The collecting agency will publish the amended contributions on the collecting agency's website within 14 days of the adjustments being made.

Community infrastructure levy projects are indexed but the value of the contribution may not exceed the maximum set out in the Act. Both the maximum levy amount and the payable dwelling amount for the Community Infrastructure Levy will be adjusted annually using the Producer Price Index for Non-Residential Building Construction in Victoria. The index is published by the Australian Bureau of Statistics. The indexed amount will be published by the Department on or before 1 July each year.

**4.6 Development Contributions Review period**

The DCP commenced on the date when it was first incorporated into the Macedon Ranges Planning Scheme.

The DCP adopts a long-term outlook for future development in Amess Road.

The DCP is expected to be revised and updated every five years (or more frequently if required). This may require an amendment to the Macedon Ranges Planning Scheme to replace this document with an alternative, revised document. Any review will need to have regard to any arrangements (e.g. Section 173 agreements under the Act) for the implementation of the DCP.

**4.7 Adjustment to the infrastructure scope**

The infrastructure projects in the DCP have been costed to a sufficient level of detail; however, all the projects will require a detailed design process prior to construction.

As part of detailed design, the Council or a development proponent with the consent of the Council may amend or modify some aspects of projects, so long as they are still generally in accordance with the PSP and any direction regarding the scope outlined in the DCP.

A development proponent may also propose material changes to the use and development of land from that contemplated in the PSP, leading to an increased requirement for infrastructure. In these cases, there should be no negative impact on the DCP by requirement for the developer to bear the additional costs associated with the provision of the infrastructure item over and above the standard required by the DCP.

Where the Council or another agency seeks to change the scope of a DCP infrastructure item to meet changing standards imposed by adopted policy or a public regulatory agency, such changes of standards and the resulting cost changes should normally be made through a change to the DCP at the time of a regular review of the DCP.

Where, after the DCP has been approved, a Council or other agency proposes changes to the scope of a DCP infrastructure item for reasons other than changes in standards imposed by policy or regulation the net cost increases resulting from the change should normally be met by the agency requesting the change.

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# 5.0 IMPLEMENTATION STRATEGY

This section provides further details regarding how the collecting agency intends to implement the DCP. This section clearly identifies the rationale for the implementation strategy and details the various measures that have been adopted to reduce the risk posed by the DCP to all parties.

## 5.1 Rationale for the implementation strategy

This implementation strategy has been included to provide certainty to both the collecting agency and development proponents. The implementation strategy recognises the complexities associated with infrastructure provision and funding and seeks to minimise risk to the collecting agency, development agency, development proponent and future community.

This implementation strategy has been formulated by:

- Assessing the PSP
- Having regard to the development context
- Assessing the need for finance requirements including upfront financing and pooling of funds
- Agreeing the land value and indexing it appropriately (where possible)
- Identifying preferred implementation mechanisms to achieve the above outcomes and reducing the risk associated with the DCP to ensure that it will be delivered as intended.

## 5.2 Implementation mechanism

Under section 46P of the Act, the collecting agency may accept (with the consent of the development agency where the collecting agency is not also the development agency) the provision of land, works, services or facilities by the applicant in part or full satisfaction of the amount of levy payment. This can be by agreement with the collecting agency before or after the application for the permit is made or before the development is carried out.

To coordinate the provision of infrastructure, Schedule 1 to the Urban Growth Zone and the General Residential Zone in the Macedon Ranges Planning Scheme for the PSP requires an application for subdivision to be accompanied by a Public Infrastructure Plan to the satisfaction of the responsible authority.

The Public Infrastructure Plan needs to show the location, type, staging and timing of infrastructure on the land as identified in the Amess Road PSP or reasonably required as a result of the subdivision of the land and address the following:

- Stormwater drainage works
- Road works internal or external to the land consistent with any relevant traffic report or assessment
- The reserving or encumbrance of land for infrastructure, including for community facilities, sports reserves and open space
- Any infrastructure works which an applicant proposes to provide in lieu of development contributions in accordance with the DCP
- The effects of the provision of infrastructure on the land or any other land
- Any other relevant matter related to the provision of infrastructure reasonably required by the responsible authority.

Through the approval of these agreements, Macedon Ranges Shire Council (acting as the collecting agency) will consider if and what infrastructure should be provided as works in kind under the DCP in accordance with section 46P of the Act. The agreement must include a list of the DCP infrastructure projects that the collecting agency has agreed in writing to allow to be provided as works and/or land in lieu.

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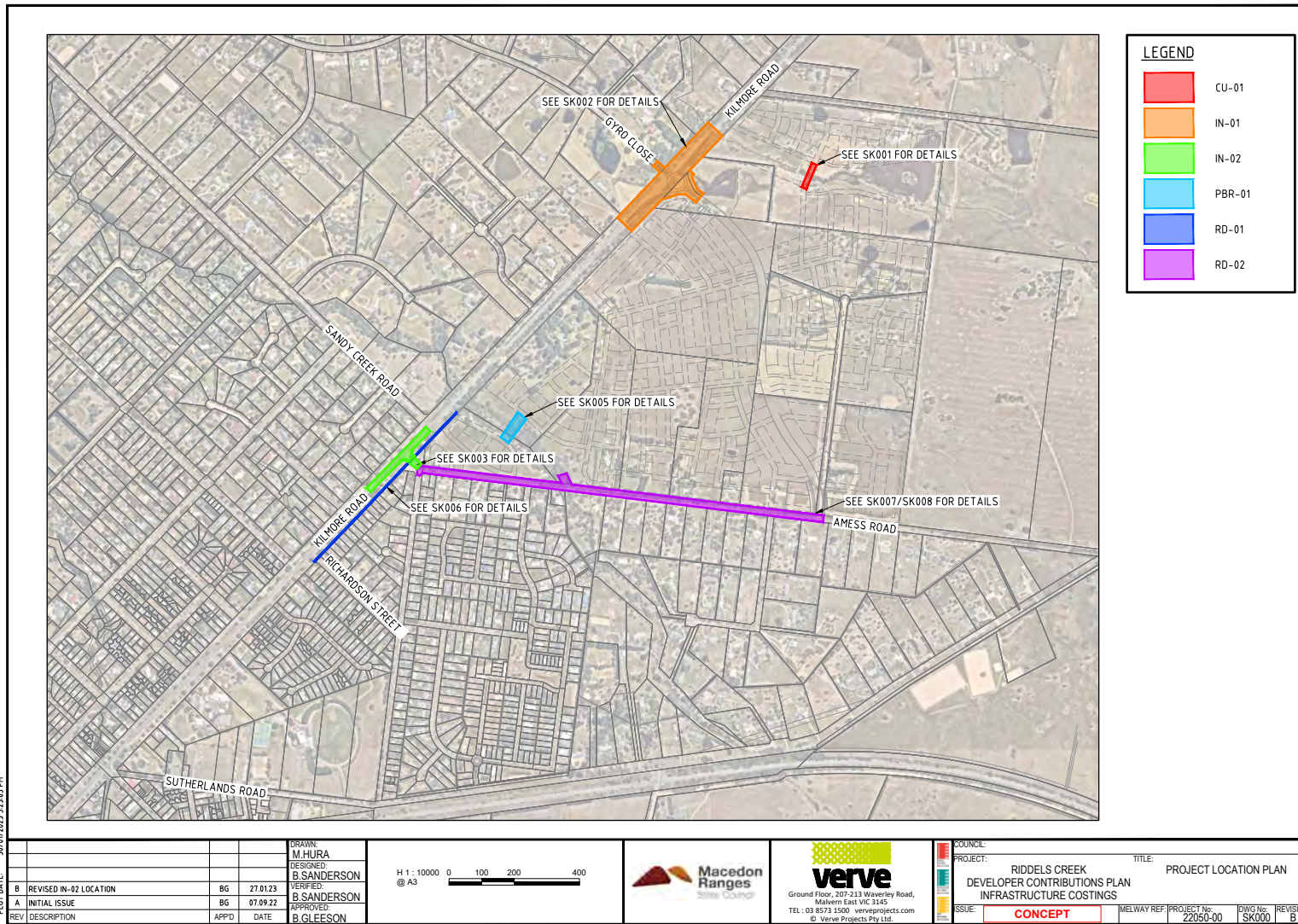
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## APPENDICES

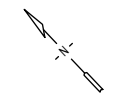
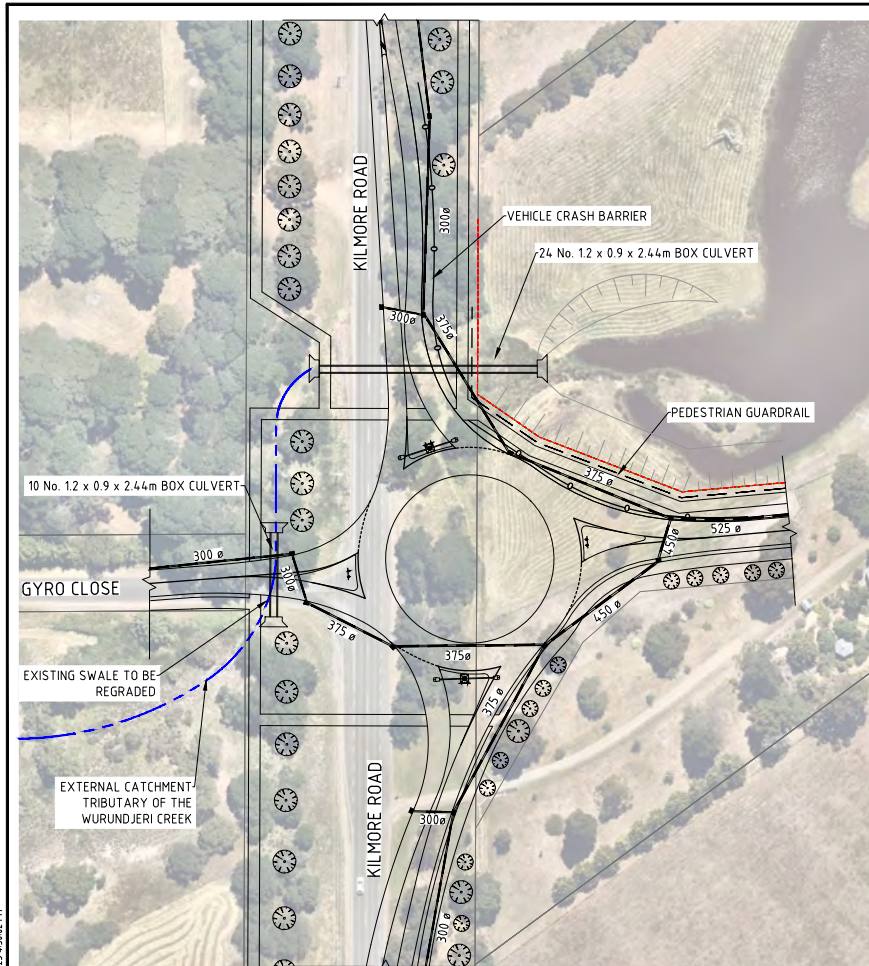
### 6.1 Appendix A - Property Specific Land Use Budget Table

PSP PROPERTY ID	TOTAL AREA (HECTARES)	TRANSPORT	COMMUNITY	OPEN SPACE				OTHER	TOTAL NET DEVELOPABLE AREA (HECTARES)	NET DEVELOPABLE AREA % OF PROPERTY
		ARTERIAL ROAD - INTERSECTION FLARING (DCP LAND)	LOCAL COMMUNITY FACILITY (DCP LAND)	CONSERVATION RESERVE	UNCREDITED OPEN SPACE		CREDITED OPEN SPACE	HERITAGE RESERVE POST CONTACT		
					DRAINAGE INFRASTRUCTURE (MELBOURNE WATER DSS LAND)	LOCAL SPORTS RESERVE (DCP LAND)				
1	4.91	-	-	-	1.29	-	-	-	3.62	74%
2	9.85	-	-	-	1.75	-	0.47	4.05	3.58	36%
3	21.13	-	-	-	-	0.85	1.43	-	18.85	89%
4	4.99	0.38	0.7	-	1.25	1.7	0.19	-	0.77	15%
5	22.49	-	-	-	7.89	1.26	-	-	13.34	59%
6	8.68	-	-	0.57	-	0.39	1	-	6.72	77%
7	8.20	-	-	1.15	1.7	-	0.1	-	5.25	64%
8	8.02	-	-	-	-	-	0.5	-	7.52	94%
9	8.21	-	-	-	1.64	-	-	-	6.57	80%
10	8.07	-	-	-	-	-	0.28	-	7.79	97%
11	0.60	-	-	-	-	-	-	-	0.60	100%
12	7.58	-	-	-	-	-	0.33	-	7.25	96%
13	8.17	-	-	-	-	-	1.23	-	6.94	85%
14	8.88	-	-	-	1.62	-	1.02	-	6.24	70%
Wohl Court	1.41	-	-	0.07	-	-	0.02	-	1.32	94%
<b>TOTAL</b>	<b>131.18</b>	<b>0.38</b>	<b>0.70</b>	<b>1.79</b>	<b>17.14</b>	<b>4.20</b>	<b>6.57</b>	<b>4.05</b>	<b>96.35</b>	<b>73.45%</b>

6.2 Appendix B - Transport Project Sheets



Amess Road Development Contributions Plan



**LEGEND**

—○— VEHICLE CRASH BARRIER

--- PEDESTRIAN GUARDRAIL

Activity	Qty	Unit	Rate	Amount	Comments
Site Establishment	1	Item	\$7,200.00	\$7,200.00	2.0% of overall costs
Site Remediation	23,500	m <sup>2</sup>	1.50	\$35,250.00	
Site Preparation	29,700	m <sup>2</sup>	1.50	\$44,550.00	
Final surface finishing (concrete/asphalts) (100mm)	3000	m <sup>2</sup>	25.00	\$75,000.00	
Final surface finishing (concrete/asphalts) (150mm)	4282	m <sup>2</sup>	35.00	\$150,870.00	
Final surface finishing (concrete/asphalts) (200mm)	7000	m <sup>2</sup>	15.00	\$105,000.00	
Final surface finishing (concrete/asphalts) (250mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (300mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (350mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (400mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (450mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (500mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (550mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (600mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (650mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (700mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (750mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (800mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (850mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (900mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (950mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (1000mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (1050mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (1100mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (1150mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (1200mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (1250mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (1300mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (1350mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (1400mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (1450mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (1500mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (1550mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (1600mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (1650mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (1700mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (1750mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (1800mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (1850mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (1900mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (1950mm)	200	m <sup>2</sup>	25.00	\$5,000.00	
Final surface finishing (concrete/asphalts) (2000mm)	200	m <sup>2</sup>	25.00	\$5,000.00	

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DRAWN:	M. HURA
DESIGNED:	B. SANDERSON
VERIFIED:	B. SANDERSON
APPROVED:	B. GLEESON
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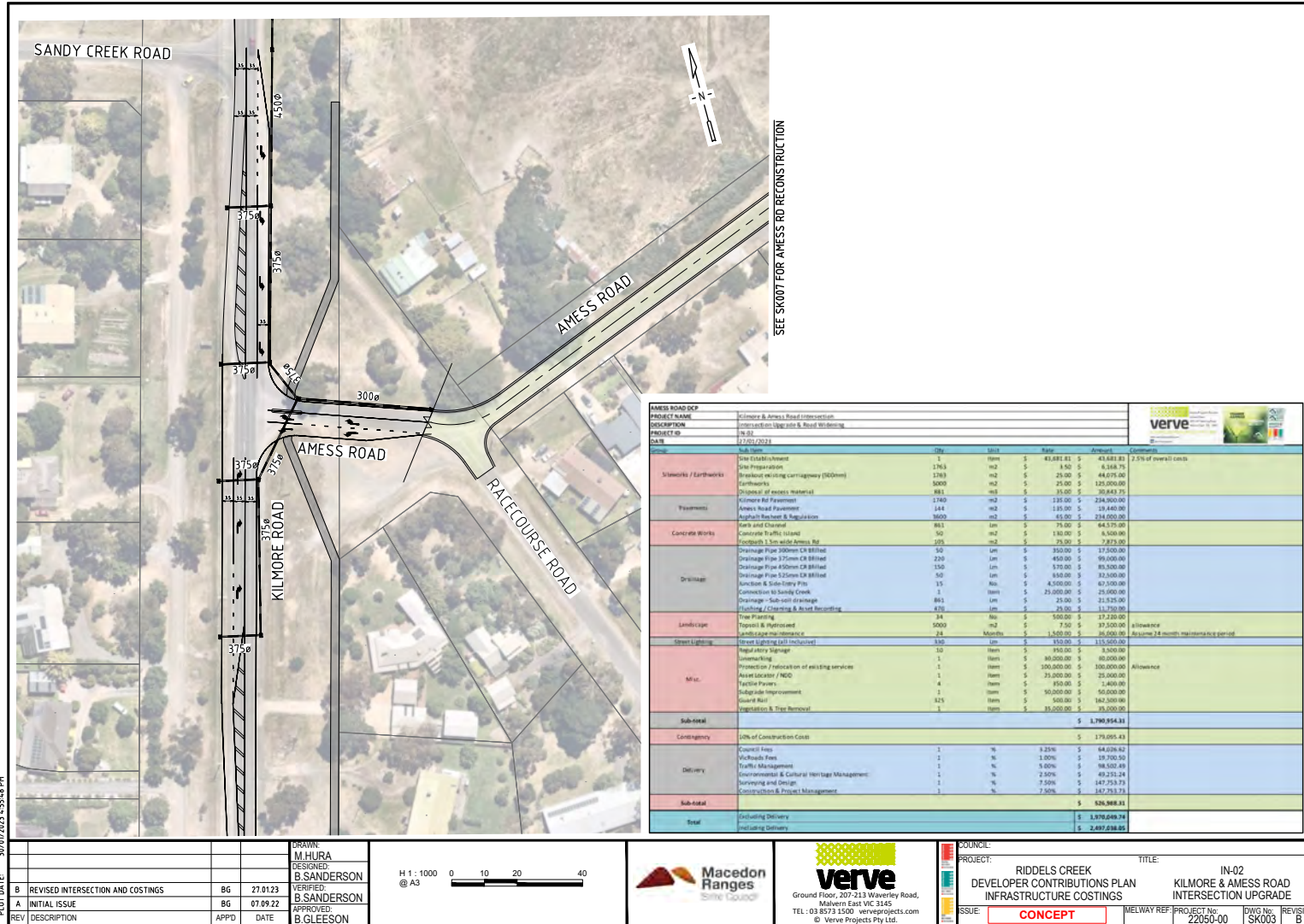


**verve**  
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Maldon, VIC 3445  
TEL: 03 8573 1500 [www.verveprojects.com](http://www.verveprojects.com)  
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COUNCIL: RIDDLES CREEK TITLE: IN-01  
PROJECT: DEVELOPER CONTRIBUTIONS PLAN KILMORE ROAD AND GYRO CLOSE  
INFRASTRUCTURE COSTINGS ROUNDABOUT (ULT)

ISSUE: **CONCEPT** MELWAY REF: PROJECT No: 22050-00 DWG No: SK002 REVISION B

Amess Road Development Contributions Plan



Item No.	Qty	Unit	Rate	Amount	Comments
<b>AMESS ROAD DCP</b>					
PROJECT NAME: Kilmore & Amess Road Intersection					
DESCRIPTION: Infrastructure Upgrade & Road Widening					
PROJECT ID: IN-02					
DATE: 31/03/2023					
Sub-Item					
Site Establishment	Site Preparation	1763	m2	\$ 4.50	\$ 7,943.50
	Breakout existing carriageway (500mm)	1763	m2	\$ 25.00	\$ 44,075.00
	Earthworks	5000	m2	\$ 25.00	\$ 125,000.00
Pavement	200mm of excess material	861	m2	\$ 39.00	\$ 33,549.00
	Kilmore Rd Pavement	1740	m2	\$ 136.00	\$ 236,640.00
	Amess Road Pavement	144	m2	\$ 139.00	\$ 19,916.00
Concrete Works	Asphalt Reseal & Repairs	3600	m2	\$ 65.00	\$ 234,000.00
	Barb and Channel	861	lm	\$ 75.00	\$ 64,575.00
	Concrete Public Island	50	m2	\$ 136.00	\$ 6,800.00
Drainage	Footpath 1.5m wide Amess Rd	105	m2	\$ 79.00	\$ 7,875.00
	Drainage Pipe 200mm CR 800mm	362	lm	\$ 320.00	\$ 117,240.00
	Drainage Pipe 375mm CR 800mm	230	lm	\$ 450.00	\$ 103,500.00
	Drainage Pipe 450mm CR 800mm	150	lm	\$ 570.00	\$ 85,500.00
	Drainage Pipe 525mm CR 800mm	50	lm	\$ 840.00	\$ 42,000.00
Landscape	Concrete & Side-entry Pits	15	No.	\$ 4,500.00	\$ 67,500.00
	Connection to Sandy Creek	1	Item	\$ 25,000.00	\$ 25,000.00
	Drainage - Sub-soil drainage	861	lm	\$ 25.00	\$ 21,525.00
	Planting / Clearing & Stump Removal	470	lm	\$ 28.00	\$ 13,170.00
Street Lighting	Tree Planting	24	No.	\$ 500.00	\$ 12,000.00
	Topsoil & Hydroseed	5000	m2	\$ 7.50	\$ 37,500.00
Misc.	Street Light (all inclusive)	24	Months	\$ 1,500.00	\$ 36,000.00
	Regulatory Signage	10	Item	\$ 950.00	\$ 9,500.00
Delivery	Construction	1	Item	\$ 80,000.00	\$ 80,000.00
	Protection / relocation of existing services	1	Item	\$ 100,000.00	\$ 100,000.00
	Allowance	1	Item	\$ 25,000.00	\$ 25,000.00
	Asset Locator / NCD	4	Item	\$ 950.00	\$ 3,800.00
	Topsoil	1	Item	\$ 50,000.00	\$ 50,000.00
Sub-total	Guard Rail	125	Item	\$ 500.00	\$ 62,500.00
	Vegetation & Tree Removal	1	Item	\$ 35,000.00	\$ 35,000.00
				\$ 1,790,954.81	
Contingency (10% of Construction Costs)				\$ 179,095.48	
Council Fees				\$ 64,026.62	
V/roads Fees				\$ 19,700.50	
Traffic Management				\$ 96,500.00	
Environmental & Cultural Heritage Management				\$ 49,253.24	
Surveying and Design				\$ 147,759.73	
Construction & Project Management				\$ 147,759.73	
Sub-total				\$ 626,985.81	
Total (including Delivery)				\$ 1,978,208.74	
Total (including Delivery)				\$ 2,497,938.85	

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B	REVISED INTERSECTION AND COSTINGS	BG	27.01.23
A	INITIAL ISSUE	BG	07.09.22

DRAWN: M. HURA  
 DESIGNED: B. SANDERSON  
 CHECKED: B. SANDERSON  
 APPROVED: B. GLEESON

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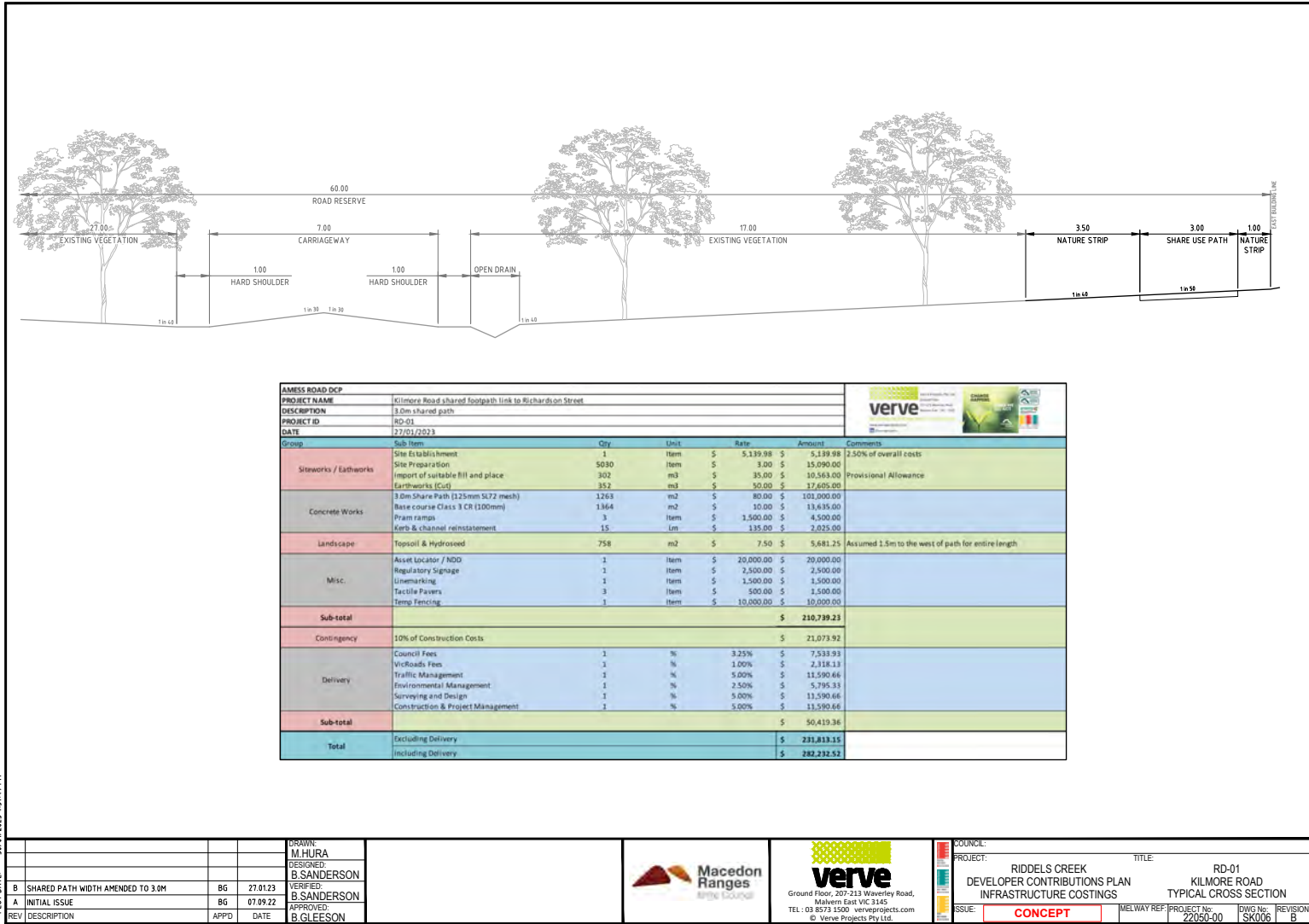
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COUNCIL: RIDDELS CREEK  
 PROJECT: DEVELOPER CONTRIBUTIONS PLAN  
 ISSUE: **CONCEPT**

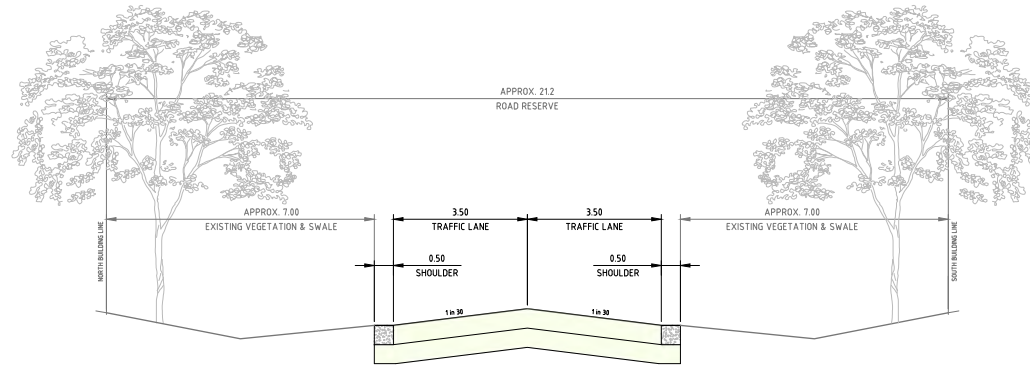
TITLE: IN-02  
 KILMORE & AMESS ROAD  
 INTERSECTION UPGRADE

MELWAY REF: PROJECT No: 22050-00  
 DWG No: SK003  
 REVISION: B

Amess Road Development Contributions Plan



Amess Road Development Contributions Plan



Group	Sub Item	Qty	Unit	Rate	Amount	Comments
Siteworks / Earthworks	Site Establishment	1	Item	\$ 12,117.25	\$ 12,117.25	2.5% of overall costs
	Site Preparation	26400	m2	\$ 3.30	\$ 88,000.00	
	Breakout existing carriageway (500mm)	8820	m2	\$ 25.00	\$ 220,500.00	
	Earthworks	630	m3	\$ 35.00	\$ 22,050.00	
	Disposal of excess material	4410	m3	\$ 15.00	\$ 66,150.00	
Road Pavement	Ames Road	10710	m2	\$ 120.00	\$ 1,285,200.00	
Drainage	Proposition Lines, Cleaning and Trimming existing LWS/drainage	2200	lin	\$ 22.00	\$ 48,400.00	
Miscellaneous	Regulatory Signage	8	Item	\$ 350.00	\$ 2,800.00	
	Linemarking	1	Item	\$ 10,000.00	\$ 10,000.00	
	Asset Locator / ADO	1	Item	\$ 30,000.00	\$ 30,000.00	
	Street Lighting (at intersections, only to new PSP access roads)	2	Item	\$ 30,000.00	\$ 60,000.00	
Culvert Earthworks	Vegetation & Tree Removal	1	Item	\$ 23,000.00	\$ 23,000.00	
	Excavation (culverts)	500	m3	\$ 25.00	\$ 12,500.00	
	Earthworks - buffer formation	1	Item	\$ 15,000.00	\$ 15,000.00	
Culvert Structure	Breakout Existing Bluestone Headwall & Dispose	1	Item	\$ 10,000.00	\$ 10,000.00	
	Pipe culvert (only 1.8 x 900mm)	30	lin	\$ 2,750.00	\$ 82,500.00	
	Head wall	1	Item	\$ 50,000.00	\$ 50,000.00	
	Rock Protection (100 - 500mm Deep)	52	m2	\$ 525.00	\$ 27,300.00	
On Structure	Replacement Vehicle Barrier	30	lin	\$ 350.00	\$ 10,500.00	
Culvert Miscellaneous	Pumping	2	week	\$ 5,000.00	\$ 10,000.00	Based on a 2 week pumping programme
	Subgrade preparation / stabilisation	1	Item	\$ 15,000.00	\$ 15,000.00	
<b>Sub-total</b>					<b>\$ 2,114,607.25</b>	
Contingency	10% of Construction Costs				\$ 211,460.73	
Delivery	Council Fees	1	%	3.23%	\$ 68,300.84	
	Utilities Fees	1	%	0.00%	\$ 0.00	Not applicable
	Traffic Management	1	%	5.00%	\$ 105,730.36	
	Environmental & Cultural Heritage Management	1	%	2.50%	\$ 52,865.19	
Sub-total					<b>\$ 605,216.65</b>	
	<b>Total</b>	Including Delivers			<b>\$ 2,719,823.90</b>	
					<b>\$ 2,652,118.81</b>	

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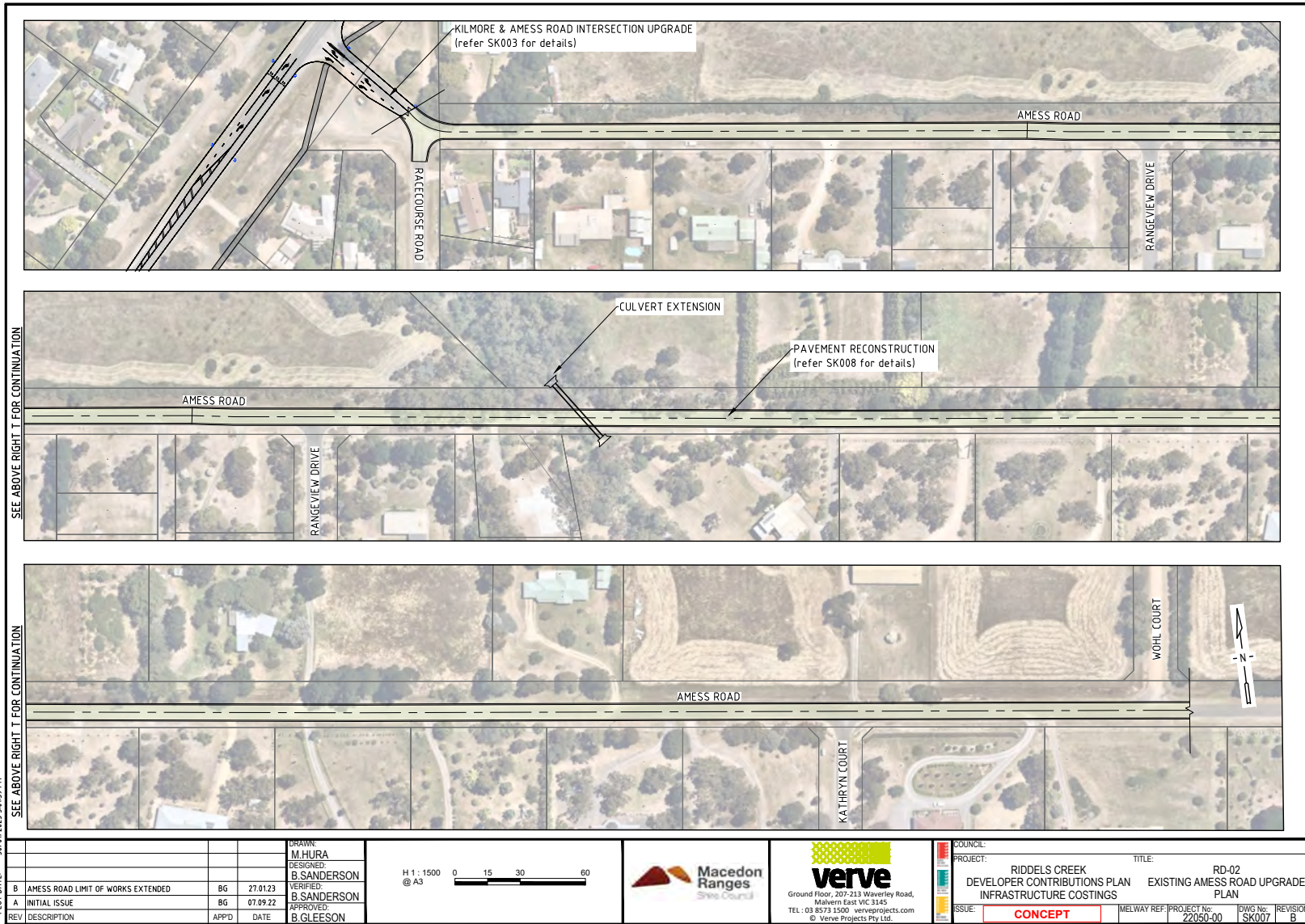
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C	STREET LIGHTING NOTE ADDED	BG	10.02.23	DESIGNED: B.SANDERSON
B	AMES ROAD RECONSTRUCTION EXTENDED	BG	27.01.23	VERIFIED: B.SANDERSON
A	INITIAL ISSUE	BG	07.09.23	APPROVED: B.GLEESON

SOUNCIL: RIDDELS CREEK  
 PROJECT: DEVELOPER CONTRIBUTIONS PLAN  
 TITLE: RD-02 EXISTING AMESS ROAD UPGRADE INFRASTRUCTURE COSTINGS  
 TYPICAL CROSS SECTION

ISSUE: **CONCEPT**  
 MELWAY REF: 22050-00  
 PROJECT No: 22050-00  
 DWG No: SK008  
 REVISION: C

Amess Road Development Contributions Plan





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REV	DESCRIPTION	APPD	DATE	APPROVED
B	AMESS ROAD LIMIT OF WORKS EXTENDED	BG	27.01.23	B. SANDERSON
A	INITIAL ISSUE	BG	07.09.22	B. SANDERSON
				B. GLEESON

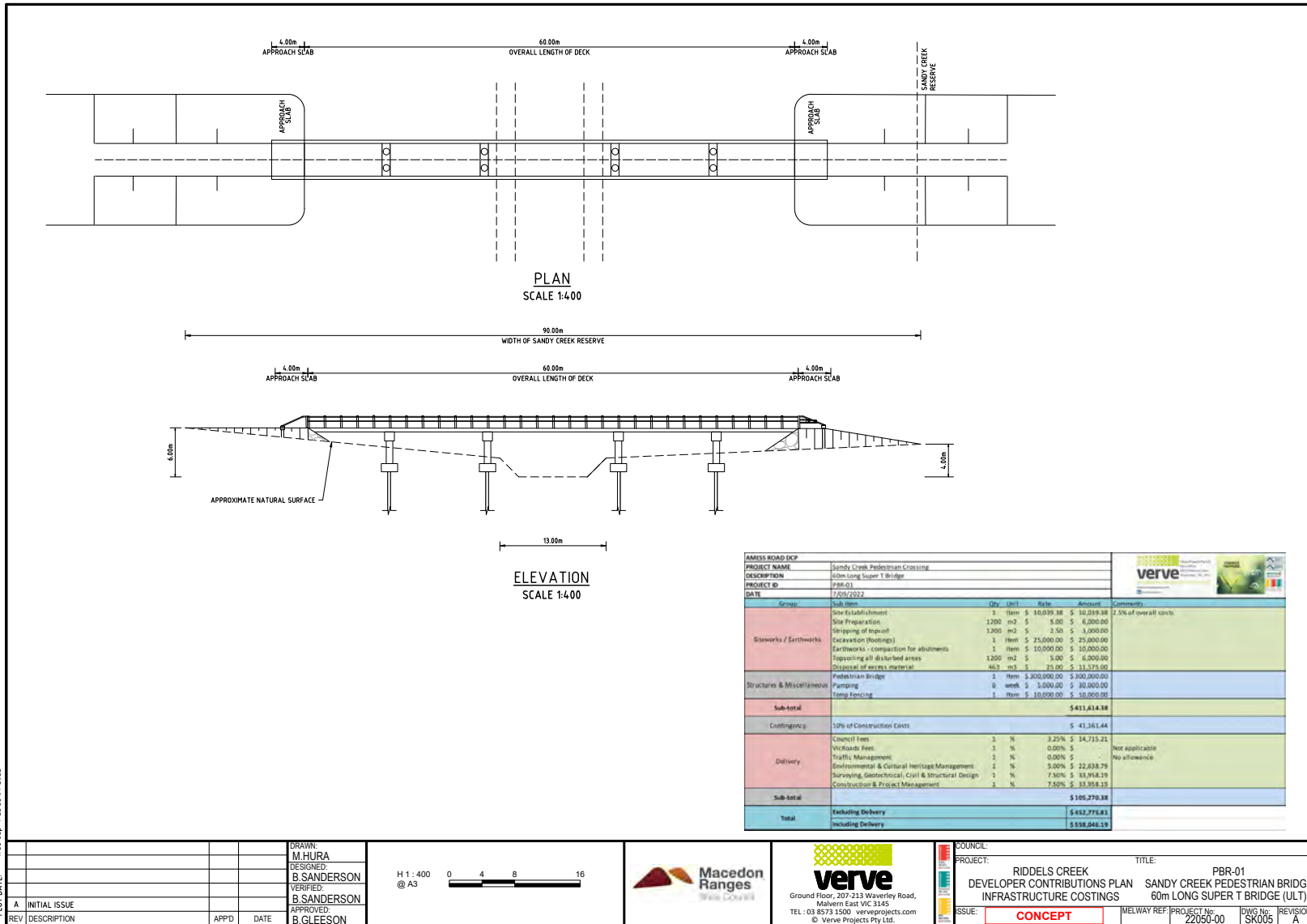
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 DESIGNED: B. SANDERSON  
 VERIFIED: B. SANDERSON  
 APPROVED: B. GLEESON

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COUNCIL:	RIDDELS CREEK	TITLE:	RD-02
PROJECT:	DEVELOPER CONTRIBUTIONS PLAN	EXISTING AMESS ROAD UPGRADE	PLAN
ISSUE:	CONCEPT	IMLWAY REF:	PROJECT No: 22050-00
		DWG No:	SK007
		REVISION:	B

Amess Road Development Contributions Plan



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 PLOT DATE: Wed Sep 27 23:55:24 2023

DESIGNED BY: M.HURA	CHECKED BY:
DESIGNED BY: B.SANDERSON	CHECKED BY:
VERIFIED BY: B.SANDERSON	CHECKED BY:
APPROVED BY: B.GLEESON	CHECKED BY:
APPROVED BY: B.GLEESON	CHECKED BY:

APPD DATE:

H 1 : 400 @ A3

Ground Floor, 207-213 Waverley Road,  
 Malvern East VIC 3145  
 TEL: 03 9573 1500 | verveprojects.com  
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COUNCIL:	PROJECT:	TITLE:
RIDDELS CREEK	RIDDELS CREEK SANDY CREEK PEDESTRIAN BRIDGE	PBR-01
DEVELOPER CONTRIBUTIONS PLAN	INFRASTRUCTURE COSTINGS	60m LONG SUPER T BRIDGE (ULT)
ISSUE:	CONCEPT	MELWAY REF: PROJECT NO: 22050-00 DIVG NO: SK005 REVISION: A

Amess Road Development Contributions Plan

6.3 Appendix C - Community Facility and Active Recreation Project Cost Sheets and Estimate

CI-01B - AMESS ROAD COMMUNITY CENTRE (AMESS ROAD COMMUNITY HUB)				
SECTION	UNIT	QUANTITY	RATE	COST (\$)
Community Centre	GFA (m2)	1267	3,832	4,854,800
External works and services - Community	m2	317	4,535	1,437,625
Roads and Carparks	m2	5,550	344	1,906,500
Builder's Preliminaries and Margin	%	18.0	6,292,425	1,131,075
Design Development Contingency	%	5.0	9,330,000	470,000
Construction Contingency	%	10.0	9,800,000	980,000
Cost Escalation excluded	Note			Excluded
Authority Fees/ Headworks Charges	%	2.0	10,780,000	215,000
Consultant Fees	%	8.0	10,780,000	860,000
Council Fees	%	2.0	10,780,000	215,000
Project Contingency	%	5.0	12,070,000	600,000
GST	Note			Excluded
<b>TOTAL (2022)</b>				<b>\$12,670,000</b>

SR-01C - AMESS ROAD SPORTS RESERVE (AMESS ROAD COMMUNITY HUB) - PAVILION				
SECTION	UNIT	QUANTITY	RATE	COST (\$)
Sports Pavilion	GFA (m2)	500	4,256	2,128,000
External works and services - Sports	Item	1	150,000	150,000
Builder's Preliminaries and Margin	%	15.0	2,278,000	342,000
Design Development Contingency	%	5.0	2,620,000	130,000
Construction Contingency	%	10.0	2,750,000	275,000
Cost Escalation excluded	Note			Excluded
Authority Fees/ Headworks Charges	%	2.0	3,025,000	60,000
Consultant Fees	%	8.0	3,025,000	240,000
Council Fees	%	2.0	3,025,000	60,000
Project Contingency	%	5.0	3,385,000	170,000
GST	Note			Excluded
<b>TOTAL (2022)</b>				<b>\$3,555,000</b>

SR-01B - AMESS ROAD SPORTS RESERVE (AMESS ROAD COMMUNITY HUB)				
SECTION	UNIT	QUANTITY	RATE	COST (\$)
Netball Courts	No.	2	342,238	684,475
Football Oval	No.	1	3,733,800	3,733,800
Signage	Item	1	100,000	100,000
Landscaping, Turfing, Fencing (areas	Site m2	42,000	11	447,830
Builder's Preliminaries and Margin	%	22.0	4,518,275	993,895
Design Development Contingency	%	5.0	5,960,000	300,000
Construction Contingency	%	10.0	6,260,000	630,000
Cost Escalation excluded	Note			Excluded
Authority Fees/ Headworks Charges	%	2.0	6,890,000	140,000
Consultant Fees	%	8.0	6,890,000	550,000
Council Fees	%	2.0	6,890,000	140,000
Project Contingency	%	5.0	7,720,000	380,000
GST	Note			Excluded
<b>TOTAL (2022)</b>				<b>\$8,100,000</b>

ESTIMATE DETAIL



Amess Road Community Infrastructure, Riddels Creek  
PR-015225 - Amess Road  
E01r1 Preliminary Cost Estimate

Job No: PR-015225  
Cost Base Date: August 2022  
GFA (m2): 42,000.00

Date Printed: 18/08/2022

Item	Section	Unit	Qty	Rate	Cost \$
<b>2 Exclusions</b> <span style="float: right;">(Continued)</span>					
2.1	The cost advice does not make allowance for costs or additional time that may occur as a result of increased or new restrictions introduced by Authorities due to COVID-19. The implications that may result from COVID-19 restrictions include, but are not limited to:				
2.2	- Costs arising from delays in the delivery of installation of plant and materials				
2.3	- Increased costs relating to substitution of plant or materials required for the project due to shortages or delivery issues in Australia or overseas				
2.4	- A reduction in productivity due to a direction of any Government or Authority as a result of COVID-19				
2.5	We recommends a periodic review of this estimate to adjust as appropriate, for any ongoing implications of COVID-19 restrictions and consequential impacts on the construction market <u>This estimate specifically excludes the following items:</u>				
2.6	Tennis Courts, Soccer Oval and Cricket Nets				
2.7	Site access restrictions				
2.8	Removal of contaminated or hazardous materials including site remediation				
2.9	Abnormal and unforeseen ground conditions (e.g. rock excavation, poor soil, water table issues, piling, etc.)				
2.10	Works outside of the site boundary unless noted otherwise				
2.11	Protection of adjoining properties and footpath including owner issues				
2.12	Relocation or upgrade of existing services and infrastructure, i.e. power/ water/ gas/ sewer/ comms/ NBN, other than those allowance noted within this estimate				
2.13	External lighting other than those noted within estimate				
2.14	Client costs other than those noted within estimate				
2.15	Public Artwork and Sculptures				

ESTIMATE DETAIL



Amess Road Community Infrastructure, Riddels Creek  
PR-015225 - Amess Road  
E01r1 Preliminary Cost Estimate

Job No: PR-015225  
Cost Base Date: August 2022  
GFA (m2): 42,000.00

Date Printed: 18/08/2022

Item	Section	Unit	Qty	Rate	Cost \$
<b>2 Exclusions</b> <span style="float: right;">(Continued)</span>					
2.16	Loose furniture, fittings and equipment other than noted (Costs by operators/clubs)				
2.17	Whitegoods and appliances allowances other than noted				
2.18	AV and IT equipment allowances other than noted (Costs by operators/clubs)				
2.19	ESD allowances				
2.20	Fire-sprinkler systems				
2.21	Termite treatments				
2.22	Staging costs / Work out of normal working hours / Temporary works				
2.23	Authority fees, charges and headworks, public open space contribution, building cladding levy (in addition to 2% allowance)				
2.24	Negotiated Contract/ Construction Management				
2.25	Cost escalation (current-day estimate provided)				
2.26	Delay and prolongation allowances				
2.27	Any non-construction development costs				
2.28	Financing costs				
2.29	Land, legal and holding costs				
2.30	GST				
<b>3 Assumptions</b>					
<u>WT assume the following across the 4.2HA district level active open space</u>					
3.1	Cut and Fill earthworks including site preparation				
3.2	Assume 1x Football Oval				

ESTIMATE DETAIL



Amess Road Community Infrastructure, Riddels Creek  
 PR-015225 - Amess Road  
 E01r1 Preliminary Cost Estimate

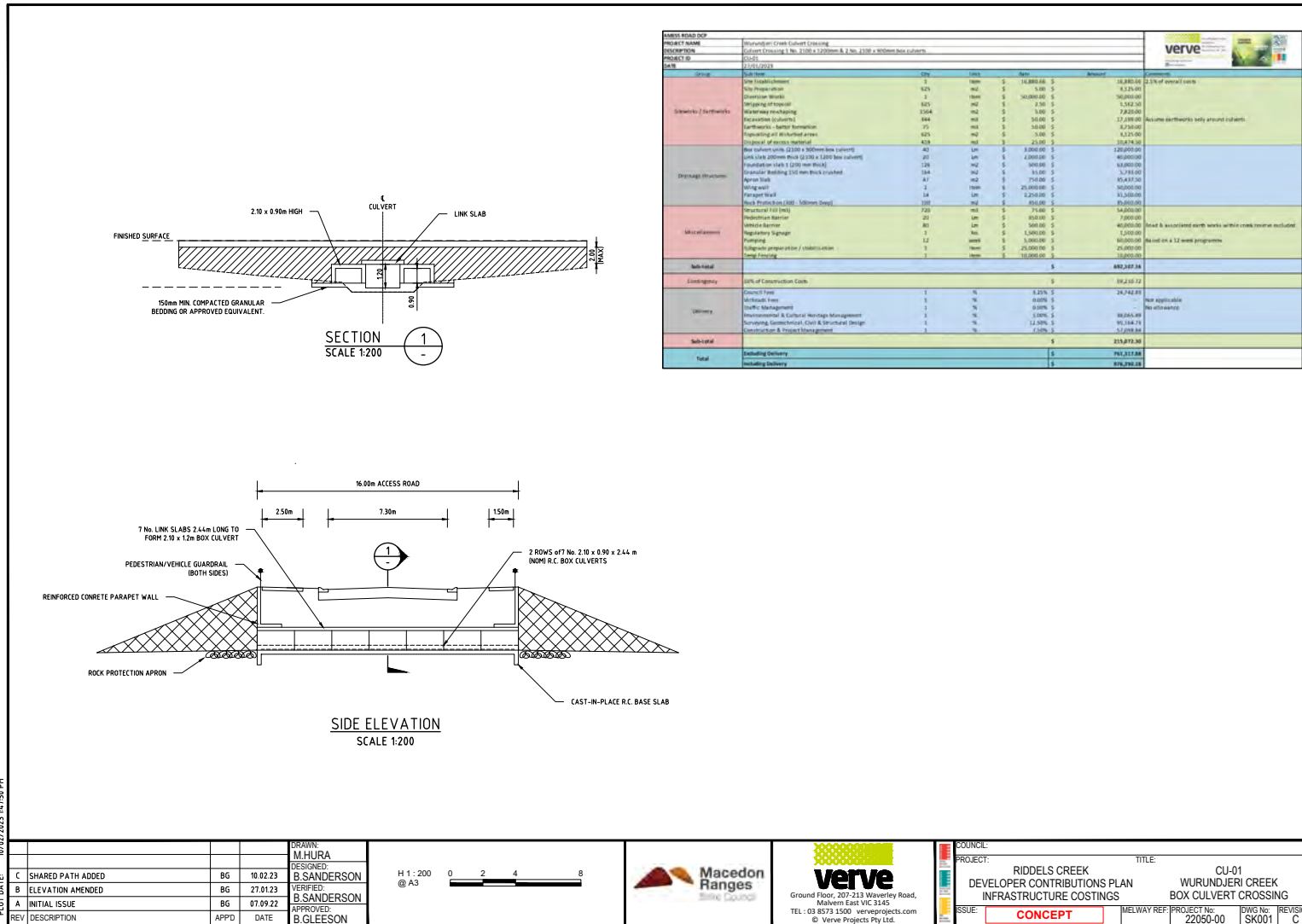
Job No: PR-015225  
 Cost Base Date: August 2022  
 GFA (m2): 42,000.00

Date Printed: 18/08/2022

Item	Section	Unit	Qty	Rate	Cost \$
<b>3 Assumptions</b> <span style="float: right;">(Continued)</span>					
3.3	Assume 2x Netball Courts				
3.4	Assume Community Centre with building floor area of approx. 1267m2 including kindergarten, MCH and other general community spaces. Outdoor play area for kindergarten to be approx 680m2				
3.5	Assume separate Sports Pavilion of approx 500m2 floor area				
3.6	Associated landscaping, lighting and signage				
3.7	Assume Sports Lighting				
3.8	Assume Car Parking requirements for 120no cars				
3.9	Assume Utility Connections (scope not defined)				
3.10	Other detailed assumptions included in the body of the estimate at each element				

<b>4 Community Centre</b>					
<u>NOTES / ASSUMPTIONS</u>					
4.1	WT understand there will be no design plans available for review as part of this cost estimate.	Note			
4.2	WT assume kindergarten shared staff/accessibility amenities include 4 No. toilets, 4 No. basin, 2 No. ambulant toilet, 1 No. Accessible toilet and basin and children amenities include 12 No. Toiler and 10 No. basin	Note			
4.3	WT assume MCH & Family Services staff amenities/accessible toilet include 4 No. toilet, 4 No. sink, 1 No. accessible toilet and 1 No. accessible basin. Family amenities include 4 No. toilet and 2 No. Sink				
4.4	WT assume General Community Space amenities include 8 No. toilet, 4 No. basin, 1 No. accessible toilet and 1 No. accessible basin. Staff amenities/accessible toilet include 4 No. toilet, 4 No. basin, 1 No. accessible toilet and 1 No. accessible basin				
	<b>GFA of the Community Centre (broken down in the following functional areas as extracted from relevant planning documents)</b>		1,267	m2	

6.4 Appendix D - Culvert Crossing Project Cost Sheets



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Amess Road Development Contributions Plan

6.5 Appendix E - Land valuation 'over' and 'under' provision of public land table

PSP PROPERTY ID	Total Area (ha)	NDA (HA)	DCP LAND 'UNDER' PROVISION	DCP LAND 'OVER' PROVISION
1	4.91	3.16	-	-
2	9.85	3.71	-	-
3	21.13	18.67	0.85	-
4	4.99	0.81	-	2.78
5	22.49	13.35	0.731	0.528
6	8.68	6.89	0.368	0.021
7	8.20	5.57	-	-
8	8.02	7.19	-	-
9	8.21	6.57	-	-
10	8.07	8.07	-	-
11	0.60	0.60	-	-
12	7.58	7.15	-	-
13	8.17	6.90	-	-
14	8.88	6.49	-	-
Wohl Court	1.41	1.25	-	-
<b>TOTAL</b>	<b>131.18</b>	<b>96.37</b>	<b>1.95</b>	<b>3.33</b>





*Planning and Environment Act 1987*

## MACEDON RANGES PLANNING SCHEME

## AMENDMENT C[INSERT AMENDMENT NUMBER]

## INSTRUCTION SHEET

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

The Macedon Ranges Planning Scheme is amended as follows:

**Planning Scheme Maps**

The Planning Scheme Maps are amended by a total of 4 attached maps sheets.

**Zoning Maps**

1. Amend Planning Scheme Map No 38 and 39 in the manner shown on the 1 attached map marked "Macedon Ranges Planning Scheme, Amendment C[insert amendment number]".

**Overlay Maps**

2. Insert new Planning Scheme Map Nos. 38DCPO and 39DCPO in the manner shown on the 1 attached map marked "Macedon Ranges Planning Scheme, Amendment C[insert amendment number]".

**Planning Scheme Ordinance**

The Planning Scheme Ordinance is amended as follows:

3. In **Zones** – Clause 37.07, insert a new Schedule 1 in the form of the attached document.
4. In **Overlays** – Clause 45.06, insert a new Schedule 3 in the form of the attached document.
5. In **Particular Provisions** – Clause 52.16, replace the Schedule with a new Schedule in the form of the attached document.
6. In **Particular Provisions** – Clause 52.17, replace the Schedule with a new Schedule in the form of the attached document.
7. In **Particular Provisions** – Clause 53.01, replace the Schedule with a new Schedule in the form of the attached document.
8. In **Operational Provisions** – Clause 72.03, replace the Schedule with a new Schedule in the form of the attached document.
9. In **Operational Provisions** – Clause 72.04, replace the Schedule with a new Schedule in the form of the attached document.

End of document

*Planning and Environment Act 1987*

**MACEDON RANGES PLANNING SCHEME**  
**AMENDMENT C [insert amendment number]**  
**EXPLANATORY REPORT**

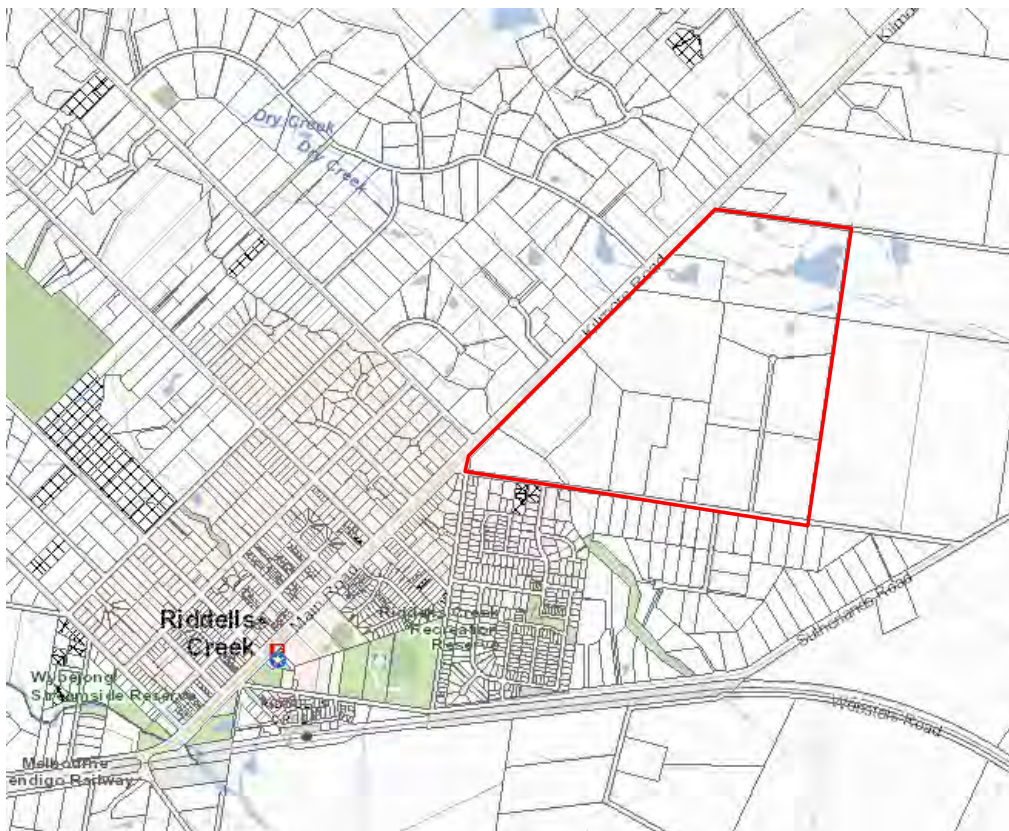
**Who is the planning authority?**

This amendment has been prepared by the Macedon Ranges Shire Council which is the planning authority for this amendment.

**Land affected by the amendment**

The amendment applies to 131.8 hectares of land located in Riddells Creek. The land is bound by Kilmore Road along the east, Amess Road to the south and farmland to the north and west; see Map 1 below.

*Map 1- Land affected by the amendment*



**What the amendment does**

The amendment incorporates three new documents into the Macedon Ranges Planning Scheme titled:

- Amess Road Precinct Structure Plan, February 2023 (the PSP).

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- Amess Road Development Contributions Plan, February 2023 (the DCP).
- Amess Road Native Vegetation Precinct Plan, February 2023 (the NVPP).

The amendment rezones the land to Urban Growth Zone Schedule 1 (UGZ1) to facilitate the development of land in accordance with the PSP to help accommodate urban growth within Riddells Creek. The amendment also makes other consequential changes to the Macedon Ranges Planning scheme to support the implementation of the PSP.

More specifically, the amendment proposes the following changes to the Macedon Ranges Planning Scheme:

- Inserts Schedule 1 to Clause 37.07 Urban Growth Zone (UGZ1) and applies the UGZ1 Schedule to the entire PSP area to UGZ1.
- Inserts Schedule 3 to Clause 45.06 Development Contributions Plan to define development contributions for the precinct.
- Amends the Schedule to Clause 52.16 Native Vegetation to identify the NVPP in the Schedule.
- Amends the Schedule to Clause 52.17 Native Vegetation to identify native vegetation exempt from requiring a planning permit for its removal.
- Amends the Schedule to 53.01 Public Open Space Contribution and Subdivision to identify the public open space requirements of the PSP area.
- Amends the Schedule to Clause 72.03 What does this Planning Scheme Consist of?.
- Amends the Schedule to Clause 72.04 Documents Incorporated in this Planning Scheme to incorporate the *Amess Road Precinct Structure Plan, February 2023*, the Amess Road Development Contributions Plan, February 2023 and the Amess Road Native Vegetation Precinct Plan, February 2023.

### Strategic assessment of the amendment

#### Why is the amendment required?

Victoria's regional areas have been experiencing considerable population growth and this trend is expected to continue particularly in locations which remain within commutable distance of Melbourne such as Riddells Creek.

The Amess Road PSP area was zoned to Urban Growth Zone in 2017 to accommodate for growth in Riddells Creek as part of Amendment C100. Recent and ongoing population growth in Riddells Creek has further increased demand for housing. This has contributed to a rise of small lot subdivisions within the township and rising housing costs, as supported by research conducted by Macedon Ranges Shire Council.

This planning scheme amendment introduces provisions to provide for orderly growth in Melbourne's regions in accordance with Macedon Ranges strategic policy. A planning scheme amendment will enable integrated development within areas identified in the Riddell's Creek Structure Plan 2013 to accommodate growth as they are close to existing commercial, social and transport infrastructure.

The amendment provides for a mix of housing choices to accommodate for a range of lifestyles and to support a diverse community in Riddells Creek. It will service this expanded township by providing a new community facility, sports oval, small local shops, a bus capable connector road, a 'green link' connecting a network of local parks, waterways and drainage reserves. The desired outcome is a coordinated development which is reflective of local character and housing which has access to a range of community, green and transport infrastructure.

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

The amendment implements the objectives of the Planning and Environment Act 1987 in that it facilitates the efficient development of land to provide for the present and future housing needs of Victorians. It anticipates the need for community facilities, green space and physical infrastructure in the PSP.

The amendment implements the objectives of planning in Victoria under section 4(1) of the Act, in particular:

- *To provide for the fair, orderly, economic and sustainable use, and development of land*

The amendment facilitates the coordinated development of a new community with sufficient infrastructure, community facilities, services and public open space. A range of lot/housing options will be delivered to respond to diverse needs. The efficient delivery of housing is ensured with the PSP nominating an average overall projected density of 13 dwellings per hectare.

The PSP provides for sustainable and active modes of transport with cycle and walking paths linking the PSP's neighbourhoods with the Riddells Creek township.

The community facilities and active green space in the PSP provide social infrastructure for current and future Riddells Creek residents.

Essential local infrastructure such as arterial road intersections, bridges, community facilities, sports and recreation facilities will be funded via the DCP.

- *To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.*

The precinct contains vegetation of varying arboricultural, ecological and amenity value. The PSP aims to retain the most valuable patches of vegetation through the NVPP to enhance the landscape character of the area and conserve valued flora.

An integrated stormwater management system will convey stormwater runoff through the PSP in natural and constructed waterways, control the rate of flow and treat the quality of runoff to meet best practice standards.

- *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*

The PSP delivers pleasant housing environments for a diversity of communities. It provides above the required amount of green space in a linked formation to promote walking, cycling and recreational activities within the PSP community. Active green space in the north of the PSP precinct also provides a well-planned space for the Riddells Creek community and visitors to recreate.

The DCP will require developers to contribute to the cost of the new sports reserve, community facility and roadworks to cater for the residents of the precinct. There is a logical nexus for the provision, as these will provide available services to future residents of this precinct.

- *To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;*

The PSP includes the heritage-listed Dromkeen property (covered by Heritage Overlay 83). As part of the PSP, the heritage extent of Dromkeen will be protected and a series of built form controls have been proposed to protect and enhance the area around Dromkeen.

A strong effort has been made to integrate the PSP area into the township and to respond to the townships existing character. Retention of existing vegetation in the adjacent road reserves has been prioritised and an interface strategy has been developed to minimise any amenity impacts of the proposed development of the PSP area.

- *To protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;*

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The amendment ensures that servicing of the new urban development provides sufficient capacity for future development to be connected to reticulated electricity, gas, water and sewer.

The DCP sets out how local roads, local recreation spaces and community facilities will be funded for land and construction.

Drainage infrastructure appropriate to cater for the urbanisation of this precinct will be provided which includes stormwater quality treatment assets and retarding basins as required.

The precinct encourages transport choice and a reduction in private car use by providing a highly interconnected road network whilst providing for the creation of a significant network of pedestrian and bicycle paths across the precinct and connecting into the existing township.

- *To balance the present and future interests of all Victorians.*

The PSP anticipates the need for Victoria's regions to accommodate growth at present and in the future. The PSP proposes sensitive interfaces with the existing township and urban design features to remain in character with Riddells Creek. The PSP will provide housing diversity, green space and community facilities for future residents in an area allocated for growth. This growth takes place in a precinct which is close to the existing township and is well serviced by existing social and transport infrastructure. The amendment also allows for the provision of funded local infrastructure projects for the future needs of the community.

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

##### *Environmental Effects*

The amendment identifies local conservation areas where native vegetation is to be retained where appropriate in accordance with the NVPP. The precinct also has identified vegetation of arboricultural value which will be retained where appropriate to the area.

The precinct has 29.22ha or 30.3% of open space with a diversity of functions. The open space network will provide opportunities for informal recreational activities within the precinct. The distribution of open space within the precinct ensures that the majority of residential properties have access to open space within a walkable distance of 400 metres.

The amendment proposes unique street designs which decrease urban heat island, increase urban permeability and greening. Runoff caused by development is mitigated through the enhancement of existing waterways to have a greater capacity for increased surface water flows. Retarding basins and stormwater treatment assets have been designed to be of a high quality and mitigate environmental risks.

The amendment area is in a relatively low bushfire risk location of the eastern side of Riddells Creek. Much of the precinct area will be excised from its designation as a Bushfire Prone Area as development progresses and produces more non-vegetated areas of low bushfire threat. Appropriate bushfire setbacks will be incorporated throughout the precinct where required.

##### *Social Effects*

The amendment helps deliver social benefits through the provision of housing type options in a masterplanned residential neighbourhood in proximity to the social infrastructure of Riddells Creek. The PSP provides a number of public open space types for a range of community needs. It also provides social and health benefits through the provision of a 'green link' with pedestrian and cycling trails, active open space with sports courts and trails along waterways. The provision of a community facility contributes new social infrastructure to Riddells Creek while local shops provide social spaces for residents of the amendment precinct.

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### *Economic Effects*

The amendment facilitates housing and community infrastructure growth in line with the objectives of the Loddon Mallee South Regional Growth Plan, Riddells Creek Structure Plan and the Macedon Ranges Statement of Planning Policy (DAL). The PSP area is.

The precinct will provide some 1300 dwellings, a multipurpose community facility, active recreation reserve and small scale shops in the "Village Hub" as well as the development of home businesses. This will amount to 92 new jobs in a variety of sectors. The increased population will in turn provide support for increased services in the township and the generation of local jobs.

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

Terramatrix prepared the *Preliminary Bushfire Development Report for the Amess Road Precinct Structure Plan* (August 2022) to identify existing hazardous vegetation and the actions required by the amendment to address bushfire risk.

All of the precinct is currently a designated Bushfire Prone Area under the *Building Regulations*; however, no part is covered by the Bushfire Management Overlay.

The landscape is one of relatively low bushfire risk, which will lessen as development of the precinct is completed.

The proposed Amess Road PSP implements the findings of the bushfire assessment.

The UGZ1 includes a requirement that specifies that an application for residential subdivision must be accompanied by a site management plan that assesses bushfire risk during and where appropriate after, construction of subdivision works. These provisions will work in combination with the building regulations and are suitable for an area transitioning from rural to urban land uses.

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

The amendment complies with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

#### *Direction No. 1 – Potentially Contaminated Land*

The Preliminary Site Investigation report prepared by Ground Science during the preparation of the PSP found that the investigation area is not considered potentially contaminated land in line with Ministerial Direction No. 1 (2001) and Planning Practice Note 30 Potentially Contaminated Land (2021). As such, an Environmental Audit is not required for the PSP area and no Environmental Audit overlays are recommended to be applied to specific properties.

#### *Direction No. 11 - Strategic Assessment of Amendments*

This direction seeks to ensure a comprehensive strategic evaluation of a planning scheme amendment. This Explanatory Report addresses the requirements outlined in this direction.

#### *Direction No. 12 - Urban Growth Areas*

Part 6 of Ministerial Direction 12 requires that when preparing an amendment to introduce or change provisions in a schedule to the UGZ, a planning authority must evaluate and include in the explanatory report a discussion about:

- *How the Amendment implements any Growth Area Framework Plan applying to the land*

The State Government's adopted Loddon Mallee South Regional Growth Plan envisages growth in Riddells Creek, catered for by both greenfield housing and infill development. The Amess Road Precinct is identified for growth in the Macedon Ranges Settlement Strategy.

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The PSP has been drafted with strong consideration of the desired outcomes of the Macedon Ranges Settlement Strategy and Riddells Creek Structure Plan.

- *How does the Amendment accord with the relevant Precinct Structure Planning Guidelines*

The updated PSP Guidelines were launched by the Victorian Planning Authority in November 2021. The purpose of the Guidelines is to provide the framework for preparing Precinct Structure Plans (PSPs) that guarantee quality outcomes while also being flexible, responsive and supportive of innovation. Applying the Guidelines in regional areas will utilise the same integrated framework. However, to ensure that the unique context of these areas is appropriately considered, the PSP process and regional adaptations to targets will consider the policy and growth setting, development setting, and intrinsic local character and opportunities.

The PSP Guidelines were considered in the preparation of the Amess Road PSP. The specific regional adaptations for targets are addressed below:

*Targets 1-2 Viable Densities - Adaptations should support the delivery of a diverse range of lot sizes and housing typologies where appropriate and continue to deliver housing/population at densities that make local services and transport viable.*

Given the context of Riddells Creek, the standard metropolitan PSP densities are not considered appropriate. Development of the average densities considered the need for housing supply and diversity and the identification of the precinct for urban development. This was then balanced against the precincts township context. Based on these considerations an average density of 13 dwellings per hectare is adopted in the PSP. The amenity based density model has been adopted and a plan is included in the PSP which identifies the preferred location for dwellings with more than one storey.

*Target 8 Safe, Accessible & Well Connected - Adaptations should support safe, accessible and well-connected communities to allow pedestrians and cyclists to utilise active transport.*

The PSP has been designed with a focus on pedestrian and cyclist permeability. Over 2.5km of off road shared paths are proposed throughout the precinct leveraging off the proposed green link network. The existing shared path within Kilmore Road which connects to the township is proposed to be extended to the PSP boundary and will be funded by the Amess Road DCP.

*Target 9-10 Connect People to Jobs & Higher Order Services- Adaptations should facilitate access to quality transport that connects people to jobs and higher order services. Local employment in regional settings needs to consider the entire township and the rural surrounds, and should be considered at a municipal level, before preparation of a PSP.*

The precinct will provide some 1300 dwellings, a multipurpose community facility, active recreation reserve and small scale shops in the "Village Hub" as well as the development of home businesses. This will amount to some 92 new jobs in a variety of sectors. The increased population will in turn provide support for increased services in the township and the generation of local jobs.

*Targets 11-12 High Quality Public Realm - The quantum and distribution of open space should consider the structure and capacity of existing open space, and opportunities for further investment in and connections to existing spaces*

The Amess Road PSP provides a network of open space across the precinct in the form of local parks the linear park network, as well as conservation and drainage areas. Over 30ha hectares of open space is proposed with 10.77ha of creditable open space. This is the equivalent to 11.2% of the net developable area which is higher than the 10% nominated in the PSP Guidelines.

*Target 18 Services and Destinations - Adaptations should provide for easy access to services and destinations that support local living.*

The PSP provides for the land and construction associated with a full sized oval and multi-purpose community facility. ASR Research determined that the PSP did not create the demand for additional government education facilities. The future residents of the PSP will utilise the existing school and higher order retail which will solidify the connection between the PSP and the existing township.

*Target 19 Thriving Local Economies - Adaptations should facilitate thriving local economies while also having regard to any potential impact on existing town centres.*

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The PSP provides for the land and construction associated with a full sized oval and multi-purpose community facility. ASR Research determined that the PSP did not create the demand for additional government education facilities. The future residents of the PSP will utilise the existing school and higher order retail which will solidify the connection between the PSP and the existing township.

- *How the provisions give effect to the intended outcomes of the precinct structure plan*

The planning scheme ordinance forming part of the amendment are drafted in response to the PSP.

The requirements and guidelines of the PSP will be implemented, predominantly via the UGZ1, at the subdivision stage through application requirements and planning permit conditions.

As is intended by the PSP process, the UGZ1 will facilitate a streamlined planning permit approval process to provide certainty and clarity.

The applied zones identified in the UGZ1 respond to the future urban structure and intent of the PSP and, in addition to the parent zone, provide further site-specific guidance on uses and development that are encouraged, discouraged and prohibited.

- *How a translation of the provisions can be achieved, once development anticipated by the precinct structure plan is substantially complete.*

The UGZ1 has been drafted to respond to the Victorian Planning Provisions, building upon and tailoring these as necessary to implement the intent of the PSP. This way the translation of the UGZ1 to standard planning provisions can occur in a timely and efficient manner once development guided by the PSP is largely complete.

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

The amendment represents an integrated decision-making process that balances the following objectives of the relevant Planning Policy Framework as follows:

*Clause 11.02 Managing Growth and 11.03 Planning for Places* – The amendment incorporates a PSP to direct how the precinct should accommodate residential growth and the relevant infrastructure to support this growth. The PSP sets out an orderly structure for development of the precinct including the location and function of varying activity centres taking into account the existing and planned network of activity centres in the region; introducing land for residential and employment uses to supply and encourage urban growth; and, providing developable land with good proximity to existing and future planned amenities, services and infrastructure.

*Clause 12.01-2S Native Vegetation Management* – The PSP identifies vegetation to be retained and areas of vegetation that are appropriate for removal to accommodate development. The amendment will streamline the process for native vegetation removal provided it is in accordance with the PSP.

*Clause 13.02 Bushfire* – The PSP has responded to the requirements of Clause 13.02 through a combination of setbacks where required and construction management requirements, as described earlier in this report.

*Clause 13.04-1S Contaminated and potentially contaminated land* - The Preliminary Site Investigation report prepared during the preparation of the PSP found that the investigation area is not considered potentially contaminated land in line with Ministerial Direction No. 1 (2001) and Planning Practice Note 30 Potentially Contaminated Land (2021). As such, an Environmental Audit is not required for the PSP area and no Environmental Audit overlays are recommended to be applied to specific properties .

*Clause 15.01 Built Environment, and Clause 15.03 Heritage* –The amendment delivers a PSP that guides urban development so that it provides for a liveable and diverse community, that integrates and is well connected to existing and establishing communities. The PSP provides a Future Urban Structure that outlines a well-designed subdivision pattern and transport network that fosters more sustainable modes of transport, a safe public environment, a network of public open space, and a diverse housing stock to attract a diverse community. The PSP encourages the development of the precinct so that it builds on the natural landscape and topography. The PSP also builds upon the

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heritage features of the precinct by encouraging enhancement and additional protection of heritage features.

*Clause 16.0 Housing* – New residents will have access to a range of services within the precinct area and surrounding neighbourhoods. The PSP sets out provisions to facilitate a range of potential housing types and densities. Following subdivision, the full range of housing types, sizes and configurations may establish in large areas of the precinct without the need for a land use permit.

*Clause 17 Economic development* – The PSP provides for a new local shops area providing basic services for residents within the precinct.

*Clause 18 Transport* – The road network will integrate with the existing and planned arterial road network. The proposed road network provides a robust structure for traffic and transport movement within and through the precinct, whilst also being responsive to environmental constraints.

*Clause 19.02 Community infrastructure, Clause 19.03 Development infrastructure* – A comprehensive Development Contributions Plan will be implemented in order to facilitate the delivery of essential infrastructure in the PSP area.

**How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?**

The amendment supports the following Clauses of the LPPF and MSS:

Clause 21.03 (Municipal Vision and Strategic Framework Plan): by supporting development that complements the nature and character of the rural landscapes of the Shire, and by providing a diverse range of dwelling typologies in appropriate locations to meet the needs of the Shire's changing demographics.

Clause 21.04 (Settlement): by facilitating residential growth in Riddells Creek in accordance with the Macedon Ranges Settlement Strategy 2011, which recognises the town's attributes such as its attractive lifestyle opportunities, location on the railway line and proximity to larger centres of employment including metropolitan Melbourne.

Clause 21.05 (Environment and Landscape Values): by providing provisions in the PSP to ensure development respects and promotes the existing landscape values of the site and surrounding area.

Clause 21.06 (Environmental Risks): by ensuring the PSP satisfactorily addresses and responds to potential bushfire risk and stormwater management.

Clause 21.08 (Built Environment and Heritage): by encouraging development that respects the distinctive character and defining attributes of Riddells Creek.

Clause 21.09 (Housing): by encouraging a diversity of housing in appropriate locations to cater for the demographics of the Shire.

Clause 21.11 (Transport): by ensuring the PSP considers and responds to the existing road network and facilitates a logical internal road network with adequate access to various transport methods.

Clause 21.12 (Community Development & Infrastructure): by promoting the orderly provision of infrastructure in the PSP area via the DCP and ensuring the provision of significant open space networks for the existing and future Riddells Creek community to enjoy.

Clause 21.13-5 (Local Areas and Small Settlements – Riddells Creek): by supporting the needed growth within Riddells Creek while considering and responding to the existing rural and natural character of the area.

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

The amendment meets the form and content requirements of the Victorian Planning Provisions. Importantly, the introduction of the UGZ1 is the most appropriate tool to apply a suite of Victorian Planning Provision conventional zones to guide future use and development of the precinct through the specification of conditions and requirements for permits.

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

The amendment was prepared in consultation with affected agencies including: Melbourne Water; Western Water; the Department of Transport and Planning; Department of Energy Environment and Climate Action; the Country Fire Association; and the Department of Education and Training.

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

The Victorian Planning Authority in itself and acting as a planning authority is an 'interface body' under the *Transport Integration Act 2010*. Under Section 25 of that Act:

- (1) *An interface body must have regard to the transport system objectives when exercising powers and performing functions under any interface legislation which are likely to have a significant impact on the transport system.*
- (2) *An interface body must have regard to the decision making principles in making decision under any interface legislation which are likely to have a significant impact on the transport system.*

The amendment is likely to have a significant impact on the transport system at a local level. It plans for a new local road network that includes upgrades to the regional road network. It will also contribute to the development of the bus network in the area.

The proposed additions and changes to the existing transport system in and surrounding the PSP area will meet the transport system objectives by:

- Providing for an interconnected road system that responds to the likely level of use generated by the PSP area thereby encouraging development and services investment.
- Enabling efficient access to existing and planned employment and services, the rail station and planned extensions to bus services.
- Ensuring the road network minimises impacts on the site's topography, native vegetation and water flow regimes.
- Designing roads that are of a suitable scale and compatible with the expected travel demand and that provide a suitable scale and impact in relation to likely adjoining development.
- Integrating the construction of bus stop facilities with the development process to minimise construction costs and provide the opportunity to optimise the location of bus stops and design of roads in relation to bus routes and associated facilities.

**Resource and administrative costs**

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

The amendment will have minimal impact on the resources and administrative costs of the responsible authority. The incorporation of the PSP in the Macedon Ranges Shire Planning Scheme will facilitate the orderly and proper planning of the area.

Further, the UGZ1 has been structured in such a way that the ultimate translation to conventional Victorian Planning Provisions zones can occur in a timely and efficient manner once the land has been developed.

**Where you may inspect this amendment**

The amendment can be inspected free of charge at the Macedon Ranges Shire Council website at <https://www.mrsc.vic.gov.au/Home>

And

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

- Kyneton Administration Centre - 129 Mollison Street, Kyneton 3444
- Gisborne Administration Centre - 40 Robertson Street, Gisborne 3437
- Woodend Library - Cnr Forest and High Streets, Woodend 3442

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- Romsey Library - 96-100 Main Street, Romsey 3434
- Riddells Creek Neighbourhood House – 59 Main Road, Riddells Creek 3431

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

### **Submissions**

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by **[insert submissions due date]**.

A submission must be sent to: Strategic Planning and Environment, Macedon Ranges Shire Council, PO Box 151, Kyneton, VIC 3444 or emailed to [mrsc@mrsc.vic.gov.au](mailto:mrsc@mrsc.vic.gov.au).

### **Panel hearing dates**

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: **[insert directions hearing date]**
- panel hearing: **[insert panel hearing date]**

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## MACEDON RANGES PLANNING SCHEME

xxxxxx **SCHEDULE 1 TO CLAUSE 37.07 URBAN GROWTH ZONE**

Shown on the planning scheme map as **UGZ1**.

**AMESS ROAD PRECINCT STRUCTURE PLAN****1.0 The Plan**

xxxxxxx Plan 1 below shows the future urban structure proposed in the Amess Road Precinct Structure Plan, **September 2022**. It is a reproduction of Plan **4** in the Amess Road Precinct Structure Plan, **September 2022**.

**Plan 1 to Schedule 1 of Clause 37.07**

**Insert final plan**

**2.0 Use and development**

xxxxxxx

**2.1 The Land**

xxxxxxx

The provisions of this schedule apply to the land within the 'precinct boundary' shown on Plan 1 of this schedule and shown as UGZ1 on the planning scheme maps.

**Note:**

*If land shown on Plan 1 is not zoned UGZ1, the provisions of this zone do not apply.*

MACEDON RANGES PLANNING SCHEME

**2.2 Applied zone provisions**

xxxxxx Table 1 allocates the land use/development shown on Plan 1 of this schedule with a corresponding zone from this scheme.

Where the use/development in the left column is carried out or proposed generally in accordance with the incorporated Amess Road Precinct Structure Plan, the use, construction of a building and construction and carrying out of works provisions of the corresponding zone in the right column apply.

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.

*For example: The Commercial 2 Zone specifies ‘Shop’ as a Section 1 Use with the condition, ‘The site must adjoin, or have access to, a road in a Transport Zone.’ In this instance the condition should be read as, ‘The site must adjoin, or have access to, a road in a Transport Zone or an applied Transport Zone in the Urban Growth Zone schedule applying to the land.’*

**Table 1: Applied zone provisions**

Land shown on plan 1 of this schedule Residential	Applied zone provisions Clause 32.08 – General Residential Zone
Land shown on plan 1 of this schedule Local Shops	Applied zone provisions Clause 34.01 – Commercial 1 Zone

**2.3 Specific provisions – Use of land**

xxxxxx **Table 2: Use of land**

**Section 1 - Permit not required**

Use	Condition
Childcare centre Hall Indoor recreation centre Library Medical centre Restricted recreation facility	On land identified as ‘community facility’ in the incorporated <i>Amess Road Precinct Structure Plan</i> .
Minor sports and recreation facility	On land identified as ‘local sports reserve’ in the incorporated <i>Amess Road Precinct Structure Plan</i> .
<b>Any use listed in Clause 62.01</b>	Must meet requirements of Clause 62.01.
Any use listed in Section 1 in the Table of uses of the applicable applied zone	

MACEDON RANGES PLANNING SCHEME

**Section 2 - Permit required**

Use	Condition
Any other use not in Section 1 or 3 in the Table of uses in the applicable applied zone	

**Section 3 – Prohibited**

Use
Any other use in Section 3 in the Table of uses of the applicable applied zone

**2.4 Specific provisions - Subdivision**

xxxxxx

None specified.

**2.5 Specific provisions - Buildings and works**

xxxxxx

**Dwellings on a lot less than 300 square metres**

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where:

- An approved building envelope as defined in Part 5 of the Building Regulations 2018 applies to the lot, and;
- The approved building envelope complies with the Small Lot Housing Code in the Amess Road Precinct Structure Plan; and
- The dwelling is constructed or extended in compliance with the approved building envelope.

A permit is required to construct or extend a fence within 3 metres of a street on a lot of between 250 and 300 square metres unless the Front Fence Height Standard in Table A2 of Clause 54.06-2 is met.

**Buildings and works for future local parks and local community facilities**

A permit is not required to construct a building or construct or carry out works for a local park, local sports reserve or local community facility provided the use or development is carried out generally in accordance with the incorporated *Amess Road Precinct Structure Plan* and with the prior written consent of Macedon Ranges Shire Council.

**Bulk Earthworks**

A permit is required for bulk earthworks, unless a report has been prepared to the satisfaction of the responsible authority demonstrating that sodic and/or dispersive soils are not present in the works area.

**Removal of dams, reservoirs and other water bodies**

A permit is required for the removal of dams, reservoirs and other water bodies.

MACEDON RANGES PLANNING SCHEME

**3.0 Application requirements**

xxxxxx

The following application requirements apply to an application for a permit under Clause 37.07, in addition to those specified in Clause 37.07 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority.

If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

**Public Infrastructure Plan**

For an application to use or subdivide land or construct a building or construct or carry out works, a Public Infrastructure Plan which addresses the following:

- What land may be affected or required for the provision of infrastructure works;
- The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
- What, if any, infrastructure set out in the infrastructure contributions plan applying to the land is sought to be provided as “works in lieu” subject to the consent of the collecting agency;
- The provision of public open space and land for any community facilities; and
- Any other matter relevant to the provision of public infrastructure required by the responsible authority.

**Subdivision – Residential Development**

For a residential subdivision, a site and context description and design response as required in Clause 56.

For an application to subdivide ten or more lots, in addition to the above, or for the construction of ten or more dwellings:

- A written statement that sets out how the application implements the incorporated *Amess Road Precinct Structure Plan*.
- A land use budget setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- A drainage and integrated water management plan.
- An arboricultural report identifying all trees on the site and a tree retention plan identifying how the application responds to the incorporated *Amess Road Native Vegetation Precinct Plan*;
- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority.
- Potential bus route and bus stop locations prepared in consultation with the Head of Public Transport Victoria;
- Where relevant, demonstration of how the subdivision will respond sensitively to the heritage significance of Dromkeen and Monterey Pine (Heritage Overlay – HO83);
- A Stormwater Management Strategy that assesses the existing surface and subsurface drainage conditions on the site, addresses the provision, staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of Macedon Ranges Shire Council and Melbourne Water;

## MACEDON RANGES PLANNING SCHEME

- A Bushfire Management Plan that addresses bushfire risk during, and where necessary, after construction which is approved by the responsible authority. The plan must specify, amongst other things:
  - The staging of development and the likely bushfire risks at each stage;
  - An area of land between the development edge and non-urban areas consistent with the separation distances specified in AS3959-2018, where bushfire risk is managed to enable the development, on completion, to achieve a BAL-12.5 construction standard in accordance with AS3959-2018;
  - The land management measures to be undertaken by the developer to reduce the risk from fire within any surrounding rural or undeveloped landscape to protect residents and property from the threat of grassfire and bushfire;
  - Provision of adequate access and egress for early subdivisions to minimise grass and bushfire risks to new residents prior to the full completion of the PSP.
  - Respond to Clause 13.02 of the Planning Scheme.

**Traffic Impact Assessment**

An application that proposes to create or change access to an arterial road must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility / concept road safety audit, must be to the satisfaction of Department of Transport and Macedon Ranges Shire Council.

**Subdivision applications for land on slope greater than 5%**

An application for Subdivision of land on slope greater than 5% must be accompanied by design guidelines to minimise the landscape and visual impact of development on sloping land. The guidelines must be to the satisfaction of the responsible authority and include:

- A plan showing lot boundaries, contours and slope;
- Cross sections based on the PSP cross sections or any variation consistent with the associated principles;
- The location and approximate depth of any proposed earthworks;
- The location and approximate height for proposed retaining structures;
- A geotechnical report and designs by a suitably qualified engineer where proposed retaining structures exceed 0.5m in height;
- The location and approximate grade of any proposed roads and paths;
- Building envelopes and grade of driveways and cross overs; and
- Measures to manage surface run-off.

**Use or develop land for a sensitive purpose – 1072 Kilmore Road, Riddells Creek - Environmental Site Assessment**

An application to use land for a sensitive use or to subdivide land must be accompanied by a preliminary assessment of the potential for contaminated land as a result of the previous land uses, carried out by a suitably qualified person.



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**Use or develop land for a sensitive purpose – 89 & 75 Amess Road, Riddells Creek – Detailed Site Investigation**

An application for subdivision on land at 89 & 75 Amess Road, Riddells Creek must be accompanied by:

- A Detailed Site Investigation, to assess the underground storage tank and remnant structures associated with the previous site uses of the land at 89 & 75 Amess Road, Riddells Creek, as identified in the Preliminary Site Investigation (prepared by Ground Science, **September 2022**).

**Geotechnical and Groundwater Assessment**

For an application to subdivide land or construct or carry out earthworks, a geotechnical and groundwater assessment prepared by a suitably qualified professional to the satisfaction of the responsible authority.

**Heritage Places**

An application to subdivide land or to construct a building or construct or carry out works on land at 1012 Kilmore Road, Riddells Creek must include consideration of the following to the satisfaction of the responsible authority:

- a Heritage Conservation Management Plan (HCMP) for the heritage place; and
- A statement that takes into account the approved HCMP and explains how the significance of the identified heritage features has been considered in the design of the development, including:
  - design of perimeter fencing;
  - surrounding residential interfaces;
  - interpretive signage, information boards relating to buildings that have been retained, restored, rebuilt or removed.

MACEDON RANGES PLANNING SCHEME

**4.0 Conditions and requirements for permits**

xxxxxx **Condition - Building Envelopes**

Prior the certification of the Plan of Subdivision for each stage of subdivision, a building envelope plan for each lot must be submitted to and endorsed by the Responsible Authority.

The approved building envelopes must be applied as a restriction on the plan of subdivision or be applied through an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 that is recorded on the title to the land. The restriction or the agreement must provide for:

- The building envelope to apply to each relevant lot
- All buildings to conform to the building envelope on the relevant lot
- The construction of a building outside of a building envelope only with the consent of the responsible authority.
- A building envelope to cease to apply to any building on the lot affected by the envelope after the issue of a certificate of occupancy for the whole of a dwelling on the land.

Where the building envelope is to be applied to the land through an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987, the building envelope plan may be approved after the plan of subdivision is certified: and

**Conditions - subdivision permits that allow the creation of a lot under 300 square metres**

Prior to certification of the Plan of Subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provision of the Small Lot Housing Code incorporated as attachment X in the *Amess Road Precinct Structure Plan*; and

The Plan of Subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the responsible authority.

**Condition - Housing and Design Guidelines**

Prior to certification of the Plan of Subdivision for the first stage of subdivision, housing design guidelines must be submitted to and endorsed by the Responsible Authority. The Design Guidelines should take into account the requirement and guidelines of the incorporated *Amess Road Precinct Structure Plan*. In addition to the standard design guidelines, the guidelines must also specifically address the following:

- Materials palette for homes including roofs
- Landscaping in private realm including within front and rear setbacks (particularly relevant for lots on key interfaces identified in the PSP)
- Fencing treatments which should consider both rural character and privacy
- Sustainable development initiatives for private homes

## MACEDON RANGES PLANNING SCHEME

Once endorsed, the Housing Design Guidelines must be applied as a restriction of the plan of subdivision for lots 300 sqm or greater, or be applied through an agreement with the responsible authority under Section 173 of the Act that is registered on the title to the land.

**Condition – Subdivision or buildings and works permits where land is required for community facilities, public open space or road widening**

A permit for subdivision or buildings and works, where land is required for community facilities, public open space or road widening must include the following conditions:

- The costs associated with effecting the transfer or vesting of land required for community facilities, public open space or road widening must be borne by the permit holder.
- Land required for community facilities, public open space or road widening must be transferred to or vested in the relevant public agency with any designation (e.g. road, reserve or lot) nominated by the relevant agency.

**Condition - Precinct Infrastructure Plan**

Any permit for subdivision must contain the following condition:

Prior to the certification of a plan of subdivision or at such other time which is agreed between Council and the owner, if required by the responsible authority or the owner, the owner must enter into an agreement or agreements under section 173 of the Planning and Environment Act 1987 which provides for:

- The implementation of the Public Infrastructure Plan approved under this permit.
- The timing of any payments to be made to a person in respect of any infrastructure project having regard to the availability of funds in the Development Contributions Plan.

**Conditions and requirements - Kangaroo Management Plan**

Before the certification of the plan of subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment, Land, Water and Planning (DELWP). The approved plan will form part of the permit.

The submitted Kangaroo Management Plan must include:

- Strategies to avoid land locking kangaroos, including staging of subdivision;
- Strategies to minimise animal and human welfare risks;
- Management and monitoring actions to sustainably manage a population of kangaroos within a suitable location; and
- Actions to address the containment of kangaroos to ensure adequate animal welfare.

The approved Kangaroo Management Plan must be implemented to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

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**Condition - Environmental Management Plans for Conservation Areas**

A planning permit to subdivide land, construct a building, or construct or carry out works within 50 metres of land shown as a conservation area in the incorporated *Amess Road Precinct Structure Plan* must include the following condition:

The subdivision, buildings or works must not commence until an Environmental Management Plan has been approved to the satisfaction of the responsible authority.

Once approved the plan will form part of the permit and must be implemented to the satisfaction of the responsible authority.

**Condition - Protection of conservation areas and native vegetation during construction**

A permit to subdivide land, construct a building or carry out works, where the incorporated *Amess Road Precinct Structure Plan* shows the land, or abutting land, including a conservation area or a patch of native vegetation or a scattered tree must contain the following conditions:

Before the commencement of buildings or works within or on or within 50m of land abutting a conservation area shown on Plan X of the incorporated *Amess Road Precinct Structure Plan* as conservation area, the permit holder must erect a vegetation protection fence around any conservation area, patch of native vegetation or scattered tree identified for retention, or vegetation identified for salvage in the incorporated *Amess Road Precinct Structure Plan*. The fence must be:

- highly visible
- at least 2 metres in height
- sturdy and strong enough to withstand knocks from construction vehicles
- in place for the whole period of construction occurring within 30m of the conservation area, patch of native vegetation or scattered tree
- located at a minimum distance from:

Element element	Minimum distance from
Conservation area	0.5 metres
Scattered tree	12 x Diameter at B
Patch of native vegetation	2 metres

During the undertaking of buildings or works, all activities must be excluded from occurring within the protection fencing, unless otherwise agreed to by the Responsible Authority.

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Construction stockpiles, fill, machinery, vehicle parking, excavation and works or other activities associated with the buildings or works must be designed and constructed to ensure that the conservation area, scattered trees or patches of native vegetation identified for retention in the Precinct Structure Plan are protected from adverse impacts during construction.

**Condition - Environmental Management Plans outside of Conservation Areas**

Prior to commencement of works, a Construction Site Environmental Management Plan (CSEMP), must be submitted to and approved by the Responsible Authority to address the potential impacts of construction works. The CSEMP must be generally in accordance with 'doing it right on subdivision EPA 2004' and address methods for noise, dust, erosion and sediment control, waste and chemical management, flora/fauna protection, weed control, and archaeological/heritage impacts.

**Condition - Public transport**

Unless otherwise agreed by Head, Transport for Victoria, prior to the issue of Statement of Compliance for any subdivision stage, bus stop hard stands with direct and safe pedestrian access to a pedestrian path must be constructed:

- In accordance with the Public Transport Guidelines for Land Use and Development and compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002.
- At locations approved by Public Transport Victoria, at no cost to Public Transport Victoria, and to the satisfaction of Head, Transport for Victoria.

**Condition - Road network**

Any permit for subdivision or building and works must contain the following conditions:

Prior to the certification of a plan of subdivision, the plan of subdivision must show the land affected by the widening of the road reserve which is required to provide road widening and/or right of way flaring for the ultimate design of any adjacent intersection.

- Land required for road widening including right of way flaring for the ultimate design of any intersection within an existing or proposed arterial road must be transferred to or vested in council at no cost to the acquiring agency unless funded by the Amess Road Development Contributions Plan.

**Requirement - Management of bushfire risk during subdivisional works**

A permit for subdivision that contains a condition requiring a construction management or site management plan must ensure that the relevant plan addresses any potential bushfire risks arising from the land during construction and must include a statement from a suitably qualified professional that the proposed bushfire risk management measures are appropriate.

**5.0 Exemption from notice and review**

xxxxxx None specified.

## MACEDON RANGES PLANNING SCHEME

**6.0 Decision guidelines**

xxxxxx The following decision guideline apply to an application for a permit under Clause 37.07, in addition to those specified in Clause 37.07 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

**Affordable Housing**

Before deciding on an application to develop or subdivide land for dwellings, the responsible authority must consider, as appropriate:

- Whether the proposed subdivision application contributes towards the provision of Affordable Housing as defined by the Planning and Environment Act 1987;
- The Ministerial Notice under 3AA(2) of the Act, as amended from time to time.

**7.0 Signs**

xxxxxx Sign requirements are at Clause 52.05. All land within the Amess Road Precinct Structure Plan area is included in the category specified in its applied zone at Clause 2.2 of this schedule.

**8.0 Land and home sales signs**

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The advertisement area for each sign does not exceed 10 square metres;
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage;
- The sign is not animated, scrolling, electronic or internally illuminated sign;
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot; and
- The sign is setback a minimum of 750mm from the property boundary

MACEDON RANGES PLANNING SCHEME

**SCHEDULE 3 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY**

Shown on the planning scheme map as **DCPO3**.

**AMESS ROAD DEVELOPMENT CONTRIBUTIONS PLAN**

**1.0 Area covered by this development contributions plan**

All land within the Amess Road Development Contributions Plan area shown as DCP03 on the planning scheme maps.

**2.0 Summary of costs in July 2022 dollars**

Facility	Total cost \$	Time of provision	Actual cost contribution attributable to development \$	Proportion of cost attributable to development %
Transport	\$12,200,377.04	Refer to details in the Amess Road Development Contributions Plan.	\$ 12,200,377.04	100 %
Recreation	\$19,036,183.04	Refer to details in the Amess Road Development Contributions Plan.	\$ 8,595,432.37	45.15%
Community	\$14,595,000	Refer to details in the Amess Road Development Contributions Plan.	\$6,567,750	45 %
Culvert Crossing	\$ 976,390.18	Refer to details in the Amess Road Development Contributions Plan.	\$ 976,390.18	100 %
<b>TOTAL</b>	<b>\$46,790,598.03</b>	<b>-</b>	<b>\$28,399,949.58</b>	<b>60.56%</b>

MACEDON RANGES PLANNING SCHEME

**3.0 Summary of contributions**

Facility	Levies payable by the development (\$)	
	Development infrastructure	Community infrastructure
	All development Per net developable hectare	Residential Per dwelling
Transport	\$126,625.60	\$0
Recreation	\$72,304.44	\$1253
Community	\$68,165.54	\$0
Culvert Crossing	\$10,133.78	\$0
<b>TOTAL</b>	<b>\$277,229.36</b>	<b>\$1,253</b>

**4.0 Indexation**

All capital costs of infrastructure items (with the exception of land) will be adjusted quarterly in the following manner:

- Roads, intersections and pedestrian bridges – the capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as published in the latest edition of Rawlinson’s Australian Construction Handbook.
- All other infrastructure items – the capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as published in the latest edition of Rawlinson’s Australian Construction Handbook.

Land values will be adjusted on 1 July each year following valuation undertaken by a registered valuer

**5.0 Land or development excluded from development contributions plan**

Land required for the following is exempt from the provisions of this overlay:

- Use and development associated with a dwelling that is existing or approved at the approval date of this provision.
- Non-government school.
- Housing provided by or on behalf of the Department of Health and Human Services.

*Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details.*



MACEDON RANGES PLANNING SCHEME

**SCHEDULE TO CLAUSE 52.16 NATIVE VEGETATION PRECINCT PLAN**

**1.0 Native vegetation precinct plan**

**Name of plan**

Amess Road Native Vegetation Precinct Plan, XXXX 2023

MACEODN RANGES PLANNING SCHEME

**SCHEDULE TO CLAUSE 52.17 NATIVE VEGETATION**

**1.0 Scheduled area**

Area	Description of native vegetation for which no permit is required to remove, destroy or lop
Area known as the Carlsruhe Freeway Section, between Clancys Lane, Woodend North and the southern end of the Kyneton bypass, and covered by the Public Acquisition Overlay.	All native vegetation including trees, shrubs, herbs and grasses.
Portion of the area known as the Kyneton to Faraday Freeway Section, between the northern end of the Kyneton bypass and Boundary Road.	All native vegetation including trees, shrubs, herbs and grasses: the minimum extent necessary for works undertaken by or on behalf of VicRoads which is required for the construction of the new Calder Highway/Freeway, including local access, deviation and service roads between Kyneton and Faraday on land within a Transport Zone 2 or land in a Public Acquisition Overlay if: <ul style="list-style-type: none"> <li>▪ The Head, Transport for Victoria is the acquiring authority; and</li> <li>▪ The purpose of the acquisition is for a road.</li> </ul>
<a href="#">Land shown as UGZ1 on the planning scheme maps</a>	<p><a href="#">All native vegetation including trees, shrubs, herbs and grasses</a></p> <p><a href="#">This does not apply to native vegetation identified as 'to be retained' on Plan 14 in the incorporated Amess Road Precinct Structure Plan, XXX 2023.</a></p>

**2.0 Scheduled weed**

Area	Description of weed
None specified	

## MACEDON RANGES PLANNING SCHEME

**30/07/2018 SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?****1.0 Maps comprising part of this planning scheme:**

- 30/07/2018
- 1, 1BMO, 1ESO, 1HO, 1LSIO
  - 2, 2BMO, 2ESO, 2LSIO, 2VPO2, 2VPO6
  - 3, 3BMO, 3ESO, 3VPO2
  - 4, 4BMO, 4ESO, 4HO, 4LSIO, 4VPO2, 4VPO6
  - 5, 5BMO, 5DDO, 5EMO, 5ESO, 5HO, 5LSIO
  - 6, 6AEO, 6BMO, 6DDO, 6EAO, 6ESO, 6HO, 6LSIO, 6SLO, 6VPO2, 6VPO6
  - 7, 7BMO, 7EAO, 7ESO, 7HO, 7LSIO, 7SLO, 7VPO2, 7VPO6
  - 8, 8BMO, 8ESO, 8LSIO, 8SLO, 8VPO2, 8VPO6, 8VPO8, 8VPO9
  - 9, 9BMO, 9DDO, 9DPO, 9ESO, 9SLO, 9VPO2, 9VPO6, 9VPO8, 9VPO9
  - 10, 10BMO, 10DDO, 10ESO, 10HO, 10SLO, 10VPO2, 10VPO6, 10VPO9
  - 11, 11BMO, 11ESO, 11HO, 11LSIO, 11VPO2, 11VPO6
  - 12, 12BMO, 12ESO, 12HO, 12LSIO, 12VPO2, 12VPO6
  - 13, 13AEO, 13BMO, 13DDO, 13DPO, 13EAO, 13ESO, 13HO, 13HO1, 13LSIO, 13SCO, 13VPO2, 13VPO6
  - 14, 14BMO, 14ESO, 14HO, 14LSIO, 14VPO2, 14VPO6, 14VPO9
  - 15, 15BMO, 15EAO, 15ESO, 15HO, 15LSIO, 15SLO, 15VPO1, 15VPO2, 15VPO4, 15VPO8, 15VPO9
  - 16, 16BMO, 16DDO, 16EAO, 16ESO, 16HO, 16LSIO, 16SLO, 16SCO, 16VPO2
  - 17, 17BMO, 17ESO, 17HO, 17LSIO, 17SLO, 17VPO2, 17VPO6, 17VPO8, 17VPO9
  - 18, 18BMO, 18DDO, 18ESO, 18HO, 18SLO, 18VPO2, 18VPO6, 18VPO8, 18VPO9
  - 19, 19BMO, 19DDO, 19DPO, 19EAO, 19ESO, 19HO, 19HO1, 19LSIO, 19VPO2, 19VPO6, 19VPO8
  - 20, 20BMO, 20DDO, 20HO, 20SLO, 20VPO2, 20VPO6
  - 21, 21BMO, 21HO, 21VPO2
  - 22, 22BMO, 22ESO, 22HO, 22LSIO, 22SLO, 22VPO2, 22VPO6, 22VPO9
  - 23, 23BMO, 23EAO, 23ESO, 23VPO1, 23VPO2, 23VPO6, 23VPO7, 23VPO9
  - 24, 24BMO, 24DDO, 24DPO, 24EAO, 24ESO, 24HO, 24HO1, 24LSIO, 24SLO, 24RO, 24VPO1, 24VPO2, 24VPO3, 24VPO5, 24VPO6, 24VPO7, 24VPO8, 24VPO9
  - 25, 25BMO, 25ESO, 25RO, 25VPO2, 25VPO6, 25VPO7, 25VPO8, 25VPO9
  - 26, 26BMO, 26ESO, 26HO, 26LSIO, 26RO, 26SLO, 26VPO1, 26VPO2, 26VPO6, 26VPO8, 26VPO9
  - 27, 27BMO, 27DDO, 27ESO, 27HO, 27RO, 27LSIO, 27VPO2, 27VPO9
  - 28, 28BMO, 28ESO, 28HO, 28SLO, 28VPO2, 28VPO6, 28VPO9
  - 29, 29DCPO, 29DDO, 29DPO, 29EAO, 29HO, 29HO1, 29LSIO, 29VPO2
  - 30, 30BMO, 30DCPO, 30HO, 30RO, 30SLO, 30VPO2, 30VPO6
  - 31, 31BMO, 31HO, 31LSIO, 31VPO2
  - 32, 32BMO, 32ESO, 32HO, 32SLO, 32VPO2, 32VPO6, 32VPO9
  - 33, 33BMO, 33EAO, 33ESO, 33LSIO, 33RO, 33SLO, 33VPO2, 33VPO6, 33VPO9
  - 34, 34BMO, 34DCPO, 34DDO, 34DPO, 34ESO, 34HO, 34LSIO, 34RO, 34SLO, 34VPO2, 34VPO9
  - 35, 35BMO, 35DCPO, 35DDO, 35EAO, 35ESO, 35HO, 35SLO, 35VPO2, 35VPO9

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- 36, 36BMO, 36DCPO, 36DDO, 36DPO, 36EAO, 36ESO, 36HO, 36LSIO, 36RO, 36SLO, 36VPO2, 36VPO6, 36VPO9
- 37, 37DCPO, 37DDO, 37DPO, 37HO, 37LSIO, 37RO, 37SLO, 37VPO2
- 38, 38DDO, 38DPO, 38ESO, 38HO, 38VPO2, 38VPO6, [38DCPO](#)
- 39, 39BMO, 39DDO, 39DPO, 39EAO, 39HO, 39LSIO, 39RO, 39SLO, 39VPO2, 39VPO6, 39VPO9, [39DCPO](#)
- 40, 40DPO, 40HO, 40VPO2
- 41, 41HO, 41VPO2
- 42, 42BMO, 42ESO, 42SLO, 42VPO2, 42VPO6
- 43, 43BMO, 43DDO, 43ESO, 43SLO, 43VPO2, 43VPO6
- 44, 44BMO, 44DDO, 44DPO, 44HO, 44SLO, 44VPO2

MACEDON RANGES PLANNING SCHEME

**SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME**

**1.0 Incorporated documents**

Name of document	Introduced by:
<a href="#">Amess Road Precinct Structure Plan, XXX 2023</a>	TBC
<a href="#">Amess Road Development Contributions Plan, XXX 2023</a>	TBC
<a href="#">Amess Road Native Vegetation Precinct Plan, XXX 2023</a>	TBC
Australian Standard AS2021-2015, Acoustics – Aircraft Noise Intrusion – Building Siting and Construction, Standards Australia Limited, 2015	VC107
Carramar Statement of Significance, April 2019	C132macr
Cottage 82 High Street, Kyneton Heritage Design Guidelines, December 2018	C118macr
Cottage 82 High Street, Kyneton Statement of Significance, December 2018	C118macr
Design Guidelines for Industrial & Commercial Development for the Macedon Ranges Shire, June 2012	C71
Foresters Hall Heritage Design Guidelines, December 2018	C118macr
Foresters Hall Statement of Significance, December 2018	C118macr
Four Railway Bridges, Kyneton Heritage Design Guidelines, December 2018	C118macr
Four Railway Bridges, Kyneton Statement of Significance, December 2018	C118macr
Gisborne Development Contributions Plan, April 2013	C87
Gisborne Masonic Hall Heritage Design Guidelines, December 2018	C118macr
Gisborne Masonic Hall Statement of Significance, December 2018	C118macr
Gisborne Mechanics Institute Heritage Design Guidelines, December 2018	C118macr
Gisborne Mechanics Institute Statement of Significance, December 2018	C118macr
Gisborne State School No. 262 Heritage Design Guidelines, December 2018	C118macr
Gisborne State School No. 262 Statement of Significance, December 2018	C118macr
Goulburn-Murray Water Native Vegetation Code of Practice, February 2011	C85
Homestead (formerly Jarrett’s Farm) Heritage Design Guidelines, December 2018	C118macr
Homestead (formerly Jarrett’s Farm) Statement of Significance, December 2018	C118macr
Homestead (Gisborne Park) Heritage Design Guidelines, December 2018	C118macr
Homestead (Gisborne Park) Statement of Significance, December 2018	C118macr
Homestead (Hay Hill) Heritage Design Guidelines, December 2018	C118macr

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Name of document	Introduced by:
Homestead (Hay Hill) Statement of Significance, December 2018	C118macr
Hospital Emergency Medical Services - Helicopter Flight Path Protection Areas Incorporated Document, June 2017	GC49
Kyneton Racecourse Masterplan, Kyneton and Hanging Rock Racing Club and NMIT, February 2011	C72
Ladye Place Restructure Plan, July 2013	C88
Lancefield, Romsey and Woodend Town Centre Heritage Precincts Planning Permit Exemptions, July 2011	C33
Macedon Police Residence and Former Station Building Statement of Significance, August 2018	C125macr
Macedon Ranges Shire Restructure Area Plans, 1999	NPS1
Memorial Precinct (Howey Reserve) Heritage Design Guidelines, December 2018	C118macr
Memorial Precinct (Howey Reserve) Statement of Significance, revised June 2020	C143macr
Powerline Bushfire Safety Program - Native Vegetation Removal Code of Practice, August 2016	GC57
Railway Overpass (Mitchell's Bridge) Heritage Design Guidelines, December 2018	C118macr
Railway Overpass (Mitchell's Bridge) Statement of Significance, December 2018	C118macr
Residence (Ailsa Craig/Rath Hill) Heritage Design Guidelines, December 2018	C118macr
Residence (Ailsa Craig/Rath Hill) Statement of Significance, December 2018	C118macr
Residence (Annandale) Heritage Design Guidelines, December 2018	C118macr
Residence (Annandale) Statement of Significance, December 2018	C118macr
Residence (Dixon's Office) Heritage Design Guidelines, December 2018	C118macr
Residence (Dixon's Office) Statement of Significance, December 2018	C118macr
Residence (Eblana) and Heritage Garden Heritage Design Guidelines, December 2018	C118macr
Residence (Eblana) and Heritage Garden Statement of Significance, December 2018	C118macr
Residence (former New Gisborne Post Office) Heritage Design Guidelines, December 2018	C118macr
Residence (former New Gisborne Post Office) Statement of Significance, December 2018	C118macr
Residence (Hollywood) Heritage Design Guidelines, December 2018	C118macr
Residence (Hollywood) Statement of Significance, December 2018	C118macr
Residence (Ivy Leigh) Heritage Design Guidelines, December 2018	C118macr

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Name of document	Introduced by:
Residence (Ivy Leigh) Statement of Significance, December 2018	C118macr
Residence (Lyell House) Heritage Design Guidelines, December 2018	C118macr
Residence (Lyell House) Statement of Significance, December 2018	C118macr
Residence (Meadowbank) Heritage Design Guidelines, December 2018	C118macr
Residence (Meadowbank) Statement of Significance, December 2018	C118macr
Residence (Minerva) Heritage Design Guidelines, December 2018	C118macr
Residence (Minerva) Statement of Significance, December 2018	C118macr
Residence 60 Prince Street, Gisborne Heritage Design Guidelines, December 2018	C118macr
Residence 60 Prince Street, Gisborne Statement of Significance, December 2018	C118macr
Residence 251A Station Road, New Gisborne Heritage Design Guidelines, December 2018	C118macr
Residence 251A Station Road, New Gisborne Statement of Significance, December 2018	C118macr
Romsey Development Contributions Plan, July 2012	C80
Ross Watt Children's Hall Heritage Design Guidelines, December 2018	C118macr
Ross Watt Children's Hall Statement of Significance, December 2018	C118macr
Sacred Heart College – Chapel, Convent and Annex Heritage Design Guidelines, December 2018	C118macr
Sacred Heart College – Chapel, Convent and Annex Statement of Significance, December 2018	C118macr
Salvation Army Barracks/Citadel (former), Kyneton Heritage Design Guidelines, December 2018	C118macr
Salvation Army Barracks/Citadel (former), Kyneton Statement of Significance, December 2018	C118macr
Shirley Park (98-100 Romsey Road Woodend) Heritage Place Planning Permit Exemption, July 2011	C33
Shop - Commercial Bank of Australia (former) Heritage Design Guidelines, December 2018	C118macr
Shop - Commercial Bank of Australia (former) Statement of Significance, December 2018	C118macr
Showgrounds Grandstand (Lewers Stand) Heritage Design Guidelines, December 2018	C118macr
Showgrounds Grandstand (Lewers Stand) Statement of Significance, December 2018	C118macr
Significant Trees: 1141 Three Chain Road, Cobaw, August 2014	C89
St Andrew's Presbyterian Church and Hall Heritage Design Guidelines, December 2018	C118macr
St Andrew's Presbyterian Church and Hall Statement of Significance, December 2018	C118macr

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Name of document	Introduced by:
St Andrew's Presbyterian Manse (former) Heritage Design Guidelines, December 2018	C118macr
St Andrew's Presbyterian Manse (former) Statement of Significance, December 2018	C118macr
St Brigid's Catholic Church Heritage Design Guidelines, December 2018	C118macr
St Brigid's Catholic Church Statement of Significance, December 2018	C118macr
St Paul's Anglican Church Heritage Design Guidelines, December 2018	C118macr
St Paul's Anglican Church Statement of Significance, December 2018	C118macr
Wooling Private Cemetery (Robertson Family Pioneer Cemetery) Heritage Design Guidelines, December 2018	C118macr
Wooling Private Cemetery (Robertson Family Pioneer Cemetery) Statement of Significance, December 2018	C118macr
Wyabun Park Heritage Design Guidelines, December 2018	C118macr
Wyabun Park Statement of Significance, December 2018	C118macr



MACEDON RANGES PLANNING SCHEME

**SCHEDULE TO CLAUSE 53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION**

**1.0 Subdivision and public open space contribution**

Type or location of subdivision	Amount of contribution for public open space
All Land	5%
<a href="#">Land shown as UGZ1 on the planning scheme maps.</a>	6.8%  <a href="#">Land and/or cash contribution requirements must be in accordance with the Amess Road Precinct Structure Plan (Feb 2023).</a>