

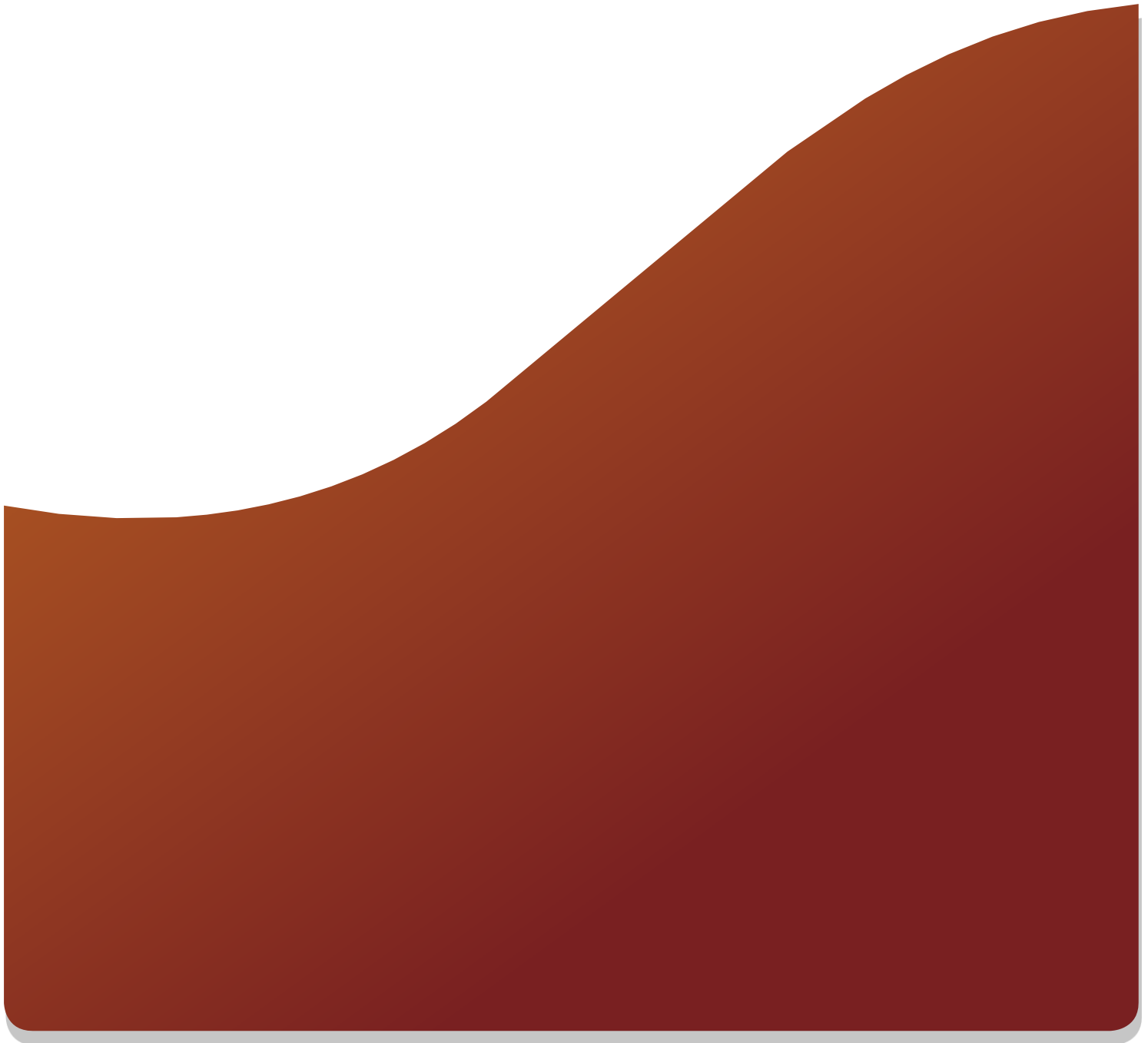
# Agenda

**Council Meeting**

**Wednesday 22 October 2025 at 7:00 PM**

**Gisborne Administration Centre**

**40 Robertson Street, Gisborne**



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**1 ACKNOWLEDGEMENT OF COUNTRY**

Macedon Ranges Shire Council acknowledges the Dja Dja Wurrung, Taungurung and Wurundjeri Woi Wurrung Peoples as the Traditional Owners and Custodians of this land and waterways. Council recognises their living cultures and ongoing connection to Country and pays respect to their Elders past, present and emerging.

Council also acknowledges local Aboriginal and/or Torres Strait Islander residents of Macedon Ranges for their ongoing contribution to the diverse culture of our community.

**2 RECORDING OF LIVE STREAMING OF THIS COUNCIL MEETING**

This meeting is being recorded and streamed live on the internet, in accordance with Council's 'Live Streaming and Publishing Recordings of Meetings' policy, which can be viewed on Council's website.

**3 PRESENT****4 APOLOGIES****5 CONFLICTS OF INTEREST**

**6 PETITIONS**

|                                   |                                                                                 |
|-----------------------------------|---------------------------------------------------------------------------------|
| <b>6.1</b>                        | <b>PETITION IN RELATION TO A MASTER PLAN FOR RANGEVIEW PARK, RIDDELLS CREEK</b> |
| <b>Officer:</b>                   | <b>Lucy Olson, Senior Governance Officer</b>                                    |
| <b>Council Plan relationship:</b> | <b>4. Delivering strong and reliable government</b>                             |

**Summary**

A petition has been received from Maree Scale in Riddells Creek on behalf of 90 residents stating:

“We the undersigned, now ask Macedon Ranges Shire Council undertake a Master Plan for Rangeview Park in Riddells Creek, to provide direction on all elements that will make this an attractive and regenerated environment where community can connect with nature and each other:

- A perimeter walking/jogging track (400m) or recycled material, with disability access and planted edging;
- Shade/shelter over the playground, picnic tables and BBQ (none at present);
- Nature-play space;
- Dog off-leash area;
- Suitable seating.”

The Master Plan will enable residents to seek funding from MRSC and other organisations, and to contribute their volunteer time in a focused and productive way.”

**Recommendation****That Council:**

- 1. Notes the petition from Maree Scale on the matter of a Master Plan for Rangeview Park, Riddells Creek with 90 signatories;**
- 2. Notes that the petition has been circulated to all Councillors confidentially as it contains personal information; and**
- 3. Requests the Chief Executive Officer to prepare a report in response to this petition to be presented at the December 2025 Council Meeting.**

**7 DEPUTATIONS AND PRESENTATIONS TO COUNCIL****8 ADOPTION OF MINUTES****Recommendation**

**That Council confirms the minutes of the Scheduled Council Meeting of Macedon Ranges Shire Council held on 8 October 2025 and the Planning Delegated Committee Meeting held on 13 August 2025, as circulated.**

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**9 MAYOR'S REPORT****9.1 MAYOR'S REPORT - SEPTEMBER-OCTOBER 2025****Summary**

This report provides an update from the Mayor on recent Council activities and initiatives of a Shire wide nature.

**Recommendation**

**That Council receives and notes the Mayor's report.**

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**Mayor's report**

I wish to start by congratulating two well-known teams within our Shire, especially in the South Ward:

- The Community Newspaper Association of Victoria (CNAV) had their annual conference and awards on 11 October in Ballarat where the Gisborne Gazette won Best Feature Story "When Harry met Alice" by Pip Butler and Best Community Newspaper in Victoria out of a field of 28 entries. Congratulations to Maxine, Pip, and the wider Gisborne Gazette team and thank you for all the volunteer hours you put in to make it happen every month.
- Australia Post held their annual AP Way Awards in Melbourne recently where the Gisborne Post Office was named as the overall winner in the category of the Australia-wide "Corporate Post Office of the Year". This award demonstrates how the team consistently go above and beyond for customers, our community and each other every single day. Congratulations to Joe and team and thank you for your leadership, care, and commitment to our community.

Noxious weeds and pests are a continuous source of frustration for our community. Recently, our CEO wrote a letter to Agriculture Victoria formally advocating for coordinated and timely action by Agriculture Victoria to address growing concerns about the increasing density and spread of noxious weeds and pest animals along the southern boundaries of our municipality. Council continues to receive inquiries from concerned residents regarding the ongoing spread of invasive plant and animal species, particularly along the borders with the Hume, Melton, and Mitchell shires. These concerns are especially acute in areas stretching between Clarkefield, Bolinda and Darraweit Guim. I wish to thank Councillor Scanlon for his passion in raising this issue and working collaboratively with staff to seek Victorian Government support and action.

Council continues to make progress on our increased focus on innovation. We recently had our Deputy Mayor, Councillor Kendall selected to join the MAVLab AI Taskforce. The taskforce will help shape and advise on an AI roadmap to support a considered, strategic, and forward-thinking approach to AI adoption across the Victorian local government sector. The taskforce is comprised of local government staff as well as representatives from industry and academia and I wish to thank Councillor Kendall for her passion in continuous improvement and innovation both here at the Macedon Ranges Shire and wider local government sector.

Municipal Association of Victoria (MAV) State Council

The MAV State Council was held on 10 October in Melbourne where key resolutions came out in relation to:

- Occupational Violence.
- Litter and Illegal Dumping.
- Road funding model to meet asset renewal demands.
- Emergency Services and Volunteers Fund (ESVF).
- Planning Reform.

Thank you to Councillor Young for representing Macedon Ranges Shire Council and I was made aware the President of the MAV, our very own, Councillor Anderson, did a great job in ensuring an effective and efficient meeting.

#### Councillor Listening Posts

The West Ward Councillors hosted a listening post at the Kyneton Farmers Market on 11 October. I understand it was well attended and a great opportunity to hear directly from residents about key concerns, ideas, and suggested solutions for local issues. I encourage residents to keep an eye on Council's website for details of all future listening posts being held around the Shire and then come along to have a chat to your local Councillor.

#### Passing of former Past President of the Romsey Shire Council John T Green

I was saddened to learn and acknowledge the recent passing of John Trehwella Green, a former Past President of the Shire of Romsey Council.

John was Shire President in 1972-73 and again in 1984-85 and made valued contributions during his time on Council.

His service to our community is appreciated, remembered, and we extend our sincere condolences to his family, friends, and colleagues.

#### Events/Meetings

Councillors were pleased to be invited/attend the following events/meetings since 24 September 2025 Scheduled Council Meeting:

- 28 September Halfway round the world on a Sunday afternoon at the Norma Richardson Hall.
- 1 October Romsey Men's Shed AGM.
- 2 October MAVLab AI Taskforce.
- 4 October Youth Climate Group Community Planting Day.
- 5 October Exhibition Earth, Creativity, Flame an Exhibition of Woodfired Ceramics.
- 6 October Woodend Hanging Rock Petanque Club Summer Season Opening.
- 8 October Braemar College Celebration & Awards Night.
- 8 October Council Meeting.
- 9 October Kyneton Senior Citizens AGM.
- 9 October Workspace Board Meeting.
- 9 October MAV Annual Conference.
- 10 October MAV State Council.

- 10 October Blue Tree Opening at Gisborne Cemetery.
- 11 October West Ward Councillor Listening Post.
- 12 October Kyneton Obedience Dog Club 40th Birthday.
- 14 October Australian Citizenship Ceremony.
- 17 October Gisborne Gazette 19th Annual Reception.
- 17 October Newham & District Landcare Group - On Country Interculturally.
- 18 October Riddells Creek Mechanics Institute 150th Anniversary.
- 18 October Loddon Murray Community Leadership Program in Lancefield.
- 19 October Afternoon of music with Kyneton Municipal Band & Naturally Cool Big Band.
- 20 October Riddells Creek Neighbourhood House AGM.

#### Current Community Consultations

Be sure to visit our <http://yoursay.mrsc.vic.gov.au> website and join/log in to provide feedback on consultations. Current items out for community consultation include:

- Open Space Strategy – This strategy explores how our parks and open spaces can meet the needs of a growing population, protect the environment, and support community health and wellbeing. It outlines what open spaces we have now and what we'll need in the future, sets priorities for the next 10 years, and guides how we plan, design, and invest in these spaces. Feedback closing 2 November 2025.
- Affordable Housing Policy and Strategy – We're reviewing our Affordable Housing Policy to guide our work over the coming years. This process will help us understand local housing needs and priorities, explore ways Council can better support affordable housing, and identify opportunities for partnerships, advocacy, planning tools and use of Council land. Feedback closing 5 November 2025.
- Tell us what you think about our immunisation service – We are reviewing our immunisation service to make sure it continues to meet the needs of our growing and changing community. The last formal review was completed in 2014, and since then, there have been changes in population, health needs and how services are delivered. Feedback closing 5 November 2025.
- We also understand that not everyone is able to readily access digital platforms or prefer hard copies – we welcome enquiries on any of our consultations and can endeavour to provide hard-copy information on request.

Thank you and see you around the Shire!

**Mayor Bonanno**

**Macedon Ranges Shire Council**

**10 RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF****10.1 RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF - SEPTEMBER-OCTOBER 2025****Summary**

Rule 66 of Council's Governance Rules requires a written record of matters discussed at specified meetings of Councillors and Council staff to be reported to the next practicable scheduled Council Meeting and recorded in the minutes of that meeting. This report provides a summary of meetings of Councillors and Council staff held since the last Council Meeting.

**Recommendation**

**That Council receives and notes the record of meetings of Councillors and Council staff, as outlined in this report.**

**Record of meetings**

|                         |                                                                                                                                                                                                                                                                                                                                                                                                        |
|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Type of meeting         | Council Briefing                                                                                                                                                                                                                                                                                                                                                                                       |
| Date and time           | 7 October 2025                                                                                                                                                                                                                                                                                                                                                                                         |
| Venue                   | Gisborne Administration Centre<br>40 Robertson Street, Gisborne                                                                                                                                                                                                                                                                                                                                        |
| Present - Councillors   | <ul style="list-style-type: none"> <li>• Cr Dominici Bonanno (Mayor)</li> <li>• Cr Kate Kendall (Deputy Mayor)</li> <li>• Cr Jennifer Anderson</li> <li>• Cr Cassy Borthwick</li> <li>• Cr Alison Joseph</li> <li>• Cr Janet Pearce</li> <li>• Cr Andrew Scanlon</li> <li>• Cr Daniel Young</li> <li>• Cr Rob Guthrie</li> </ul>                                                                       |
| Apologies - Councillors | Nil                                                                                                                                                                                                                                                                                                                                                                                                    |
| Present - officers      | <ul style="list-style-type: none"> <li>• Bernie O'Sullivan (Chief Executive Officer)</li> <li>• Rebecca Stockfeld (Director Planning and Environment)</li> <li>• Amy Holmes (Acting Director Community)</li> <li>• Adele Drago-Stevens (Director Corporate)</li> <li>• Dominic Testoni (Director Assets and Operations)</li> <li>• Jessica Clarke-Hong (Manager Governance and Performance)</li> </ul> |

|                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                    | <ul style="list-style-type: none"> <li>• Kristal Maynard (Manager Safer Communities)</li> <li>• Daniel Grigson (Manager Engineering and Asset Services)</li> <li>• Adele Hayes (Manager Statutory Planning)</li> <li>• Verity Games (Coordinator Statutory Planning and Subdivisions)</li> <li>• Allie Jalbert (Coordinator Local Laws)</li> <li>• Luke Tilley (Coordinator Engineering Services),</li> <li>• Alison Elliott (Coordinator Performance and Assurance)</li> <li>• Liz Johnston (Coordinator Community and Social Planning)</li> <li>• Travis Fitzgibbon (Manager Communication and Advocacy)</li> <li>• Jayde McBurnie (Coordinator Creative and Connected Communities)</li> <li>• Terry Moore (Cultural Development Officer)</li> <li>• Emily Hardy (Principal Planning Officer)</li> <li>• Lucy Olson (Senior Governance Officer Governance and Performance)</li> <li>• Talysha Dawson (Governance Officer Governance and Performance)</li> </ul> |
| Apologies officers | Nil                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Presenters         | Nil                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Items discussed    | <ul style="list-style-type: none"> <li>• Draft Domestic Animal Management Plan 2026-2029</li> <li>• Request for Inclusion of Road onto the Public Road Register – Red Gap Road, Goldie</li> <li>• Request to Include Fire Access Track (FAT) Section of Newlands Road, Darraweit Guim onto the Public Road Register</li> <li>• Proposed Innovation Committee</li> <li>• Integrated Strategic Plan Update – Final Draft Documents</li> <li>• Proposed Approach to Review Council's Public Arts Policy</li> <li>• Review of CEO Employment and Remuneration Committee Policy</li> <li>• Planning Matters</li> <li>• Agenda Reviews</li> <li>• Reports for Noting</li> </ul>                                                                                                                                                                                                                                                                                         |

|                                                                                                                                                                       |                                                                                                                                                                                                                                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed | Cr Alison Joseph declared a general conflict of interest with "Request For Inclusion Of Road onto the Public Road Register - Red Gap Road, Goldie" due to having been an objector to this request.<br>Did they leave the meeting? Yes from 11:20am to 11:30am. |
| Conflicts of interest declared by officers                                                                                                                            | Nil<br>Did they leave the meeting? N/A                                                                                                                                                                                                                         |

|                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Type of meeting         | Council Briefing                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Date and time           | 14 October 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Venue                   | Gisborne Administration Centre<br>40 Robertson Street, Gisborne                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Present - Councillors   | <ul style="list-style-type: none"> <li>• Cr Dominici Bonanno (Mayor)</li> <li>• Cr Kate Kendall (Deputy Mayor)</li> <li>• Cr Jennifer Anderson</li> <li>• Cr Cassy Borthwick</li> <li>• Cr Alison Joseph</li> <li>• Cr Janet Pearce</li> <li>• Cr Daniel Young</li> <li>• Cr Rob Guthrie</li> </ul>                                                                                                                                                                                                                                                                                                                                                                  |
| Apologies - Councillors | <ul style="list-style-type: none"> <li>• Cr Andrew Scanlon</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Present - officers      | <ul style="list-style-type: none"> <li>• Bernie O'Sullivan (Chief Executive Officer)</li> <li>• Rebecca Stockfeld (Director Planning and Environment)</li> <li>• Jarrod Westwood (Acting Director Community)</li> <li>• Adele Drago-Stevens (Director Corporate)</li> <li>• Jessica Clarke-Hong (Manager Governance and Performance)</li> <li>• Cherry Stojanovic (Coordinator Governance)</li> <li>• Alison Elliott (Coordinator Performance and Assurance)</li> <li>• Travis Harling (Manager Finance and Reporting)</li> <li>• Rob Ball (Manager Strategic Planning and Environment)</li> <li>• Leah Rushford (Acting Manager Community Strengthening)</li> </ul> |

|                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                       | <ul style="list-style-type: none"> <li>• Jayde McBurnie (Coordinator Creative and Connected Communities)</li> <li>• Jacob Munnery (Youth Engagement and Development Lead)</li> <li>• Lucy Olson (Senior Governance Officer Governance and Performance)</li> <li>• Talysha Dawson (Governance Officer Governance and Performance)</li> </ul>                                                                                                                              |
| Apologies officers                                                                                                                                                    | <ul style="list-style-type: none"> <li>• Dominic Testoni (Director, Assets and Operations)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                    |
| Presenters                                                                                                                                                            | <ul style="list-style-type: none"> <li>• Bronwyn Pettitt (Director, Mesh Planning)</li> <li>• Martin Zoland</li> </ul>                                                                                                                                                                                                                                                                                                                                                   |
| Items discussed                                                                                                                                                       | <ul style="list-style-type: none"> <li>• Council Internal Audit Charter 2025-28 and Audit and Risk Charter 2025</li> <li>• Councillor Professional Development – Key Integrity and Accountability Requirements and Preventing Fraud and Corruption</li> <li>• Budget 2025/26 – Community Engagement and Timeline</li> <li>• Youth Council</li> <li>• Presentation by Mesh</li> <li>• Planning Matters</li> <li>• Reports for Noting</li> <li>• Other Business</li> </ul> |
| Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed | <p>Nil</p> <p>Did they leave the meeting? N/A</p>                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Conflicts of interest declared by officers                                                                                                                            | <p>Nil</p> <p>Did they leave the meeting? N/A</p>                                                                                                                                                                                                                                                                                                                                                                                                                        |

## 11 PLANNING AND ENVIRONMENT REPORTS

|                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|--------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>PE.1</b>                          | <b>PLN/2019/315/A – 72 FERRIER ROAD, NEW GISBORNE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Application Details:</b>          | <b>Use and Development of Retirement Village, partial demolition, alteration and additions including external painting to existing building covered by Heritage Overlay, removal of native vegetation and two (2) lot subdivision (Amendment sought to make changes to the road layout and increase the number of villas by 20, changes to the villa designs, removal of trees in a Heritage Overlay, additional removal of native vegetation and updates to landscape plans)</b>                                                                                                                                                                                                                                                                            |
| <b>Officer:</b>                      | <b>Emily Hardy, Principal Planning Officer</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Council Plan relationship:</b>    | <b>3. Improve the built environment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Attachments:</b>                  | <b>1. Recommended conditions <a href="#">↓</a></b><br><b>2. Combined documents for review (under separate cover)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Triggers for a planning permit       | Clause 32.08-2 (General Residential Zone) – Use of a retirement village<br>Clause 32.08-3 (General Residential Zone) – Subdivision<br>Clause 32.08-10 (General Residential Zone) – Buildings and works<br>Clause 43.04-1 (Heritage Overlay) – Subdivide land, Construct a building or construct or carry out works, Demolish or remove a building, Externally paint a building if the schedule to this overlay specifies the heritage place as one where external paint controls apply, Remove, destroy or lop a tree if the schedule to this overlay specifies the heritage place as one where tree controls apply<br>Clause 52.17-1 (Native Vegetation) A permit is required to remove, destroy or lop native vegetation, including dead native vegetation |
| Zones and Overlays                   | General Residential Zone (GRZ)<br>Development Contributions Plan Overlay – Schedule 2 (DCPO2)<br>Development Plan Overlay – Schedule 16 (DPO16)<br>Heritage Overlay – Schedule 270 (HO270)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| No. of objectors                     | One (1) objection                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Trigger for report to <b>Council</b> | Decision on an amendment to a planning permit.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Key Considerations                   | Planning Policy Framework<br>Urban and landscape design<br>Heritage<br>Native vegetation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Conclusion                           | Approve the granting of PLN/2019/315/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Date of receipt of application:      | 19 July 2024                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

**Summary**

Council is in receipt of an application to amend planning permit PLN/2019/315 under Section 72 of the *Planning and Environment Act 1987*.

Planning permit PLN/2019/315 was issued on 30 July 2021 for the *Use and development of retirement village, partial demolition, alterations and additions including external painting to existing building covered by Heritage Overlay, removal of native vegetation and two (2) lot subdivision*. This permit has since been extended, and the planning permit remains valid.

The amendment to the planning permit (PLN/2019/315/A) seeks to make the following changes to the approved development:

- Increase the number of villas approved within the retirement village, from 96 to 116 villas.
- Amended villa designs.
- Changes to the approved road network to change the layout of villas and allow for greater connectivity within the retirement village.
- Changes to the approved landscaping works to respond to permit condition requirements of PLN/2019/315.
- Increase in the number of non-native trees being removed surrounding the approved clubhouse and within the Heritage Overlay.

### **Recommendation**

**That an amended planning permit be issued for the Use and Development of Retirement Village, partial demolition, alteration and additions including external painting to existing building covered by Heritage Overlay, removal of native vegetation and two (2) lot subdivision for PLN/2019/315/A at PC109628 P/Gisborne and Lot 2 PS13272 P/Gisborne, 72 and 74 Ferrier Road New Gisborne VIC 3438 subject to the conditions outlined in Attachment 1.**

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### **Existing conditions and relevant history**

#### Subject land

The subject site comprises two lots, addressed as 72 and 74 Ferrier Road, New Gisborne. The lot addressed as 72 Ferrier Road, New Gisborne is irregular in shape and approximately 7.9 hectares in size. The lot currently contains shipping containers for the purposes of constructing the retirement village and associated works, otherwise it is covered in sparse tree vegetation with a declared named waterway running northwest/southeast direction through the site centre.

The lot addressed as 74 Ferrier Road, New Gisborne is irregular in shape and approximately 8.4 hectares in size. The combined area of 72 and 74 Ferrier Road is 16.3 hectares. 74 Ferrier Road contains an existing single storey building with several ancillary outbuildings formally used as a residence (Westport). This dwelling was built in 1904 and is covered by Heritage Overlay (HO270). Surrounding the buildings are formal gardens. Beyond the domestic area the land is largely untouched with scattered trees and a large portion of the area dedicated to the declared waterway and water basin managed by Melbourne Water. Both lots are within the General Residential Zone and form part of an approved Development Plan Overlay (DPO16) dividing the land into development and conservation areas.

### Surrounds

Directly north of the subject site is the VicTrack railway track running in an east-west direction. Further north is land within the Rural Living Zone Schedule 1, with Holy Cross Primary School and the New Gisborne Sports Precinct located to the north-east.

Directly east is a recently approved 148 lot large scale residential subdivision that is gradually being constructed. Lots centrally located within this subdivision have not yet had titles issued.

Directly south is an approved 180 lot large scale residential subdivision. No development is occurring at present. Both of these developments are approved and are subject to public infrastructure works to Ferrier Road for access, drainage and landscaping. Separate Development Plan Overlays cover these sites and both sites are covered by the General Residential Zone.

Beyond the residential subdivision to the east, towards the corner of Ferrier Road and Station Street is the New Gisborne Primary School.

Directly to the west is land within the Rural Living Zone Schedule 5, mostly developed with single dwellings and associated outbuildings. Native vegetation identified on the subject site does not form part of the continuous vegetation landscape patch or corridor beyond its own property boundaries.



Figure 1: Subject site (hatched in orange) and the surrounding area.

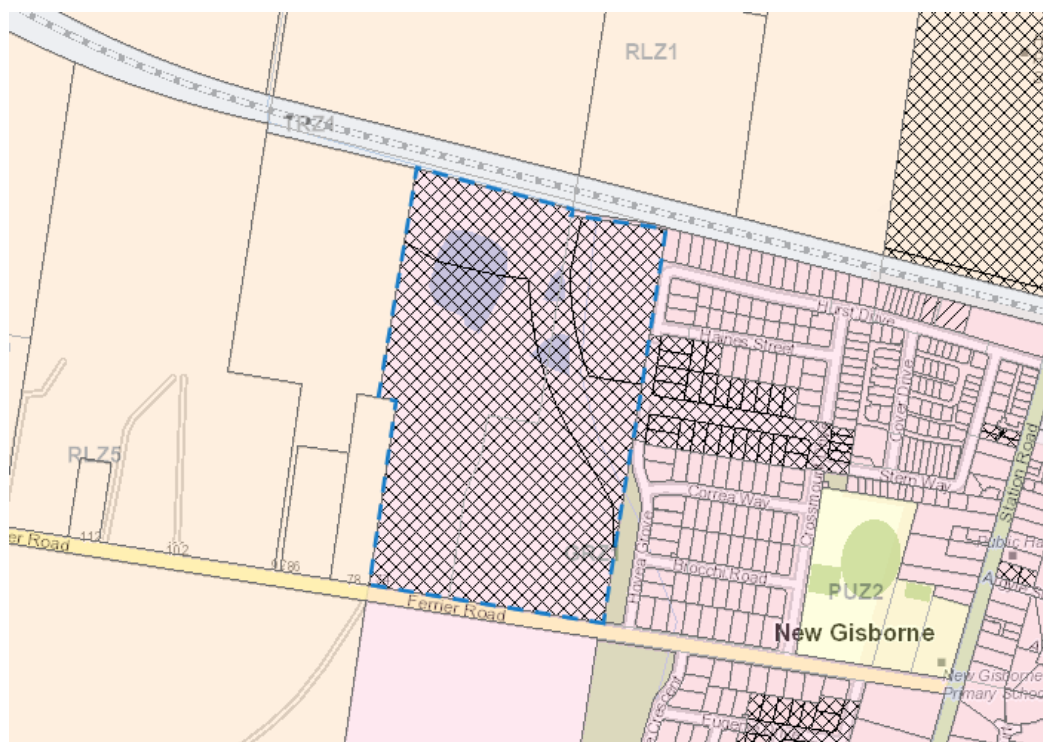


Figure 2: Subject site and surrounding area zoning.

#### Registered restrictive covenants and/or Section 173 Agreements affecting the site

There are currently no restrictive covenants or Section 173 Agreements applying to the subject land.

#### Previous planning permit history

A search of Council's records has found the following permit history:

| Permit No.   | Description                                                                                                                                                                                                                    |
|--------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| PLN/2019/31  | Removal of native vegetation                                                                                                                                                                                                   |
| PLN/2019/315 | Use and Development of Retirement Village, partial demolition, alteration and additions including external painting to existing building covered by Heritage Overlay, removal of native vegetation and two (2) lot subdivision |
| PLN/2025/189 | Removal of Native Vegetation (within road reserve of Ferrier Road, south of 72 Ferrier Road) – <u>current application still under assessment.</u>                                                                              |

#### **Proposal**

The application proposes the following amendments:

##### Changes to retirement village villas

Increase the number of villas from 96 to 116. The proposed changes to the layout of the residential village to accommodate this can be seen in Figure 10 compared with what was proposed under the original permit. assessed under

The following types of villas are proposed:

##### *Typical House (Villa) Design A*

Proposes a single storey design with a total development area of approximately 173.83m<sup>2</sup>, including the alfresco, porch and courtyard area it is approximately 201.82m<sup>2</sup>. Three different facades are proposed for this villa design which includes variations in roofing,

height and finishes. The maximum overall height is 5.27m and the materials and finishes include weatherboard (feature) rendered walls and Colorbond roofing.

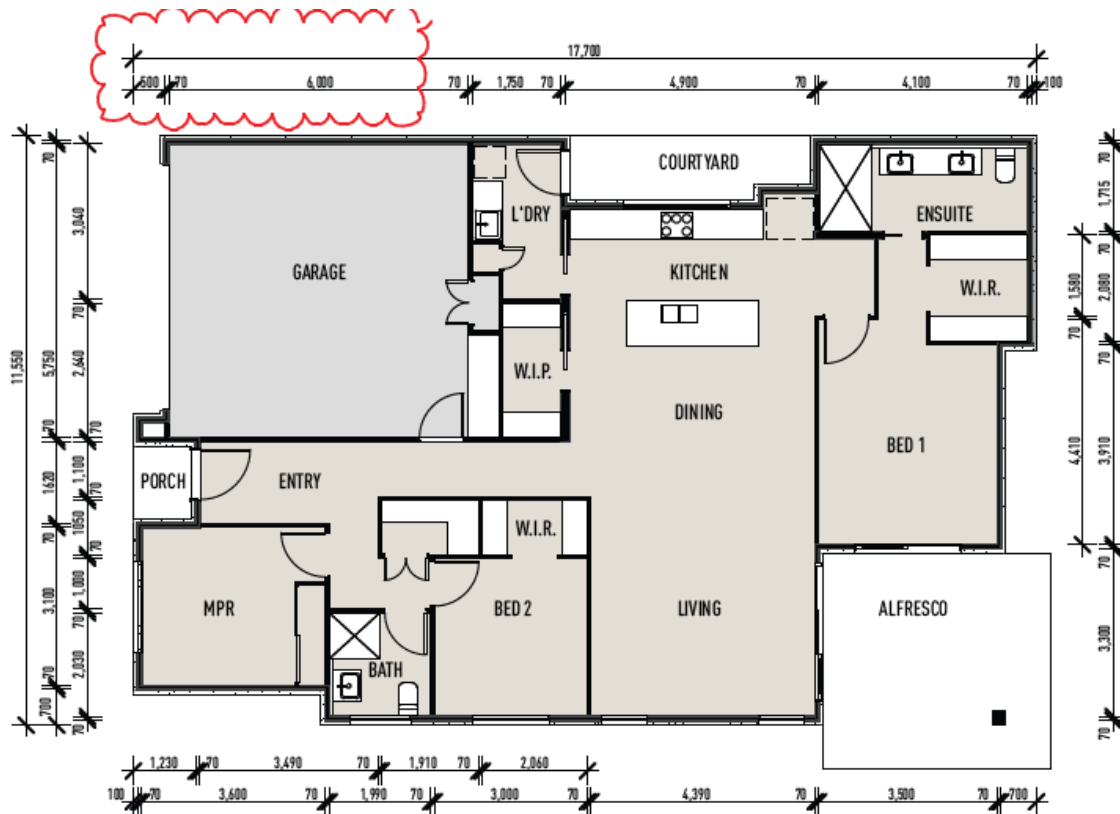


Figure 3: Floor plan Typical House (Villa) Design A

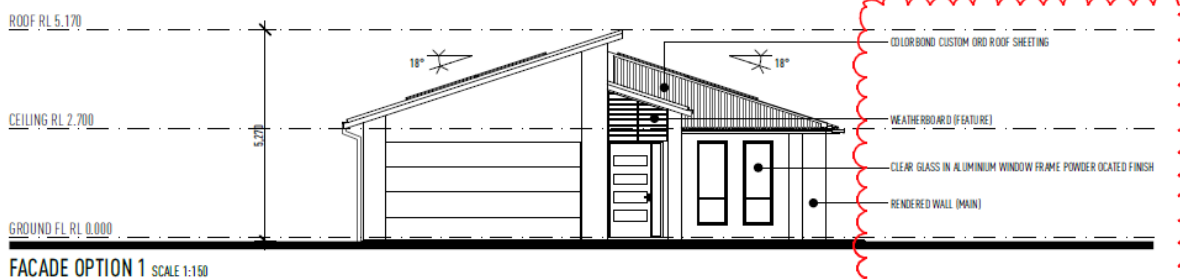


Figure 4: Elevation Plan Typical House (Villa) Design A

Typical House Design B - Corner House Design

Proposes a single storey design with a total development area of approximately 183.5m<sup>2</sup>, including the alfresco, porch and courtyard area it is approximately 220.05m<sup>2</sup>. different facades are proposed for this villa design which includes variations in roofing, height and finishes. The maximum overall height is 5.4m and the materials include weatherboard (feature) rendered walls and Colorbond roofing.



Figure 5: Floor plan Typical House (Villa) Design B

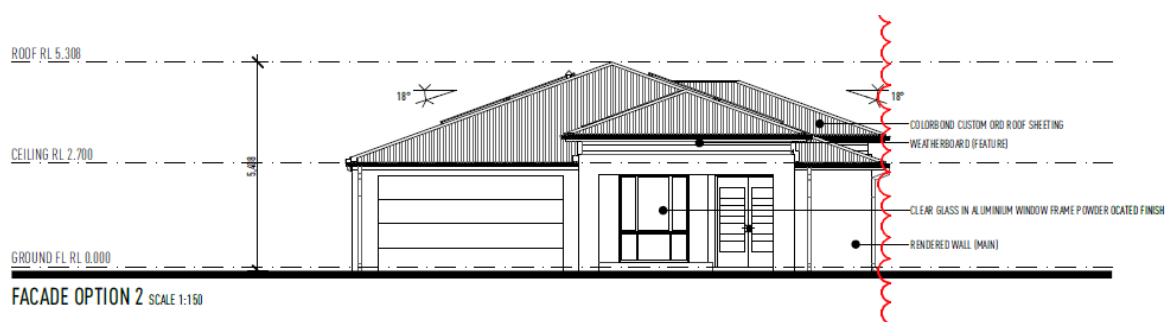


Figure 6: Elevation plan Typical House (Villa) Design B

### Typical House Design C

Proposes a single storey design with a total development area of approximately 213.28m<sup>2</sup>. Three different facades are proposed for this villa design which includes variations in roofing and height. The maximum overall height is 5.14m (which includes all façade designs) and the materials include weatherboard (feature) rendered walls and Colorbond roofing.

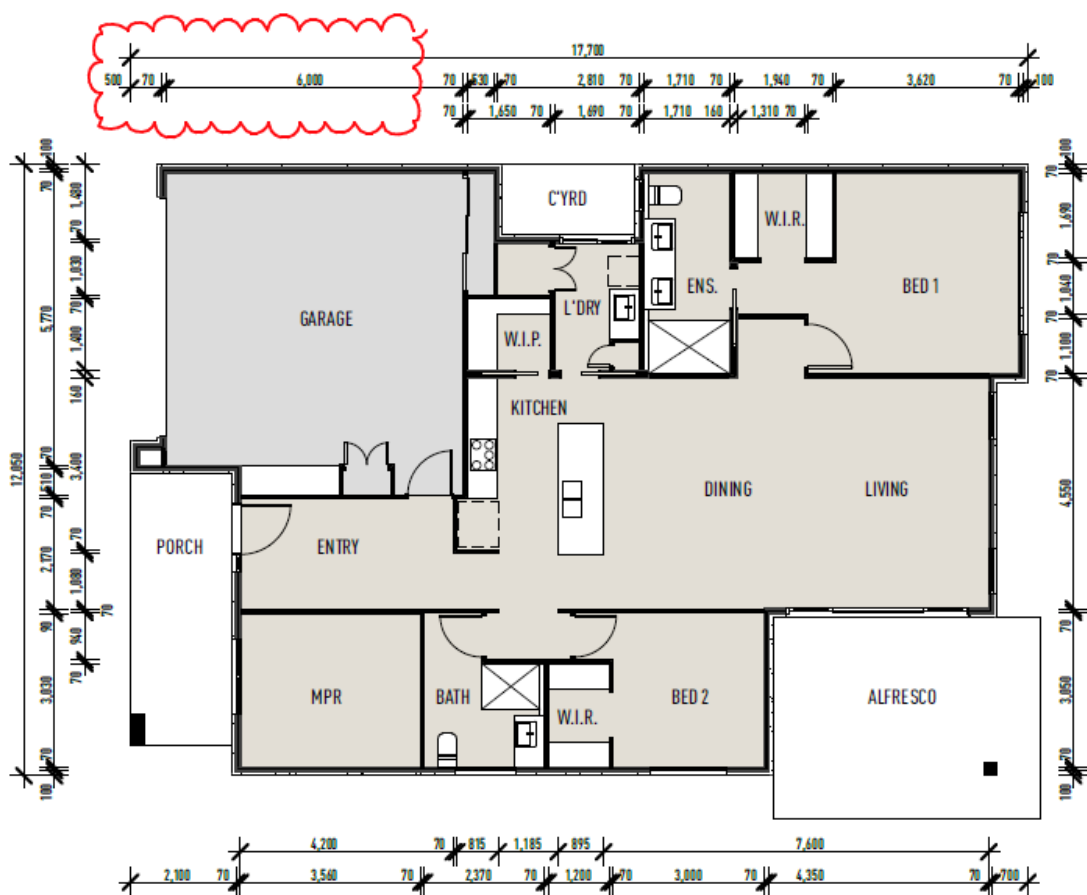


Figure 7: Floor plan Typical House (Villa) Design C

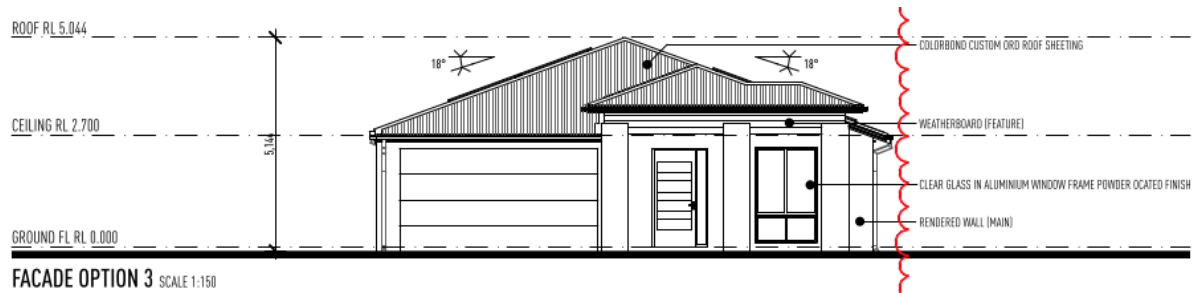


Figure 8: front elevation for façade option 3 for House Design C

| OPTION 1 | WALL COLOUR MAIN   | WALL COLOUR FEATURE | ROOF COLOUR  |
|----------|--------------------|---------------------|--------------|
|          | VIVID WHITE        | TRANQUIL RETREAT    | MONUMENT     |
| OPTION 2 | WALL COLOUR MAIN   | WALL COLOUR FEATURE | ROOF COLOUR  |
|          | WHITE DUCK QUARTER | CLASSIC CALM        | EVENING HAZE |
| OPTION 3 | WALL COLOUR MAIN   | WALL COLOUR FEATURE | ROOF COLOUR  |
|          | ANCIENT RUIN       | ITALIAN CLAY        | GULLY        |

Figure 9: Proposed materials and finishes provided for each House (villa) type

Despite an increase in the number of villas, the overall development footprint would remain consistent with the original approval. Due to a change in villa floor plans and development footprints, there has also been a change to the indicative lot sizes which can be seen in Figure 10 below, as areas hatched in white, yellow, blue and purple.

### Changes to the internal road network

The roundabout to the east of the clubhouse is proposed to be removed and internal connector roads would be provided for villas to the east to connect to villas further north. A roundabout is proposed to be added to the north of the formal garden area for road connection to the villas in the north-east of the retirement village. An updated Traffic Impact Assessment Report has been prepared by One Mile Grid support the changes in the internal road network and increased number of villas.

No changes are proposed to the access from Ferrier Road.

Plans below have been included to compare the layout considered for approval under PLN/2019/315 and the revised layout proposed in this amendment.



Figure 10: Left - layout approved under PLN/2019/315, Right - revised layout proposed in this amendment.

### Changes to the landscape plan

An updated landscape plan has been submitted from mdg (dated 13 March 2025). Changes to landscaping include:

- An amended front fence design, with an overall height of 1.2m. The materials of the fencing are mesh, with timber framing. Stonework is proposed for the entrance to the retirement village.
- Internal street tree planting amended to reflect changes to internal road layout.
- One lane of the bowling green removed.
- A curved path proposed within the linear reserve (to provide views to Mount Macedon).

Removal of native vegetation

The extent of native vegetation removal is proposed to be reduced as follows:

| Categories                                | PLN/2019/315<br>(approved permit) | PLN/2019/315/A<br>(amendment) |
|-------------------------------------------|-----------------------------------|-------------------------------|
| Assessment pathway                        | Detailed                          | Detailed                      |
| Extent of proposed removal                | 1.457ha                           | 1.316ha                       |
| No. large trees proposed for removal      | 32                                | 23                            |
| General offset amount                     | 0.666 general habitat units       | 0.5950 general habitat units  |
| Minium strategic biodiversity value score | 0.643                             | 0.6289                        |

Removal of trees in the Heritage Overlay

The amendment proposes the removal of 24 additional non-native trees within the Heritage Overlay:

- Trees 92C to 95C are Apples, *Malus domestica* – required to be removed to support the amended design.
- Trees 55C-60C are Common Aspen (*Populus tremula*) – required to be removed to facilitate the construction of the new internal road location to the north-east of the clubhouse.
- Trees 96-120 are Apples, *Malus domestica*, planted as a formal orchard planting. – required to be removed as they are old fruit trees proposed to be replaced as part the landscape design.

An amended Heritage Impact Statement from Trethowan (March 2025) and a Landscape Heritage Report from John Patrick (March 2025) have been provided as part of the application material.

**Relevant Macedon Ranges Planning Scheme controls**Section 46AZK of the *Planning and Environment Act 1987*

Section 46AZK of the *Planning and Environment Act 1987* and Clause 51.07 of the Macedon Ranges Planning Scheme require Council as a Responsible Public Entity to not act inconsistently with any provision of the Statement of Planning Policy (SOPP) in exercising decision making powers. Attachment 1 contains the officer assessment against the SOPP.

The stated purpose of Clause 51.07 is to ensure that a decision made under this planning scheme by a responsible public entity:

- Is consistent with the parts of the Macedon Ranges Statement of Planning Policy that are binding on the public entity.
- Has regard to the parts of the Macedon Ranges Statement of Planning Policy that are in the nature of recommendations to which the public entity is required to have regard.

The Macedon Ranges Statement of Planning Policy includes the following objectives:

- Objective 1 - To ensure the declared area's natural and cultural landscapes are conserved and enhanced.

The development continues to conserve and enhance viewlines to Mount Macedon from Westport through the built design of villas remaining single storey and a landscaping viewing corridor being maintained in accordance with what was approved under PLN/2019/315.

- Objective 2 - To ensure the significant biodiversity, ecological and environmental values of the declared area are conserved and enhanced.

The removal of native vegetation has decreased under this amendment, with a designated area of conservation continuing to be provided for remnant native vegetation to the east of the development.

- 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 approved development is located within the General Residential Zone and Gisborne's existing town boundary, as set out under the Planning Scheme, not the Statement of Planning Policy.

- Objective 9 - To manage the provision of infrastructure consistent with protection of the area's significant landscapes and protection of environmental values to support the social and economic needs of communities and increase resilience to climate change effects.

The assessment of associated works that may impact on native vegetation and the protection of all environmental values has been completed as part of this amendment.

#### Purpose and Vision

| Clause no. | Clause name                      |
|------------|----------------------------------|
| 02.02      | Vision                           |
| 02.03-1    | Settlement                       |
| 02.03-2    | Environment and Landscape Values |
| 02.03-3    | Environmental risks and amenity  |
| 02.03-4    | Natural Resource Management      |
| 02.03-5    | Built environment and heritage   |
| 02.03-6    | Housing                          |
| 02.03-7    | Economic development             |
| 02.03-8    | Transport                        |
| 02.04      | Strategic Framework Plans        |
| 02.02      | Vision                           |

#### Planning Policy Framework

| Clause no. | Clause name                      |
|------------|----------------------------------|
| 02.02      | Vision                           |
| 02.03-1    | Settlement                       |
| 02.03-2    | Environment and Landscape Values |

|          |                                                                         |
|----------|-------------------------------------------------------------------------|
| 02.03-3  | Environmental risks and amenity                                         |
| 02.03-4  | Natural Resource Management                                             |
| 02.03-5  | Built environment and heritage                                          |
| 02.03-6  | Housing                                                                 |
| 02.03-7  | Economic development                                                    |
| 02.03-8  | Transport                                                               |
| 02.04    | Strategic Framework Plans                                               |
| 11.01-1S | Settlement                                                              |
| 11.01-1R | Settlement – Loddon Malle South                                         |
| 11.01-1L | Settlement – Gisborne (including New Gisborne)                          |
| 11.02-3S | Sequencing of development                                               |
| 11.02-3L | Sequencing of development – Macedon Ranges                              |
| 11.03-3S | Peri-Urban Areas                                                        |
| 11.03-3L | Peri-urban area – Gisborne (including New Gisborne)                     |
| 11.03-5S | Distinctive areas and landscapes                                        |
| 12.01    | Biodiversity                                                            |
| 12.03-1S | River and riparian corridors, waterways, lakes, wetlands and billabongs |
|          | Landscapes                                                              |
| 12.05-2L | Landscapes – Macedon Ranges                                             |
| 13.02-1S | Bushfire Planning                                                       |
| 14.02-1S | Catchment planning and management                                       |
| 15.01-1S | Urban design                                                            |
| 15.01-1L | Urban design – Macedon Ranges                                           |
| 15.01-2S | Building design                                                         |
| 15.01-3S | Subdivision design                                                      |
| 15.01-3L | Subdivision design – Macedon Ranges                                     |
| 15.01-4S | Healthy neighbourhoods                                                  |
| 15.01-5S | Neighbourhood character                                                 |
| 15.01-5L | Neighbourhood character – Macedon Ranges townships                      |
| 15.03-2S | Aboriginal cultural heritage                                            |
| 16.01-1S | Housing supply                                                          |
| 16.01-1L | Housing supply – Macedon Ranges                                         |
| 16.01-2S | Housing affordability                                                   |
| 17       | Economic Development                                                    |
| 18       | Transport                                                               |
| 19       | Infrastructure                                                          |

### Zoning

| Clause no. | Clause name                                  |
|------------|----------------------------------------------|
| 32.08      | General Residential Zone – Schedule 1 (GRZ1) |

Overlay

| Clause no. | Clause name                                                 |
|------------|-------------------------------------------------------------|
| 43.04      | Development Plan Overlay – Schedule 4 (DPO4)                |
| 44.04      | Land Subject to Inundation Overlay (LSIO)                   |
| 45.06      | Development Contributions Plan Overlay - Schedule 2 (DCPO2) |

Particular provisions

| Clause no. | Clause name                                 |
|------------|---------------------------------------------|
| 51.07      | Macedon Ranges Statement of Planning Policy |
| 52.06      | Car Parking                                 |
| 52.17      | Native Vegetation                           |
| 53.01      | Public Open Space Contributions             |
| 53.18      | Stormwater Management in Urban Development  |
| 56         | Residential Subdivision                     |

General provisions

| Clause no. | Clause name                    |
|------------|--------------------------------|
| 65         | Decision Guidelines            |
| 66         | Referral and Notice Provisions |

**Cultural Heritage Management Plan assessment**

|   | Assessment criteria                                                                                                                                                                                                              | Assessment response |
|---|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| 1 | Is the subject property within an area of cultural heritage sensitivity as defined within the cultural heritage sensitivity mapping or as defined in Part 2 Division 3 or 4 of the <i>Aboriginal Heritage Regulations 2018</i> ? | Yes                 |
| 2 | Does the application proposal include significant ground disturbance as defined in Part 1 Regulation 5 of <i>Aboriginal Heritage Regulations 2018</i> ?                                                                          | Yes                 |
| 3 | Is the application proposal an exempt activity as defined in Part 2 Division 2 of <i>Aboriginal Heritage Regulations 2018</i> ?                                                                                                  | No                  |
| 4 | Is the application proposal a high impact activity as defined in Part 2 Division 5 of <i>Aboriginal Heritage Regulations 2018</i> ?                                                                                              | Yes                 |

Based on the above assessment, a Cultural Heritage Management Plan is required in accordance with Part 2 Division 1 of *Aboriginal Heritage Regulations 2018*.

A Cultural Heritage Management Plan (CHMP) approved under Part 4 of the *Aboriginal Heritage Act 2006* has been submitted and has formed part of the overall assessment of PLN/2019/315. Based on the amendment not changing the approved use and development,

nor does it extend beyond the approved development footprint, an amended CHMP was not required or requested as part of this amendment.

### The process to date

The amendment has been referred to the relevant internal and external authorities as set out below.

#### Referral

| Authority (Section 55)                                       | Response                                                             |
|--------------------------------------------------------------|----------------------------------------------------------------------|
| Department of Energy, Environment and Climate Action (DEECA) | Conditional consent which is discussed under the officer assessment. |

| Authority (Section 52) | Response                                                                                                                        |
|------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| Engineering            | Consent, no changes to conditions.                                                                                              |
| Heritage advisor       | Consent, with comments discussed below.                                                                                         |
| Environment            | Comments for amendments to the Tree Protection Management Plan (TPMP) provided. The TPMP is an existing condition of the permit |

#### Advertising

Public notice of the amendment has not occurred as the Development Plan Overlay – Schedule 16 exempts any public notice or appeal rights for planning permits if there is an approved development plan in place.

### Officer assessment

In assessing this amendment application, the following matters must be considered:

- What is considered as part of an application to amend a permit.
- Whether the proposed building design and layout changes to the retirement village units is consistent with relevant planning policy.
- Whether the amended landscape plan, altered road network and removal of non-native trees are consistent with relevant planning policy.
- Whether the changes to the native vegetation removal on site is consistent with the requirements of Clause 52.17 (Native Vegetation).

Each of these matters will be addressed in the following assessment. The final part of the assessment will consider whether the plans submitted satisfy the outstanding conditions of the planning permit.

#### What is considered as part of an application to amend a permit

An application to amend a permit under Section 72 of the *Planning and Environment Act 1987* follows the same process as a standard planning permit application. However, the assessment of an application to amend a permit focuses only on the amendment itself and does not reopen other aspects of the assessment associated with the approved use or development. Put simply, the scope of consideration relates only to the proposed changes and does not allow Council to reconsider the original approval.

Whether the proposed building design and layout changes to the retirement village units is consistent with relevant planning policy.

Clause 02.03-5 – (Built environment and heritage) outlines the community's aspiration that individual settlements maintain their distinctive identity. Significant landscape qualities of the shire and highly valued built form of towns necessitates that development is sustainable and respects character. Strategic direction including promoting development that respects the rural character and high landscape values of the municipality so that built form is submissive to the environment is a priority. Other directions include providing a functional environment that achieves energy efficient and environmentally sensitive layouts. The protection of Aboriginal cultural heritage places and values is also important.

Clause 11.01-1L (Settlement – Gisborne (including New Gisborne)) sets out to *maintain Gisborne and New Gisborne as a distinctive semi-rural settlement with clear limits to physical urban growth*. The objective of Clause 15.01-1S (Urban Design) is *To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity*. The objective of Clause 15.01-2S (Building design) is *To achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development*.

Strategies for Clause 15.01-2S (Building design) include the following:

- Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale, massing and energy performance of new development.
- Ensure development responds and contributes to the strategic and cultural context of its location.
- Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.
- Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.
- Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.
- Ensure development is designed to protect and enhance valued landmarks, views and vistas.

The number of villas within the retirement village is proposed to increase from 96 to 116. Although the number of villas is increasing, the overall development footprint is consistent with the original approval as shown in Figure 11 (below) and does not present any issues from a functionality point of view noting that the layout still provides for the appropriate movement of vehicles and pedestrians around the site. As such, the general layout is considered acceptable.

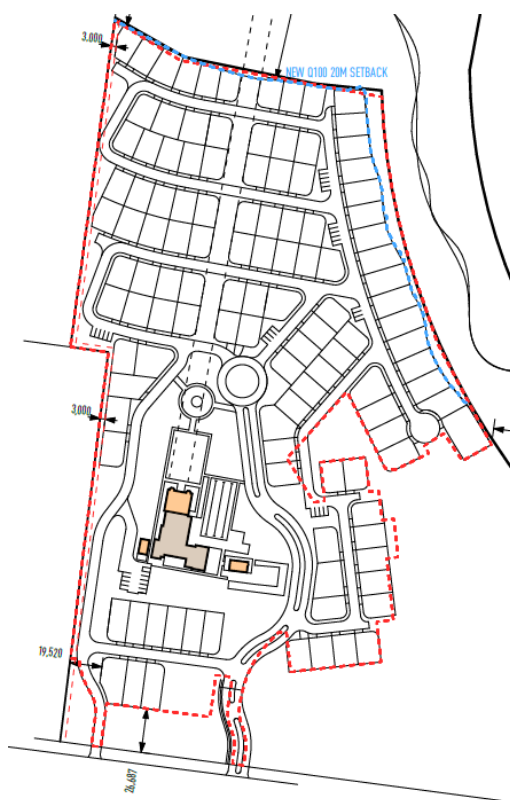


Figure 11: Red outline shows development footprint approved under PLN/2019/315

As outlined above, changes are proposed to the floor and elevation plans of the villas, with new designs provided for three villa types. The overall design of the retirement village villas remains consistent with the relevant provisions of the planning scheme and original approval for the following reasons:

- Villas remain single storey which is standard for a development of this nature and ensures view lines to Mount Macedon remain unobstructed in accordance with Clauses 02.03-2, 02.03-5, 12.05 and 15.01 of the planning scheme.
- All designs propose muted tones and materials that are in keeping with the surrounding natural environment, thus not resulting in any adverse impacts on the surrounding area.
- All villas are provided with car parking in accordance with Clause 52.06 of the planning scheme.

The clubhouse design associated with the retirement village is not proposed to be changed as part of this amendment.

It is noted that the indicative lot legend does not specify the dwelling/villa type for custom lots (see Figure 12 below for reference). Custom lots are coloured in purple and provide a range of areas for each villa. The plans are currently unclear as to what dwelling designs are to be utilised on the custom lots. A review of all custom lot dimensions demonstrates at least one of the proposed dwelling designs can be accommodated on each custom indicative lot, and as such it is proposed that a condition be included on the permit requiring a notation be included on the plans to confirm that all custom lots are required to build be in accordance with Dwelling/ Villa Types A, B and C. A full set of side and rear elevations for the villas are also required to be provided for each villa design.

| LOT LEGEND          | TYPE A | TYPE B | TYPE C | CUSTOM |
|---------------------|--------|--------|--------|--------|
| 11.6m WIDE DWELLING |        |        |        |        |
| 12.1m WIDE DWELLING |        |        |        |        |
| 13.1m WIDE DWELLING |        |        |        |        |
| CORNER LOTS         |        |        |        |        |
| SPECIAL LOTS        |        |        |        |        |

Figure 12: Indicative lot legend (page 15 of the development plans) with each dwelling (villa) type proposed for each indicative lot.

Indicative lot areas for villas range between approximately 230m<sup>2</sup> to 508.92m<sup>2</sup>. When comparing it with the villa designs provided, which range between 201.81m<sup>2</sup> to 220.33m<sup>2</sup>, the majority of indicative lots will have sufficient room for each villa type. Lots 1-9, 22, 23, 26, 56, 57, 108 and 113 do however require minor variations to indicative lot areas.

Lots 1-9 only require a minor variation of 0.2m to allow for Dwelling (villa) Type A to be built within the indicative lot areas. There are indicative lot dimensions such as Lots 22, 23, 26, 56 and 57 provide adequate lot dimensions however their orientation does not provide adequate space for the villa designs proposed, and the floor layout is required to be amended to shift the location of the garage and front entry (see below example under Figure 13, noting all garages and entries are location in the same area for each villa type). An amended floor plan is therefore required to be provided which reconfigures one of the proposed floor plans so that it can be accommodated on Lots 22, 23, 26, 56, 57. This can be readily addressed via permit condition.

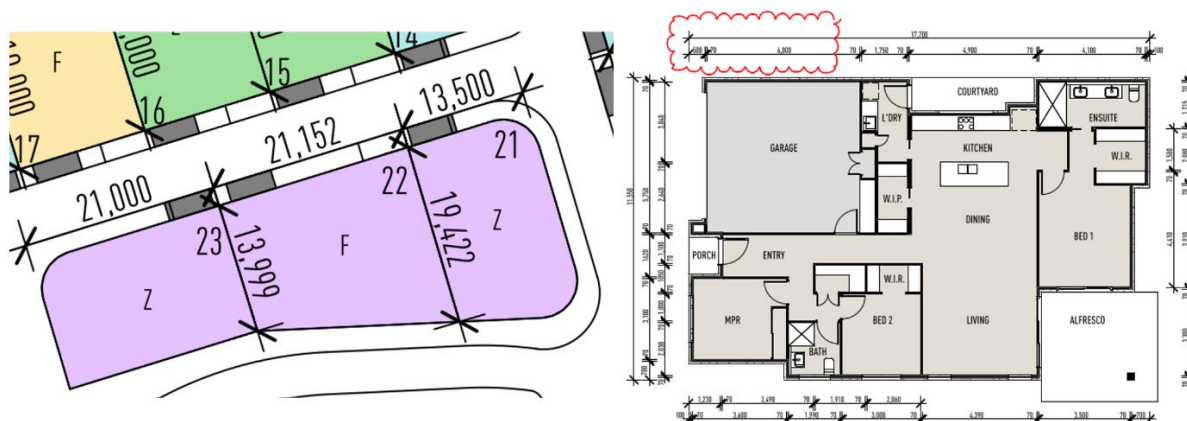


Figure 13: Indicative lots 21-23 and dwelling (villa) type A floor plan to show villas cannot be orientated to the north and do not match the location of the driveways

Lots 108 and 113 do not provide suitable dimensions to fit any of the proposed villa designs. Based on the irregular shape of Lot 108 and its limited capacity of siting one of the proposed villa designs, amended plans are required to be provided which removes Lot 108. This will then allow additional space for Lot 113 to accommodate one of the proposed villa designs. This can be addressed via a condition to ensure one of the approved villa designs can be accommodated on these indicative lots to ensure an acceptable outcome.

All other proposed changes will not impact the development or the siting of the villas. The above changes to indicative lots are minor in nature and can be dealt with through amended condition 1 plan requirements.

Whilst the residential amenity standard of the Planning Scheme (ResCode) do not strictly apply to a retirement village, it is important that broader amenity considerations are applied in the assessment of the application to ensure that an acceptable level of amenity is afforded

to future residents. Key considerations are the provision of some form of secluded private open space (noting that communal facilities will also be utilised), north facing windows to allow for solar access and passive surveillance for safety. Passive surveillance is discussed under the amended landscaping plans.

Based on indicative villa areas and proposed villa designs, future residents will be afforded an appropriate space for secluded private open space, in addition to the shared gardens, open space areas and clubhouse within the development. All villa types are provided with an alfresco area (ranging from 18m<sup>2</sup> to 36m<sup>2</sup>) which will contribute to the enjoyment of private open space. When comparing it to balcony requirements in the Planning Scheme which require a maximum area of 12m<sup>2</sup>, the alfresco areas exceed this requirement and will provide adequate room for recreation and service needs of residents. Indicative lots throughout the development provide additional secluded private open space in excess of the alfresco area which will also contribute to the private enjoyment and service needs of future residents.

The majority of lots are north facing, with habitable rooms windows adjacent to northern elevations of villas. However, the crossovers for Lots 14 to 17, 25 and 26 should be 'flipped' so crossovers are located in the south-west portion of the indicative lots and to allow garages to be located along the southern portion of the villa for more north facing windows to habitable rooms. It is also recommended that a notation is included on the floor plans to allow villa designs to be 'flipped' for indicative lots 14 to 17, 25 and 26 for adequate provision of north facing windows. This has been included as an amended condition 1 requirement.

The development provides a site responsive design that is in keeping with the original approval. While there are 20 additional villas within the development, they are located within the development footprint of the original, approved area. The increase in the number of villas does not adversely affect the amenity of future residents, nor does it decrease any communal and recreational areas originally approved. Changes to landscaping within communal and recreational areas has been assessed below, along with the additional removal of non-native trees within the Heritage Overlay.

Whether the amended landscape plan, altered road network and removal of non-native trees are consistent with relevant planning policy.

Clause 02.03-5 (Heritage) seeks to *"Protect and enhance important heritage features and values for residents, visitors and future generations"*. Strategies under Clause 15.03-1S (Heritage conservation) include *"Encourage appropriate development that respects places with identified heritage values"* and *"Ensure an appropriate setting and context for heritage places is maintained or enhanced"*. The subject site is located within Heritage Overlay – Schedule 270 (HO270), for Westport recognised for its individual heritage significance. It is noted that while the 1994 and 2011 heritage citations both refer to an extensive garden setting, the reason the garden setting is of heritage significance is unclear.

As part of the proposed amendment and in recognition of the site's heritage significance, detailed landscaping plans have been submitted. The landscape plans provide greater detail of the amount and type of planting of internal trees, shrubs and ground cover with a mixture of native and non-native plantings to complement both the native vegetation on site as well as the heritage gardens that form part of Westport. Planting details have also been provided within the linear corridor, with views to Mount Macedon.

One lane for the bowling green has been removed for the internal footpath and road network, which is a minor change to the development and additional tree plantings are instead proposed. These changes are supported by Council's Heritage Advisor. Detailed design of the linear reserve has been provided which demonstrates that view lines to Mount Macedon are retained through the planting of smaller species, while also creating a landscaped

corridor that can be used recreationally by residents by providing seating. A curved pathway has also been provided as a transition between the formal gardens of Westport to the future linear reserve to the north of the development. Public lighting has been provided in accordance with Condition 1 for safety and passive surveillance.

The landscape plans demonstrate that view lines will be maintained, (in accordance with Clauses 02.03-2, 02.03-5, 12.05 and 15.01) that landscaping is sympathetic to the heritage features of Westport, and would soften the overall appearance of the development and ensure that it sits appropriately within the landscape.

Whilst a 1.8m high fence along Ferrier Road was originally proposed as part of the amendment, this has since been reduced a height of 1.2m in response to Officer feedback. The fencing is permeable, is in keeping with the natural features of the site and does not detract from the heritage significance of Westport. Neither the original application nor the amendment has sought approval for the business identification signage shown on the stonework at the entrance, and as such amended plans will be required to be provided removing this signage from the plans. Approval will need to be sought separately.

A Heritage Landscape Assessment has been provided by John Patrick in March 2025 for the removal of the additional non-native trees. For Trees 55-60, the trees are assessed as not contributing to *“a structural component of the site design and are not significant within the site’s heritage context”*, with the approximate age of the trees being estimated at 40 years. Trees 96-120 are apple trees, *Malus domestica*, planted as part of a formal orchard. The Landscape Assessment supports the removal of the trees on the basis that there is the establishment of a replacement orchard to maintain a productive fruit garden adjacent to a vegetable garden. These findings are supported by planning officers and Council’s Heritage Advisor, noting that the amended landscape plan states that the *“existing orchard to be replanted with more resilient and fruit bearing species”*. This is an acceptable outcome, with the landscape plan being recommended for endorsement so that it is enforced.

The internal road network is proposed to change to allow for the relocation of a roundabout to the north of the formal garden area of Westport. This is to allow the reconfiguration of the retirement village for more orderly rows of villas, in comparison to what was assessed and approved under the original planning permit. When assessing the changes to the internal road network, the changes are minor in nature and do not impact on the functionality of the site, nor do they impact the heritage significance of Westport. The change is supported by Council’s Engineering Department.

The plans do not however show the footpath network that was originally assessed and approved under PLN/2019/315. Throughout the development, a one-sided footpath was provided for the original approval. Based on measurements from the internal road network to the indicative lot boundaries, 2m continues to be provided within the development. This can be reinstated via permit condition to ensure an acceptable outcome.

Whether the changes to the native vegetation removal on site is consistent with the requirements of Clause 52.17 (Native Vegetation).

Clause 02.03-2 (Environmental and landscape values – Biodiversity) seeks to *“Conserve the biodiversity values of the shire by protecting, enhancing, managing and restoring indigenous vegetation and fauna habitat”*. Clause 12.01-2S (Native vegetation management) reinforces the application of the three-step approach under the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017) (the guidelines), which includes:

- “Avoid the removal, destruction or lopping of native vegetation.

- Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
- Provide an offset to compensate for the biodiversity impact from the removal, destruction or lopping of native vegetation.”

The above three step approach also forms part of the purpose of Clause 52.17 (Native vegetation) along with the assessment of the guidelines as part of the decision guidelines. The amendment proposes changes to the approved removal of native vegetation as outlined below:

| Categories                                     | PLN/2019/315<br>(approved permit) | PLN/2019/315/A<br>(amendment) |
|------------------------------------------------|-----------------------------------|-------------------------------|
| (1) Assessment pathway                         | Detailed                          | Detailed                      |
| (2) Extent of proposed removal                 | 1.457ha                           | 1.316ha                       |
| (3) No. large trees proposed for removal       | 32                                | 23                            |
| (4) General offset amount                      | 0.666 general habitat units       | 0.5950 general habitat units  |
| (5) Minimum strategic biodiversity value score | 0.643                             | 0.6289                        |

The proposed vegetation removal is in accordance with Clause 52.17 and the guidelines for the following reasons:

- Avoid and minimise principles have been demonstrated through the proposal by staying within the development footprint of the approved retirement village.
- The amendment has reduced the extent of proposed removal.
- The amendment has reduced the number of large trees to be removed from 32 to 23.

The Department of Energy, Environment and Climate Action (DEECA) have provided conditional consent. Conditions include the requirement of an amended landscape plan, a construction environmental management plan as well as other standard conditions (such as the requirement for registration of offsets and vegetation protection fencing) have also been included.

It is noted that DEECA's response does note the removal of Tree 24a and that it was not included in the assessment forming part of the original application. The amended flora and fauna report outlines it was not present when the initial assessment of vegetation was conducted in 2018. From a review of aerials, it is evident that the tree does not appear on the property until recently (most likely 2023-2024) and as such is considered to either be regrowth or planted, which would not require planning approval for its removal.

### Other matters

From a review of amended plans submitted by the applicant in August 2025, it appears an area hatched in white has been included on plans for the lot adjoining to the west (see Figure 14 below). It is unclear why this has been included noting there is no planning permit issued for a retirement village on the adjoining lot and there is no current application on site. To avoid confusion and to ensure any future approval is not implied, a condition 1 plan requirement has been included for this white hatched area to be removed from plans.



Figure 14: White hatched area shown adjacent to the retirement village, to the west

### Officer declaration of conflicts of interest

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

**WHAT THE PERMIT ALLOWS:**

| Clause Number | Details                                                                                                                                |
|---------------|----------------------------------------------------------------------------------------------------------------------------------------|
| 32.08-2       | Section 2 Use – Permit Required                                                                                                        |
| 32.08-3       | A permit is required to subdivide land                                                                                                 |
| 32.08-10      | 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.                 |
| 43.04-1       | A permit is required to:                                                                                                               |
|               | • Subdivide land                                                                                                                       |
|               | • Construct a building or construct or carry out works                                                                                 |
|               | • Demolish or remove a building.                                                                                                       |
|               | • Externally paint a building if the schedule to this overlay specifies the heritage place as one where external paint controls apply. |
|               | • Remove, destroy or lop a tree if the schedule to this overlay specifies the heritage place as one where tree controls apply.         |
| 52.17-1       | A permit is required to remove, destroy or lop native vegetation, including dead native vegetation.                                    |

1. Before the use and development commences and certification of plan of subdivision, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The amended plans must be drawn to scale with dimensions and an electronic copy must be provided. The amended plans must be generally in accordance with the plans submitted and assessed with the application but modified to show:
  - a) A plan of subdivision overlayed with an aerial, clearly delineating two (2) lots, dimensioned, with each lot land area notated, and western lot labelled 'Lot 1', eastern Lot labelled 'Lot 2' consistent with plan of subdivision exchanged with Council on 17 June 2021;
  - b) A Site Plan illustrating tree protection zones (TPZ) and structural root zones (SRZ) of all retained native vegetation trees in accordance with Condition 29;
  - c) Include a notation on all relevant plans stating 'pedestrian footbridge location to be approved by Melbourne Water' adjacent to the illustrated pedestrian footbridge located on the south-east side of allotment Lot 2 PS13272 P/Gisborne;
  - d) Delineate on all relevant plans dwelling/unit building outlines located adjacent to western property boundary of allotment CP109628;
  - e) Delineate proposed lot boundary fencing details on a Site Plan, in accordance with the fencing schedule submitted to Council on 19 December 2019, but modified to illustrate southern and eastern fencing adjacent to Conservation Reserve Area 1 and eastern and northern dwelling/unit fencing adjacent to the named waterway to have a minimum of 50% permeability design characteristic;
  - f) Include a notation on all relevant Development Plans, stating "any new replacement windows to the existing homestead to match existing windows in materials, profiles and construction";

- g) A revised Retirement Village Landscape Plan in accordance with DELWP Condition 44; and
- h) Accessible car parking spaces relocated close to the 'Clubhouse' building.
- i) Crossovers for Lots 14-17, 25 and 26 'flipped' to the southern side of the indicative lots.
- j) A notation to be included on Plotting Plan (BP1467/03.07) to ensure all custom lots are built with an approved villa plan.
- k) Side and rear elevations of all villa types.
- l) Internal one-sided footpath network to be reinstated on development plans.
- m) Amended landscape plan to remove business identification signage on stonewall.
- n) Amended fencing plan (in landscape plans) to include an annotation for fencing adjacent to the Conservation Reserve is to have minimum 50% permeability.
- o) An amended floor plan to be provided to accommodate indicative lot dimensions for Lots 1-9, 22, 23, 26, 56, 57 for the approved dwelling designs.
- p) Removal of Lot 108 from Plotting Plan (BP1467/03.07) and all other site plans.
- q) Lot dimensions amended for indicative Lot 113, to provide appropriate depths to accommodate an approved dwelling design.
- r) Master plan to be amended to remove the white hatching to the west of 72-74 Ferrier Road.

When approved, these plans will be endorsed and will form part of this permit.

- 2. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
- 3. The plan of subdivision as on the endorsed plans must not be altered without the written consent of the Responsible Authority.
- 4. The plans submitted for certification of the subdivision is to allocate/vest Lot 2 in favour of the Council.
- 5. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
- 6. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.

7. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the Relevant Authority in accordance with Section 8 of that Act.
8. Prior to the commencement of the use, all new boundary fencing as shown on the endorsed plans must be erected. The cost of such fencing must be met by the owner and carried out to the satisfaction of the Responsible Authority.
9. Prior to the issue of a statement of compliance, the owner/s of the lots must enter into an agreement with the Responsible Authority in accordance with Section 173 of the *Planning and Environment Act 1987*. The agreement must provide for:
  - i. Permit holder owner to pay Macedon Ranges Shire Council (MRSC) a development contribution in accordance with the Development Contributions Plan Gisborne/New Gisborne (DCPO2) incorporated in the Macedon Ranges Planning Scheme. The amount payable is calculated *per* 'dwelling/unit' to be equivalent to *per* 'residential lot' demand figure of Development Contributions Plan Overlay Schedule 2 *Residential Area 1*, which is adjusted on 1 July each year in accordance with Schedule 2 of Clause 45.06 of the Macedon Ranges Planning Scheme.
  - ii. Prior to the issue of a Statement of Compliance for the subdivision a pedestrian footbridge must be provided at the applicants cost in accordance with approved plans and it to be maintained for a minimum period of 12 months after construction by the permit holder. Once 12-month maintenance period is complete, MRSC will take over the pedestrian footbridge asset.
  - iii. Prior to the issue of a Statement of Compliance, the pedestrian footbridge to be constructed in accordance with endorsed plans to the satisfaction of Responsible Authority.  
Prior to a Statement of Compliance being issued:
    - Application must be made to the Register of Title to register the Section 173 Agreement on the title to the land under Section 181 of the same Act.
    - The owner/s must pay all cost (including MRSC's costs) associated with the preparation, execution, registration and (if later sought) cancellation of the Section 173 Agreement.
10. Prior to the issue of a Statement of Compliance, evidence of the Melbourne Water approved construction pedestrian footbridge drawing to be submitted to MRSC, and the pedestrian footbridge must be constructed to the satisfaction of Melbourne Water and MRSC.
11. The amenity of the locality must not be adversely affected by the activity on the site, the appearance of any buildings, works or materials, emissions from the premises or in any other way, to the satisfaction of the Responsible Authority.

12. All external lighting must be designed, baffled and located so as to prevent adverse effect on adjoining land, to the satisfaction of the Responsible Authority.

#### **MRSC ENGINEERING CONDITIONS**

13. Pedestrian footbridge to be designed in accordance with Australian Standards, AS 1170.1, AS1170.2 and AS172.1, be of 2.5 metres wide, 1.8 metres high, open style railing, use of hockey stick ends and galvanised brackets and posts, with drawings submitted and approved to the satisfaction of Responsible Authority.
14. Prior to issuing of statement of compliance, a Ferrier Road crossover may be required to be installed for maintenance vehicle access to/from the subject land and waterway, to the satisfaction of Responsible Authority, with cost and works beared by the permit holder.
15. Prior to the commencement of works, an "Asset Protection Permit" must be obtained from MRSC for any of the following circumstances;
  - a) Entering a building site by means of a motor vehicle having a gross weight exceeding two tonnes.
  - b) Occupying a road for works.
  - c) Connecting any land to a stormwater drain
  - d) Opening, altering or repairing a road.
  - e) Opening, altering or repairing a drain
  - f) Accessing a building site from a point other than a crossover.
  - g) Construct/repair/widen/remove any crossover.
16. At least 14 days prior to commencement of works, a Site Management Plan must be submitted to and approved by the Responsible Authority. The Site Management Plan must contain the following:
  - a) Name and contact details of appointed Civil Contractor and Superintendent.
  - b) Existing condition survey of all existing assets including private properties.
  - c) Construction Management Plan.
  - d) Traffic Management Plan.
  - e) Environmental Management Plan.
  - f) Occupational Health & Safety and Job Safety Analysis Plans.
  - g) Council issued Asset Protection Permit.
  - h) Council approved Engineering Plans.

All works must be carried out generally in accordance with measures set out in the above documents approved by the Responsible Authority.

17. Prior to the commencement of works, Engineering Plans must be submitted to and approved by Responsible Authority. The plans must include:
  - a) All necessary computations and supporting design documentation for any structure, civil and drainage infrastructure and geotechnical investigation report.
  - b) Details of any cut and fill earthworks including retaining walls.

- c) Structural design details of the pedestrian crossings/bridges over the waterway. The design must include level and feature survey, geotechnical assessment and flood modelling.
  - d) Provision of concrete footpaths and shared paths including kerb ramps in streets and reserves/waterways.
  - e) Widening of the Ferrier Road reserve and reconstruction of Ferrier Road with sealed pavement, kerb and channel, underground stormwater drainage and concrete shared path.  
Engineering plans must be supported by long sections, cross sections and set-out plan.
  - f) A Basic Right-turn (BAR) treatment at the eastern entry of the site in Ferrier Road in accordance with Austroads Guide to Road Design Part 4A.
  - g) Provision for all services and conduits (underground) including alignments and offsets. Underground utility services are to be shown on the section drawings.
  - h) Provision of public street lighting.
  - i) New sealed crossovers for the site. Crossovers should be a minimum of 10.0 metres from any intersection, 1 metre from any power pole, sign or service pit and a minimum of 3.0 metres from any street tree.
  - j) A separate signage and line marking identifying the road layout, proposed signs, linemarking, RRPMS and a sign schedule.
  - k) Survey details of the canopy trunk location and size of trees to be retained and associated tree protection zone. Any trees proposed for removal from the site (including dead trees) clearly designated.
  - l) Permanent survey marks, levelled to the Australian Height Datum and coordinated to the Australian Map Grid.
  - m) The development as a whole is provided with a legal point of discharge approved by the Responsible Authority and any other statutory authority from which approval must be received for the discharge of drainage.
  - n) Detailed design of the site stormwater drainage system. The design must be supported by longitudinal sections with hydraulic grade line analysis.
  - o) Flow paths of 1 in 100 year ARI storm need to be determined and the development designed such that no private property is inundated.
  - p) Underground drains incorporating features to prevent litter, sediments and oils from entering the drainage system and/or cut-off drains to intercept stormwater runoff from adjoining properties.
  - q) The development is designed to ensure that flows downstream of the site are restricted to pre-development levels unless increased flows are approved by the Responsible Authority and there are no detrimental downstream impacts.
  - r) Details of the stormwater quality treatment system that meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).
18. Prior to the commencement of works, where there is a need for a temporary retarding basin or temporary treatment to mitigate flows and provide treatment from the land or temporary outfall/treatment, the need for a temporary retarding basin to mitigate flows from the land before permanent drainage infrastructure is in place must be investigated and determined to the satisfaction of Responsible Authority. Any temporary drainage works required must be designed and constructed to the satisfaction of the Responsible Authority.
19. Prior to the commencement of the use, all works shown on the approved Engineering Plans must be constructed or carried out all to the satisfaction of the Responsible Authority.

20. Prior to the occupation of each dwelling/unit, 1kL rainwater re-use tank must be provided to each dwelling unit.
21. Prior to the commencement of use, a Maintenance Management Plan must be submitted to and approved by the Responsible Authority where appropriate for all Water Sensitive Urban Design infrastructure.

The Maintenance Management Plan must include:

- a) A schedule of assets.
  - b) A maintenance regime for the maintenance period which is the life of the development or 2 years, whichever is greater.
  - c) A record of the maintenance works undertaken during the maintenance period must be submitted to the Responsible Authority prior to handover.
22. Prior to the commencement of use, the areas set aside for the parking of vehicles and access driveways as shown on the endorsed plans must be:
    - a) Constructed in concrete or asphalt to the satisfaction of the Responsible Authority.
    - b) Properly formed to such levels that they can be used in accordance with the plans.
    - c) Drained and maintained.
    - d) Marked to indicate each car space and all access lanes.
    - e) Clearly marked to show the direction of traffic along access lanes and driveways.

Car spaces, access lanes and driveways must be kept available for these purposes at all times.

23. Prior to the commencement of the use, the following 'as-constructed' documentation for road, drainage and public open space assets must be submitted to and approved by the Responsible Authority:
  - a) As-constructed drawings in hardcopy A3 format that include all alterations made during construction.
  - b) As-constructed drawings in AutoCAD (2000) and Acrobat PDF formats that include all alterations made during construction.
  - c) Asset information in digital format and in the form of a schedule of quantities.
24. All land to be filled and to be used for a dwelling must be filled and compacted in accordance with Australian Standard AS3798:2007. The results of the tests must be produced and be to the satisfaction of the Responsible Authority.
25. Prior to commencement of the use, land required for Ferrier Road widening must be transferred to or vested as 'road' in Macedon Ranges Shire Council at no cost to the acquiring agency.

26. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into drains or watercourses. Soil erosion control measures must be employed throughout the development works in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995) to the satisfaction of the Responsible Authority.
27. The development is to be constructed in accordance with Macedon Ranges Shire Council's Policy Engineering Requirements for Infrastructure Construction (June 2010).

#### **MRSC ENVIRONMENT CONDITIONS**

28. Prior to the commencement of works, the permit holder must advise all persons undertaking the vegetation removal or works on-site of all relevant permit conditions and associated statutory requirements or approvals.
29. Prior to commencement of works, a detailed Site Plan must be submitted and approved by Responsible Authority illustrating, with the exception of Conservation Reserve Area 1 and 2, all native tree vegetation to be retained with their respective dimensioned tree protection zone (TPZ) and structural root zone (SRZ), inclusive of tree protection zone notations in accordance with Condition 34;
30. No other vegetation (including trees, shrubs, grasses and herbs) shall be removed, damaged, destroyed, felled, loped or uprooted as per the endorsed site plan and native vegetation removal report unless with the prior written consent of the Responsible Authority.
31. All construction and maintenance equipment, earth moving equipment and associated machinery must be made free of soil, seed and plant material before being taken to the works site and again before being removed from the works site to the satisfaction of the Responsible Authority. This is to help prevent the spread of noxious weeds listed under the *Catchment and Land Protection Act 1994*.
32. Prior to the commencement of works; a DELWP qualified native fauna salvager must inspect all tree(s), vegetation and surrounding grounds prior to vegetation removal. All nesting sites must be assessed for fauna including any marsupials, birds, bats and the surrounding area for amphibians and reptiles. A fauna assessment report is to be submitted to the MRSC Environment Department prior to any vegetation removal. If fauna is found, a relocation plan and outcome report must be submitted to MRSC.
33. Prior to commencement of works including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings, the erected tree protection fences must be inspected and approved by the Responsible Authority.
34. Unless with the prior written consent of the Responsible Authority, the following actions must not be undertaken in any tree protection zone (TPZ) as identified on the endorsed plan, to the satisfaction of the Responsible Authority:
  - a) Materials, paving or construction works within the zone.
  - b) Excavated for underground services within the zone.
  - c) Materials or equipment storage within the zone;

- d) Nothing is to be attached to any tree (including temporary service wires, nails, screws or any other fixing device);
  - e) Open cut trenching or excavation works (whether or not for laying of services) undertaken within the zone;
  - f) Changes to the soil grade level within the zone.
35. All and any excavations within the tree protection zone (TPZ) of retained trees must be undertaken by hand or by approved non-destructive techniques suitable in the vicinity of trees in accordance with Section 9 of AS4373-2007 Pruning of Amenity Trees, and must only be undertaken by, or directed and supervised by, a suitably qualified arborist (minimum AQF Level 4) for endorsed works or for works subsequently approved by the Responsible Authority.
36. Prior to commencement of works including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings, a Tree Protection Management Plan (TPMP) to be prepared by suitably qualified Level 5 Arborist must be submitted and to satisfaction of Responsible Authority detailing the tree protection measures undertaken for all phases of demolition and construction. The report must also include:
- a) A Site Plan detailing tree protection zones
  - b) All trees to be protected with tree protection fencing
  - c) Native vegetation No Go Zone
  - d) Tree Protection Signage
  - e) Construction staging relating to all tree management works
  - f) Level 5 project arborist inspection timeframe and a compliance check list
  - g) Milestone reporting to the Responsible Authority relating to tree works at each construction stage.
37. Prior to commencement of works including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings, a Land Management Plan (LMP) for Conservation Reserve Area 1 submitted and to satisfaction of Responsible Authority. The Land Management Plan must include the following information:
- a) A Site Plan showing:
    - i. Property boundary and Conservation Reserve Area 1
    - ii. All Conservation Area boundary fencing details
    - iii. Native vegetation and scattered trees to be retained
    - iv. Areas set aside for regeneration/revegetation
    - v. Water supply for domestic purposes and firefighting
    - vi. Weed and feral animal management areas
    - vii. A map of any threatened species found
  - b) Weed Management strategies which must include the following:
    - i. A site plan that shows weeds present on site
    - ii. A weed list including species listed by common name and scientific name
    - iii. Method/s of control for each species
    - iv. Timing of control
    - v. Frequency of control
    - vi. Ongoing yearly monitoring and removal plan
    - vii. Any current weed control or weeds present on site

- c) Pest animal control and treatment measures particularly for foxes and rabbits which must include:
    - i. Evidence found on site of pest animals such as burrow/dens, scats, diggings, etc.
    - ii. Approaches to integrated pest animal management
    - iii. Monitoring techniques
    - iv. Timing of treatment/control
    - v. Treatment options over 3 years
  - d) A revegetation plan including:
    - i. A site plan showing where revegetation will be located
    - ii. Local indigenous plants
    - iii. A species list including scientific and common names
    - iv. Density/hectare – based on EVC benchmark revegetation guidelines
    - v. Ongoing weed management
  - e) Threatened species surveys to be conducted on a regular basis to specifically target the Nationally threatened species, *Dianella amoena*.
  - f) A map of any threatened species found. This data must be uploaded to the VBA.
  - g) Table of Actions for 1, 5, 10 year periods and a perpetual table of actions under point b) c) d) e).
38. Prior to certification of the plan of subdivision, a Land Restoration Plan for Conservation Reserve Area 2 must be submitted and approved to the satisfaction of Responsible Authority. The plan must include a revegetation, weed removal and feral animal management plan. The management actions outlined in the report must be conducted annually and completed to a satisfactory standard to obtain Statement of Compliance. The Land Restoration Plan must include:
- a) A Site Plan showing:
    - i. All weed infestations identified to scientific name
    - ii. All patches of native vegetation including scattered trees
    - iii. All rabbit warrens and rabbit activity
    - iv. A map of any threatened species found. This data must be uploaded to the VBA.
  - b) Land Restoration Requirements
    - i. Staged woody weed removal to achieve the outcome targets specified in the plan
    - ii. Staged revegetation to replace the lost habitat
    - iii. Staged treatment of environmental weeds such as Sweet Vernal grass
    - iv. Woody weed control to include removal of debris from site as appropriate
    - v. Implementation of a rabbit control program to achieve the outcome targets specified in the plan
    - vi. Consideration of installation of rabbit proof fencing on perimeters where relevant and appropriate
    - vii. Six (6) to twelve (12) month audit by Council at relevant milestones to enable adaptive management. The purpose of these audits will be to assess works completed and confirm the works planned.
    - viii. A list of outcome targets to be achieved prior to hand over to Council including:

- All woody weeds removed and all new regrowth treated
  - The removal of all rabbit warrens and harbour and survey data indicating that the site is rabbit free
  - 90% of planted species survival rate
- c) A Revegetation Plan including:
- i. A Site Plan showing revegetation areas
  - ii. A revegetation species list including scientific and common names
  - iii. Density/hectare – based on EVC benchmark revegetation guidelines
  - iv. A reporting template to be submitted on a yearly basis to the MRSC Environment Unit in accordance with the Land Restoration Plan requirements.
39. Prior to issuing Statement of Compliance for the subdivision, all restoration works outlined in the endorsed Land Restoration Plan for Conservation Reserve Area 2 in accordance Condition 38 must be completed and approved by the Responsible Authority.
40. The works required to be completed in accordance with the endorsed Land Restoration Plan for Conservation Reserve Area 2 must not be bonded.

#### MRSC OPEN SPACE CONDITIONS

41. Prior to Council issuing a Statement of Compliance, a road reserve Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Landscape plan is to be overlaid the approved Civil Engineering plans to demonstrate coordination with proposed infrastructure and services and is to include:
- a) Street trees are to be provided to the Ferrier road reserve frontage.
  - b) A tree schedule showing species, quantities and supply size as minimum of 45Litre/1.6 metres high.
  - c) Tree species selection is to tie in with existing street character, be of a suitable mature size under powerlines and to the approval of the Responsible Authority.
  - d) Trees are to be spaced at a minimum of 10 metres, whichever is the lesser with locations and offsets as set out in Council's Tree Management Policy, 2019.
  - e) The following notations:
    - i. Tree planting is to occur between April & September to maximise establishment and survival.
    - ii. Tree locations shown on this plan are a guide only and may require adjustment to coordinate with final service locations, Powercor requirements, and 'as constructed' infrastructure.
    - iii. Street tree locations are to be set-out and approved on site by the Council Landscape Officer prior to installation.
    - iv. It is the responsibility of the contractor to confirm the location of all underground services prior to commencement of any excavation.
    - v. An advanced Tree Planting Detail with a minimum 52L Greenwell water saver and three (3) hardwood stakes.

Note: Information regarding MRSC preferred street trees species and typical Tree Planting Detail can be requested from the MRSC Open Space Department.

42. Prior to a Statement of Compliance, the road reserve landscaping works shown on the approved road reserve landscape plan must be carried out and completed to the satisfaction of the Responsible Authority unless otherwise agreed in writing by the Responsible Authority.

#### DEECA CONDITIONS

43. Native vegetation removal must be in accordance with the Figure 2: Native vegetation to be removed and Appendix 2: Large trees in patches and scattered trees recorded in the study area, prepared by Nature Advisory, report number 18006.05, ver 1.10, dated August 2025. This plan must be endorsed and form part of this permit.
44. Before works start, the Landscape Plan prepared by MDG Landscape Architects dated 13 March 2025, or equivalent, is to be amended to the satisfaction of the Responsible Authority; and approved by the Responsible Authority. When approved, the plan is to be endorsed and will then form part of the permit. The plan is to be amended but is not limited to show:
- a. All native vegetation (patches and trees) to be retained, as per the boundaries identified in the Flora and Fauna Assessment, prepared by Nature Advisory, dated August 2025.
  - b. No works, including level changes, or path networks, to be shown within areas of native vegetation to be retained.
  - c. Identify locations of plantings in close proximity to areas of native vegetation to be retained.
  - d. Plantings around conservation areas to be in accordance with the New Gisborne Development Plan Conservation Management Plan by Brett Lane & Associates Pty Ltd, dated 2013, or equivalent updated conservation management plan.
  - e. Retention of Tree 94 within the passive recreation pocket park.
  - f. Public use infrastructure to be located so that the native vegetation shown as to be retained is not so close as to present a structural failure hazard or pose a risk to personal safety or property.
  - g. Mulching is only permitted under trees that do not support existing understorey values.
  - h. Area in South Eastern corner to be labelled as Conservation Area.
  - i. All planting works within areas of native vegetation to be retained are to be undertaken with indigenous plant species from the relevant ecological vegetation class.
- Once approved, the landscaping works must be completed in accordance with the endorsed plan
45. Before works start, a Construction Environmental Management Plan (CEMP) for the development to the satisfaction of the Responsible Authority. It must be submitted to and approved by the responsible authority. When approved, the plan is to be endorsed and will then form part of the permit. The CEMP is to include, but is not limited to:
- a. Overview of construction methods including management and construction zones/stages, site preparation, site entry and exit, construction activities, schedule and timing of works, and contractor briefing.
  - b. Management structure and roles including an environmental audit process.
  - c. Applicable planning and legislative requirements.
  - d. Plan drawn to scale detailing construction areas and environmental controls.
  - e. Address methods for noise, dust, erosion and sediment control, waste and chemical management, flora/fauna protection, weed control, fire hazards and archaeological/heritage impacts.

Once approved, the Construction Environmental Management Plan must be implemented in accordance with the endorsed plan to the satisfaction of the Responsible Authority.

*Notification of works*

46. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.

*Protection of native vegetation to be retained*

47. Before works start, a native vegetation protection fence must be erected around all native vegetation to be retained within 15 metres of the works area. This fence must be erected at:
- A radius of 12 times the diameter of the tree trunk at a height of 1.4 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree; and
  - Around the patch(es) of native vegetation at a minimum distance of 2 metres from retained native vegetation.

Modification of this fencing will be required for Trees 13, 14, 16, 17, 18, 27, 28, 29, 31, 37, 48, 52, 53, 54, 55, 67, 94 and 97 to allow for encroachment of the defined tree protection zone under the direction of suitably qualified and experienced arborist, and are permitted for the minimum time to facilitate the works to the satisfaction of the Responsible Authority.

The fence must be constructed of star pickets and paraweb or similar, and silt-fencing, to the satisfaction of the Responsible Authority and the Department of Energy, Environment, and Climate Action. The protection fence must remain in place until all works are completed to the satisfaction of the Department of Energy, Environment and Climate Action.

48. Except with the written consent of the Department of Energy, Environment and Climate Action, within the area of native vegetation to be retained and any tree protection zone associated with a permitted use and/or development, the following is prohibited:
- vehicular or pedestrian access;
  - trenching or soil excavation;
  - storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products;
  - construction of entry and exit pits for underground services; or
  - any other actions or activities that may result in adverse impacts to retained native vegetation.
49. All tree pruning works must be undertaken by a suitably qualified and experienced arborist in accordance with the specifications in the Australian Standard for Pruning Amenity Trees (AS 4373—2007) and to the satisfaction of the Responsible Authority.

*Habitat values*

50. All indigenous trees permitted to be removed are to be taken into the future conservation areas located on the property, or a nearby Council conservation reserve for inclusion as large habitat logs to the satisfaction of the responsible authority. These logs must be cut into a minimum of 2.0 metre lengths and placed into the conservation areas under the direction of a suitably qualified ecologist or Council environment officer to the satisfaction of the responsible authority.

*Native vegetation offsets*

51. The native vegetation identified in NVRR ID 339\_20250812\_KXR and permitted to be removed, destroyed or lopped under this permit is 1.41 hectares of native vegetation, which is comprised of:

- 0.683 hectares patches of native vegetation including 16 large trees within patches
  - 7 scattered large trees
  - 15 scattered small trees.
52. To offset the removal of 1.41 hectares of native vegetation, the permit holder must secure a native vegetation offset in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017). The permit holder must secure the following offsets:
- A general offset of 0.5950 general habitat units:
  - located within the Melbourne Water Catchment Management boundary or Macedon Ranges municipal area
  - with a minimum strategic biodiversity value of at least 0.6289, and
  - The offset(s) secured must provide protection of at least 23 large trees.

*Offset evidence*

53. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence must be one or both of the following:
- a. an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site,
  - b. credit extract(s) allocated to the permit from the Native Vegetation Credit Register.
- A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit.

**MELBOURNE WATER CONDITIONS**

45. Prior to commencement of works associated with the pedestrian footbridge, a scaled fully dimensioned construction pedestrian footbridge drawing and site plan showing exact location footbridge to be submitted and approved by Melbourne Water, with the footbridge location over the named waterway to be adjacent to Conservation Reserve Area 1 and be in accordance with Condition 13. For more information, <https://www.melbournewater.com.au/building-and-works/apply-to-build-or-develop/construct-bridge-crossing-or-culvert>
46. Prior to commencement of works or Council's endorsement of plan, the Owner shall enter into and comply with an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water's drainage systems and waterways, the provision of drainage works and other matters in accordance with the statutory powers of Melbourne Water Corporation.
47. Prior to Commencement of works, all Melbourne Water conditions relating to the subdivisional permit for this property must be satisfied. This includes:
- a) All new lots are to be filled to a minimum of 300mm above the 1 in 100 year flood levels associated with any existing or proposed Melbourne Water pipeline and/or all new lots are to be filled to a minimum of 600mm above the 1 in 100 year flood level associated with any existing or proposed Melbourne Water wetland, retarding basin or waterway.
  - b) Prior to Certification, the Plan of Subdivision must be referred to Melbourne Water, in accordance with Section 8 of the Subdivision Act 1988.

- c) Prior to Certification of the Plan of Subdivision, an amended plan of sub-division must be submitted to Melbourne Water detailing the waterway reserve that will be vested to Council, along with a 20 metre setback easement measured from the top of bank on both sides of the waterway on the plan of sub-division in favour of Melbourne of Water. The top of bank has been determined to be the Q100 flood line.
  - d) A survey plan prepared by or under the supervision of a licensed land surveyor showing finished lot levels reduced to the Australian Height Datum, must be submitted to Melbourne Water for our records.
  - e) Alignment of roads and reserves with any adjoining estates must ensure continuity and provide uninterrupted conveyance of overland flows.
  - f) The subdivision is to make provision for overland flows from the upstream catchment utilising roads and/or reserves.
  - g) Any road or access way intended to act as a stormwater overland flow path must be designed and constructed to comply with the floodway safety criteria outlined within Melbourne Water's Land Development Manual.
48. No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Melbourne Water's drains or watercourses.
49. Prior to the issue of a Certificate of Occupancy, engineering plans of the subdivision (in electronic format) must be submitted to Melbourne Water for our records. These plans must show road and drainage details and any overland flow paths for the 100 year ARI storm event.
50. Prior to commencement of works, a Site Management Plan detailing pollution and sediment control measures must be submitted to Melbourne Water.
51. Prior to the commencement of works, a separate application, direct to Melbourne Water, must be made for any works on or around our mains, drains and waterways. Applications shall be made online via the Melbourne Water website.
52. Any fencing that adjoins the waterway reserve must be see-through and to the satisfaction of Melbourne Water and the Responsible Authority.

#### **WESTERN WATER CONDITIONS**

53. The developer must produce for approval by Western Water an Integrated Water Management Plan (IWMP) that incorporates water efficiency measures and water sensitive urban design techniques that reduce reliance on potable water by increasing utilisation of fit-for-purpose alternative water supplies.
54. The IWMP must set out outcomes that appropriately respond to the site and its context for integrated water management to the satisfaction of Western Water. When approved by Western Water, the IWMP must be endorsed and form part of the permit.
55. The operator under this permit shall be obliged to enter into an Agreement with Western Water relating to the design and construction of any sewerage or water works required. The form of such Agreement shall be to the satisfaction of Western Water. The

owner/applicant shall make a written request to Western Water for the terms and conditions of the agreement.

#### **VICTRACK CONDITIONS**

56. The permit holder must, at all times, ensure that the common boundary with railway land is fenced at the permit holder's expense. Fencing of railway land must be a minimum of 1.8 metres high with the orientation of any supporting rails on the railway side to prohibit unauthorised access to the rail corridor.
57. Boundary wall / fence must be treated with a graffiti proof finish and any graffiti that appears on the wall must be cleaned / removed as soon as practicable to the satisfaction of the Rail Operator. Costs involved in clean / removal of graffiti and associated cost of permit/s for entry to VicTrack land will be borne by the developer or body corporate of the land.
58. The permit holder must not, at any time:
  - a) allow any drainage, effluent, waste, soil or other materials to enter or be directed to the railway land; or
  - b) store or deposit any waste, soil or other materials on the railway land.
59. The permit holder must not plant any plants or tree species that are likely to cause any future overhang onto the railway land or disturbance to the railway operations.
60. All works, including hoardings, must be undertaken within the subject land and must not encroach onto the railway land.

#### **CFA CONDITIONS**

61. Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes or in the absence of building envelopes, the rear of the lots must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.

The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority. \*\*Note – CFA's requirements for identification of hydrants are specified in "Identification of Street Hydrants for Firefighting Purposes" available under publications on the CFA web site ([www.cfa.vic.gov.au](http://www.cfa.vic.gov.au)) .

#### **PERMIT EXPIRY**

62. This permit will expire if any of the following circumstances applies:
  - a) The development does not start within two (2) years of the date of issue of this permit.
  - b) The development is not completed within four (4) years of the date of issue of this permit.

- c) The use is not commenced within two (2) years of the completion of the development.
- d) The plan of subdivision is not certified within two (2) years of the date of this permit.
- e) The plan of subdivision is not registered at Land Registry within five (5) years of the certification of the subdivision.

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

**Permit Notes:**

- Future owners of the land must be made aware of the existence of this permit.
- The Defect Liability Period commences from the date of Acceptance of Works and extend for a minimum period of 12 months. Landscaping and WSUD assets will have a Defect Liability Period of 24 months.
- Offset requirements are determined in accordance with DELWP (2017) Guidelines for the removal, destruction or lopping of native vegetation. Proposed offset sites must meet eligibility requirements including land use, bushfire risk, quality of vegetation and size of revegetation site. Please visit <https://www.environment.vic.gov.au/native-vegetation/native-vegetation> for further information.
- The department advises that live capture and relocation of native fauna will require a Management Authorisation under the Wildlife Act 1975. A Management Authorisation can be obtained from DELWP ([environmental.research@delwp.vic.gov.au](mailto:environmental.research@delwp.vic.gov.au)).
- Aboriginal Cultural Heritage:
  - Work must cease should any aboriginal places, objects or human remains be discovered.
  - The discovery of any aboriginal palaces or objects must be reported as soon as possible to Aboriginal Affairs Victoria.
  - The discovery of any human remains must be reported to be police or the coroner immediately.
  - Further information concerning the Aboriginal Heritage Act 2006 is available at Aboriginal Affairs Victoria <https://www.aboriginalvictoria.vic.gov.au/> or telephone 1800 762 003.

**THE PERMIT HAS BEEN EXTENDED AS FOLLOWS:**

| Date of Extension | Brief description of the extension                                                                             | Duration of extension                                 |
|-------------------|----------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| 24 July 2023      | Planning Permit PLN/2019/315 is hereby extended for a further period of two (2) years. The development must be | The permit has been extended for a further two years. |

|               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                  |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|
|               | commenced and subdivision certified by 30 July 2025 with the completion of the development to occur by 30 May 2027 and registration of the subdivision at the land titles office within 5 years of the certification of the subdivision.                                                                                                                                                                                                                                                                                                                      |                                                  |
| 6 August 2025 | <p>This permit will expire if one of the following circumstances applies:</p> <ul style="list-style-type: none"> <li>a) The development does not start by 30 July 2026.</li> <li>b) The development is not completed by 30 July 2028.</li> <li>c) The use is not commenced without two (2) years of the completion of the development.</li> <li>d) The plan of subdivision is not certified by 30 July 2026.</li> <li>e) The plan of subdivision is not registered at Land Registry within five (5) years of the certification of the subdivision.</li> </ul> | Permit has been extended for a further one year. |

**THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:**

| <b>Date of Amendment</b> | <b>Brief description of amendment</b>                                                                                                                                                                       | <b>Name responsible authority that approved the amendment</b> | <b>Section of the Act under which the permit has been amended</b> |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|-------------------------------------------------------------------|
| XX                       | <ul style="list-style-type: none"> <li>• Inclusion of additional condition 1 i) to r) requirements</li> <li>• Replacement of DELWP conditions 43 to 53 (including a change in condition titles).</li> </ul> | Macedon Ranges Shire Council.                                 | Section 74                                                        |

|                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>PE.2</b>                       | <b>PLN/2025/108 - 23 BUCKLAND STREET, WOODEND</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Application Details:</b>       | <b>Use and development of a childcare centre</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Officer:</b>                   | <b>Emily Hardy, Principal Planning Officer</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Council Plan relationship:</b> | <b>3. Improve the built environment</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Attachments:</b>               | <b>1. PLN/2025/108 - 23 Buckland Street WOODEND - Recommended conditions</b> <a href="#">↓</a><br><b>2. Combined attachments (under separate cover)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Triggers for a planning permit    | Clause 32.09-2 (Neighbourhood Residential Zone) – Use of the land for a childcare centre<br>Clause 32.09-10 (Neighbourhood Residential Zone) – Buildings and works                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Zones and Overlays                | Neighbourhood Residential Zone – Schedule 3 (NRZ3)<br>Environmental Significance Overlay – Schedule 4 (ESO4)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| No. of objectors                  | Six (6) objections                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Trigger for report to Council     | Decision on an application for a planning permit.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Key Considerations                | <p>Whether the proposed use is consistent with the purpose and decision guidelines of the Neighbourhood Residential Zone and other relevant State and Local planning provisions, and whether amenity impacts are acceptable.</p> <p>Whether the proposed buildings and works are designed and sited in a way that is consistent with the purpose and decision guidelines of the Neighbourhood Residential Zone and other relevant State and Local Planning Policy that deals with development in a residential context.</p> <p>Whether the proposed buildings and works are consistent with the policy framework that deals with the protection of the Eppalock Special Water Supply Catchment.</p> <p>Whether the proposed car parking is satisfactory.</p> <p>Whether the proposed use will have any adverse traffic impacts.</p> |
| Conclusion                        | That Council advise VCAT and the permit applicant that Council supports the granting of a planning permit.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Date of receipt of application:   | 16 April 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

## Summary

Council has received an application seeking approval for the use and development of a childcare centre at 23 Buckland Street, Woodend.

As part of the assessment process, the application was advertised to adjoining and surrounding landowners/occupiers, which resulted in six objections being received.

Council was notified on 22 August 2025 that the applicant has lodged an appeal at the Victorian Civil and Administrative Tribunal (VCAT), due to Council's failure to grant a permit within the prescribed time under section 79 of the Planning and Environment Act 1987. The

hearing dates are set for 19, 20, and 21 January 2026, while the Compulsory Conference is scheduled for 5 November 2025.

VCAT is now the decision maker in relation to the application, with Council's role being to form a position on the application for the purpose of the upcoming VCAT proceedings.

A Planning Consultation Meeting was held on 30 September 2025 between the applicant, objectors, planning staff and Ward Councillors. Acknowledging that the application has been appealed, the intent of the meeting was not to resolve the issues but rather for all parties to gain a clearer understanding of the proposal and concerns raised leading into the VCAT process.

### **Recommendation**

**That Council advise VCAT and the permit applicant of the following position:**

**That Council supports the granting of a planning permit for use and development of a child care centre at CA 17 Section 16 TP 960800W T/Woodend P/Woodend, CA 18 Section 16 TP 274819Y T/Woodend P/Woodend, 23 Buckland Street WOODEND subject to the conditions outlined in Attachment 1.**

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### **Existing conditions and relevant history**

#### **Subject land**

The subject site is located on the northwest side of Buckland Street. The site comprises two parcels, which are located side by side. The site has a frontage of approximately 48.4 metres, a depth of 50.6 metres and an area of 2457 sqm. It is relatively regular in shape and currently vacant. The site contains an existing crossover onto Buckland Street and no mature trees.

The subject site is located within a well-established residential area of Woodend, characterised by single-storey detached dwellings constructed from brick, rendered materials, and weatherboard, all featuring flat or hipped roofs.



*Figure 1 - Photo of the Subject Site*

### Surrounds

The surrounding properties are primarily residential, consisting of single-storey dwellings on varying lot sizes, with some featuring outbuildings and established vegetation. There are examples of non-residential uses and multi-dwelling developments in the vicinity, such as the existing dwellings located at 21 and 29 Buckland Street and 152 High Street. Non-residential uses in proximity to the subject site include the Woodend Cemetery located opposite the site, Woodend Primary School, St. Mary's Anglican Church, and Nido Early School (see Figures 2 and 3 below).

The subdivision pattern in the area is varied, featuring rectangular allotments along with irregularly shaped and larger lots. The subject land comprises one of the larger allotments along Buckland Street. There are subdivided lots with sizes less than 500 square metres in proximity, which are developed with unit developments. This area is located near public transportation, open space reserves, and community infrastructure, providing access to a range of amenities and services.

Buckland Street is classified as a local road and extends in an east-west direction, with East Street located to the east and Owen Street to the west. An aerial image, included below, shows the current conditions of the site and its surroundings.



Figure 2 - Location Map (Nearmap 2024)



Figure 3 - Surrounding Area (Nearmap 2024)

#### Registered restrictive covenants and/or Section 173 Agreements affecting the site

A current copy of title has been provided with the application which shows no Covenants, Section 173 Agreements or restrictions have been registered on the title to this property.

#### Previous planning permit history

A search of the Council's record has indicated that no previous permit applications have been lodged on the two parcels at the subject site.

#### **Proposal**

The application seeks approval for the use and development of the land for a childcare centre with associated car parking and landscaping at 23 Buckland Street, Woodend. The proposed use and development can be summarised as follows:

- The childcare centre would accommodate 100 children across six rooms.

- The proposed building would have a ground floor area of 760 square metres and an open outdoor play area, resulting in a site coverage of 31%.
- The building would be oriented towards Buckland Street and would maintain a minimum setback of 6 metres from the property boundaries.
- The exterior of the building would feature a combination of brick and lightweight cladding, which includes Hardie's Matrix and Nasahi panels. Additionally, the roofing would consist of a blend of flat and skillion configurations utilising Colorbond materials.
- The development would provide a designated outdoor area, ensuring compliance with regulatory requirements.
- Proposed operating hours are 6:30am to 6:30pm, Monday to Friday (closed Saturday and Sunday).

#### Access, Car parking and Landscaping

The development would provide 22 onsite parking spaces (including one accessible car space). These parking areas are situated on the eastern side of the building, with a landscaping strip provided along the boundary.

Vehicle access would be provided by a new 6.4-metre-wide crossover from Buckland Street.

#### Fencing

A 2-metre-high timber acoustic fence is proposed along the northern, western and eastern boundaries adjoining the residential properties. A 1.8-metre-high steel picket fence is proposed along a portion of the front boundary, surrounding the outdoor area.

#### Waste management

A dedicated, enclosed outdoor waste storage area would be provided between the building and car park area. A Waste Management Plan (prepared by efficient Energy Choices dated May 2025) has been submitted as part of the application, stating that waste would be collected daily by a private waste collection service.

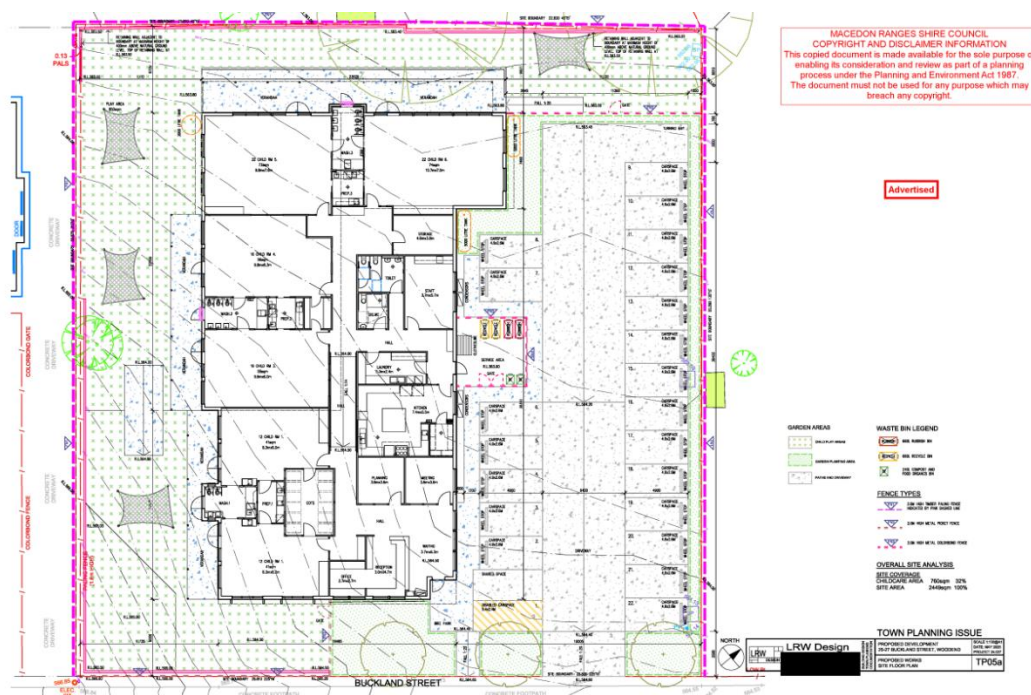
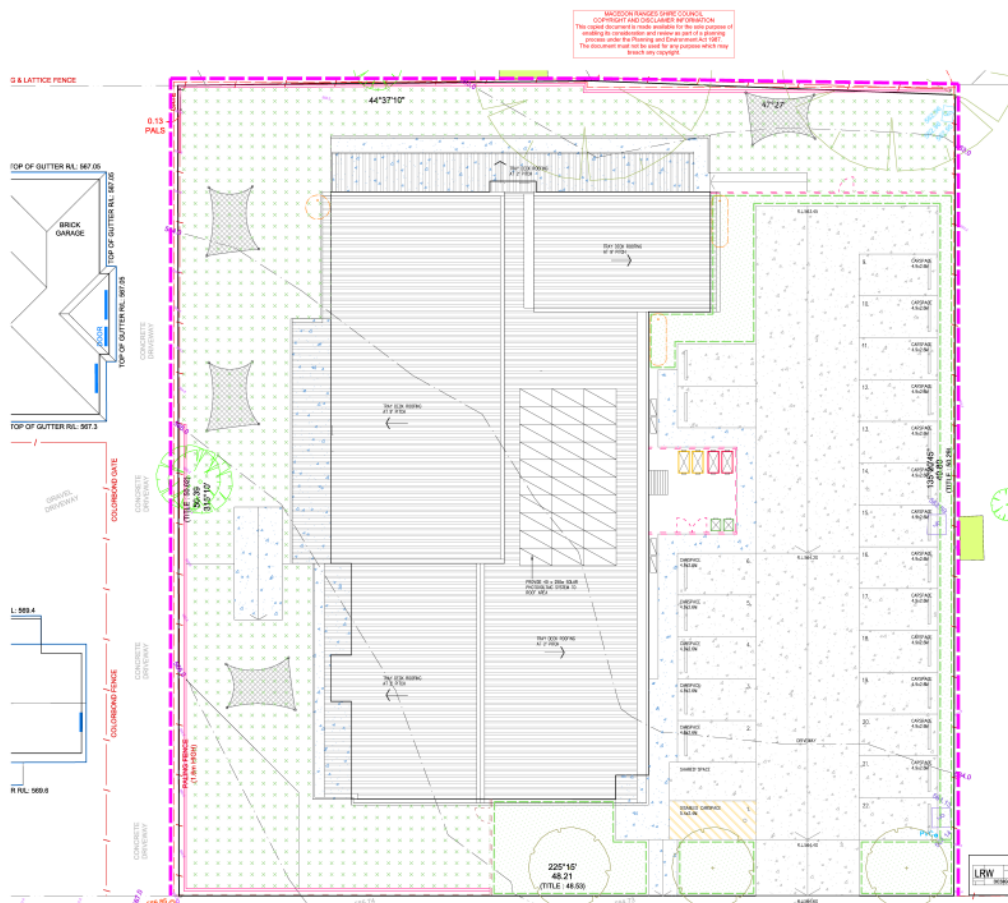
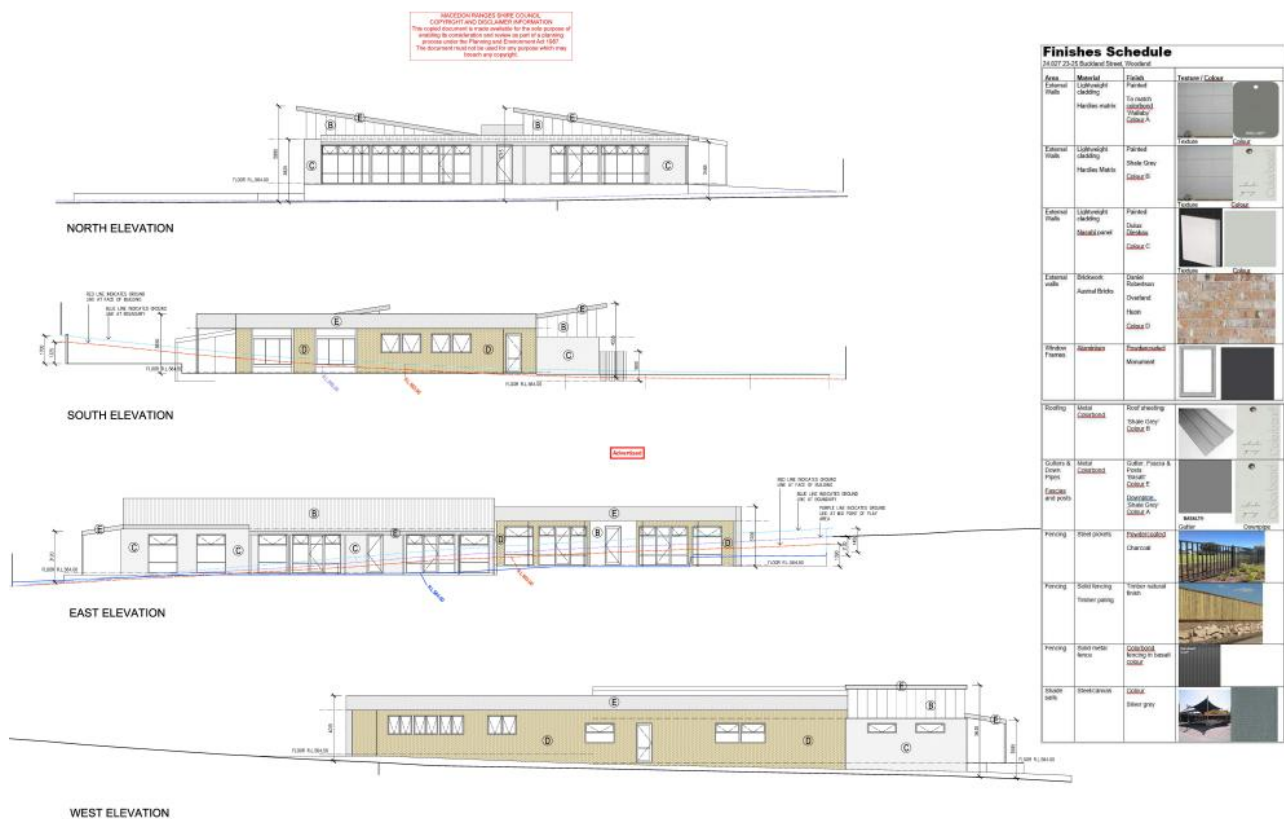


Figure 4 - Proposed Site Layout Plan



*Figure 5 - Proposed Roof Plan*



*Figure 6 - Proposed Elevation Plan*

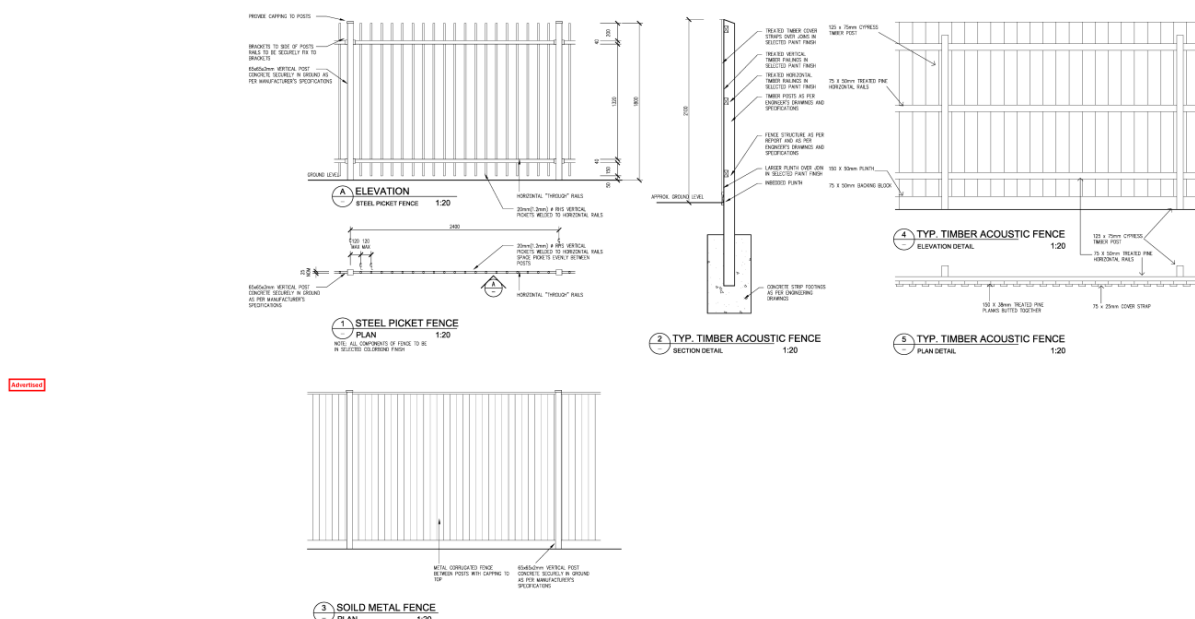


Figure 7 - Proposed Fencing Plan

## Relevant Macedon Ranges Planning Scheme controls

### Section 46AZK of the *Planning and Environment Act 1987*

Section 46AZK of the *Planning and Environment Act 1987* and Clause 51.07 of the Macedon Ranges Planning Scheme require Council as a Responsible Public Entity to not act inconsistently with any provision of the Statement of Planning Policy (SoPP) in exercising decision-making powers.

The subject site is located within Woodend township and is not in proximity to significant landscape features such as Mount Macedon or Hanging Rock, nor the corridors with significant sequences of views like the Calder Freeway. The use and development are in accordance with the SoPP, which is reflected in the assessment against relevant planning provisions below.

### Purpose and Vision

| Clause no. | Clause name               |
|------------|---------------------------|
| 02.01      | Context                   |
| 02.02      | Vision                    |
| 02.03      | Strategic Directions      |
| 02.04      | Strategic Framework Plans |

### Planning Policy Framework

| Clause no. | Clause name                      |
|------------|----------------------------------|
| 11         | Settlement                       |
| 11.01-1R   | Settlement – Loddon Mallee South |
| 11.01-1L   | Settlement - Woodend             |
| 11.02-1S   | Supply of Urban Land             |
| 11.03-3S   | Peri-Urban Areas                 |

|          |                                    |
|----------|------------------------------------|
| 13.05-1S | Noise Management                   |
| 13.07-1S | Land Use Compatibility             |
| 14.02-1S | Catchment Planning and Management  |
| 14.02-2S | Water Quality                      |
| 15.01-1S | Urban Design                       |
| 15.01-2S | Building Design                    |
| 15.01-5S | Neighbourhood Character            |
| 15.01-5L | Neighbourhood Character - Woodend  |
| 17.01-1S | Diversified Economy                |
| 17.02-2S | Business                           |
| 18.01-1S | Land Use and Transport Integration |
| 19.02-2S | Education Facilities               |

Zoning

| Clause no. | Clause name                                        |
|------------|----------------------------------------------------|
| 32.09      | Neighbourhood Residential Zone – Schedule 3 (NRZ3) |

Overlay

| Clause no. | Clause name                                            |
|------------|--------------------------------------------------------|
| 42.01      | Environmental Significance Overlay – Schedule 4 (ESO4) |

Particular provisions

| Clause no. | Clause name                                                                                                                                                                                                          |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 51.07      | Macedon Ranges Statement of Planning Policy                                                                                                                                                                          |
| 52.06      | Car Parking                                                                                                                                                                                                          |
| 52.34      | Bicycle Parking<br>The childcare centre use is not listed under Clause 52.34 of the Planning Scheme. Therefore, the proposal does not trigger a statutory bicycle parking requirement or for end of trip facilities. |
| 53.18      | Stormwater Management in Urban Development                                                                                                                                                                           |

General provisions

| Clause no. | Clause name                    |
|------------|--------------------------------|
| 65         | Decision Guidelines            |
| 66         | Referral and Notice Provisions |

**Cultural Heritage Management Plan assessment**

| Assessment criteria                                                                                                                           | Assessment response |
|-----------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| (1) Is the subject property within an area of cultural heritage sensitivity as defined within the cultural heritage sensitivity mapping or as | No                  |

| Assessment criteria                                                                                                                                         | Assessment response |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| defined in Part 2 Division 3 or 4 of the <i>Aboriginal Heritage Regulations 2018</i> ?                                                                      |                     |
| (2) Does the application proposal include significant ground disturbance as defined in Part 1 Regulation 5 of <i>Aboriginal Heritage Regulations 2018</i> ? | N/A                 |
| (3) Is the application proposal an exempt activity as defined in Part 2 Division 2 of <i>Aboriginal Heritage Regulations 2018</i> ?                         | N/A                 |
| (4) Is the application proposal a high impact activity as defined in Part 2 Division 5 of <i>Aboriginal Heritage Regulations 2018</i> ?                     | N/A                 |

Based on the above assessment, a cultural heritage management plan is not required in accordance with Part 2 Division 1 of *Aboriginal Heritage Regulations 2018*.

### The process to date

#### Referral

| Authority (Section 55)                         | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1) Coliban Water                              | Consented to the granting of a planning permit without conditions.                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| (2) Goulburn Murray Water                      | Consented to the granting of a planning permit without conditions.<br><br>Goulburn Murray Water indicated in its response that the subject site is adequately connected to all essential services, including sewer and drainage systems. Furthermore, it was noted that no water features have been identified in close proximity to the subject site that would be adversely affected by the proposed development.                                                                                             |
| (3) Greater Western Water                      | No response.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| (4) Department of Transport and Planning (DTP) | Consented to the granting of a planning permit without conditions.<br><br>The Department of Transport and Planning expressed initial concerns regarding the proximity of the childcare centre to the primary school, as well as the anticipated increase in vehicle movements at the intersection of High Street and Owen Street. Considering these concerns, the Department requested a Transport Impact Assessment Report (TIAR). This report was to focus on existing vehicle movements and evaluate how the |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | assumptions regarding additional vehicle traffic might influence the intersection's performance, thereby enabling the Department to make an informed decision regarding safe and efficient access to the arterial road network at this location. Subsequently, the applicant submitted a traffic impact assessment report prepared by O'Brien Traffic. The TIAR underwent a comprehensive review by the Department, which subsequently consented to the granting of a permit. |
|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

| Authority (Section 52)        | Response                                                          |
|-------------------------------|-------------------------------------------------------------------|
| (1) MRSC Environmental Health | No objection subject to conditions                                |
| (2) MRSC Engineering          | No objection subject to conditions                                |
| (3) MRSC Waste Management     | Consented to the granting of a planning permit without conditions |

### Advertising

Pursuant to Section 52 of the *Planning and Environment Act 1987*, the application was advertised by sending notices to the owners and occupiers of surrounding/adjoining land and by requiring a notice to be erected on the land for a period of 14 days. Six objections have been received to date.

The following is a summary of the grounds of objections received:

- Location – within a residential area
- Amenity impacts:
- Increased traffic
- Noise
- Privacy
- Location of play areas
- Car parking
- Lack of landscaping
- Accuracy of specialist reports – Traffic Report and Acoustic Report
- Neighbourhood Character
- Safety concerns
- Impact on Stormwater Management
- Landscaping issues.

These concerns have been considered as part of the detailed assessment of the application.

### Consultation

A consultation meeting was held on 30 September 2025 and was well attended by the applicant, their planning consultant, all 6 objectors, two ward Councillors and planning staff.

The meeting discussion predominantly focused on concerns relating to amenity impacts, in particular traffic, car parking and noise to the surrounding area, and the location of play

areas and car parking in proximity to adjoining properties. Landscaping and drainage concerns were also discussed, in less detail, and as well as potential on-site contamination. The accuracy of specialist reports, in particular, the traffic report and acoustic report was also raised.

These items are discussed in further detail in the assessment section of this report.

Acknowledging that the application has been appealed and a Compulsory Conference (formal mediation) meeting has been scheduled for 5 November, it was advised that Council would be required to make a decision on the application in its current form, but the applicant advised that they were open to considering further changes to the proposal through the VCAT process. It is likely that these matters will be further explored through the VCAT proceedings.

### **Officer assessment**

In assessing this application, the following matters require consideration:

- Whether the proposed use is consistent with the purpose and decision guidelines of the Neighbourhood Residential Zone and other relevant State and Local planning provisions, and whether amenity impacts are acceptable.
- Whether the proposed buildings and works are designed and sited in a way that is consistent with the purpose and decision guidelines of the Neighbourhood Residential Zone and other relevant State and Local Planning Policy that deals with development in a residential context.
- Whether the proposed buildings and works are consistent with the policy framework that deals with the protection of the Eppalock Special Water Supply Catchment.
- Whether the proposed car parking is satisfactory.
- Whether the proposed use will have any adverse traffic impacts.

Each of these matters will be addressed in the following assessment.

#### Whether the proposed use is consistent with the purpose and decision guidelines of the Neighbourhood Residential Zone and other relevant State and local Planning policy.

The Municipal Planning Strategy (MPS) and Planning Policy Framework (PPF) sets out the overarching strategic directions for the Macedon Ranges Shire. Those of particular relevance are summarised below.

Clause 02.02 – Vision details Council's land use development vision as:

- Development occurs in an orderly and sustainable manner, maintaining clear distinctions and separations between settlements. A diverse range of residential and commercial opportunities are provided in appropriate locations, including appropriately zoned and serviced land to meet the needs of the shire's changing demographic. Growth is generally directed to the transport corridors, in line with infrastructure provision and cognisant of constraints.
- Economic growth and development are encouraged to deliver jobs and reduce escape expenditure. This occurs in appropriate locations within the settlement boundaries, apart from agriculture-based business.

Clause 02.03-7 - *Economic development seeks to achieve economic diversity, incorporating agriculture, tourism, commercial centres and industrial areas is facilitated through the shire's proximity to metropolitan Melbourne, transport advantages, suitability for a range of*

*agricultural enterprises, and significant landscapes and lifestyle offering.* The policy recognises that there is a need to create further local employment opportunities within townships for the residents of Macedon Ranges to reduce the reliance on commuting.

Clause 11.01-1S – Settlement seeks to develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities. Specific settlement strategies for Woodend are conveyed at Clause 11.01-1L. The strategies seek to support infill development within the protected settlement boundary.

The subject site is located within the Neighbourhood Residential Zone and within the Woodend Garden Setting Precinct under Clause 15.01-5L (Neighbourhood Character – Woodend). The objective of the Neighbourhood Residential Zone is to facilitate planning in accordance with local policies while ensuring that development adheres to the identified character and landscape features of the neighbourhood. This zone supports *“various non-residential uses, including educational, recreational, religious, and community facilities, as well as a limited range of other uses to serve the local community's needs in appropriate locations”*.

This interpretation is consistent with established planning principles and relevant case law, including the Victorian Civil and Administrative Tribunal (VCAT) ruling in *Java Sands Pty Ltd v Frankston CC*. In this particular case, the Tribunal asserted that: *“In my view, childcare centres are part and parcel of residential areas. They meet a community need directly related to residential use and development in much the same way as schools and kindergartens. As such, I consider a childcare centre located in a residential area, even a low-density residential area, to be generally in accordance with the development plan”*. These ruling underscores the notion that childcare centres constitute essential community infrastructure that is appropriately situated within residential environments that offer convenient access to families. The proximity of the site to Woodend Primary School, as well as the surrounding residential development, suggests that parents of children attending the primary school will likely benefit from the services offered by the proposed childcare centre.

The proposal is in line with applicable local planning policies that support the provision of community services, including childcare facilities, within accessible and residential settings. Clause 19.02-2S (Education facilities) of the Planning Policy Framework promotes the integration of early childhood services within local communities to facilitate convenient access for families.

Acknowledging that such uses are allowable in this zone subject to planning approval, the decision guidelines of the zone provide direction in relation to the matters that must be considered which in a broad sense relate to compatibility with residential use, scale and intensity and amenity impacts.

The scale and intensity of the proposal are deemed appropriate for a residential setting. This proposal involves the construction of a purpose-built single-storey childcare centre, designed to accommodate 100 children, which is consistent with the typical capacity of newly established facilities. The proposed centre is regarded as modest in scale and is anticipated to integrate within the existing residential context, as discussed in further detail below.

Clauses 13.05-1S (Noise Management) and 13.07-1S (Land use compatibility) both seek to ensure that development is not prejudiced, and noise emissions do not adversely impact community amenity and human health. They also seek to minimise the impact from noise exposure to occupants of sensitive land uses (such as surrounding residential properties).

The proposed hours of operation are 6.30am – 6.30pm Monday-Friday which primarily fall within the daytime period for noise considerations, noting that 6:30am – 7:00am would fall within the night period and 6.00pm – 6.30pm would fall within the evening period. These are standard hours for the operation of a childcare centre, acknowledging the need for drop off/pick up either side of work hours.

An Acoustic Report prepared by Efficient Energy Choices (April 2025) has been provided as part of the application material which has considered the surrounding sensitive uses, noise sources and their associated impacts. background noise levels, recommends specific measures to mitigate any potential amenity impacts, including an acoustic fencing. The primary noise sources for a development of this nature are children playing outdoors and vehicles coming and going, and this is reflected in the Acoustic Report. Concerns were raised by objectors regarding potential amenity impacts from both of these noise sources.

The Report has been written giving consideration to both the Acoustic guideline for childcare centres, Australian Acoustic Association (AAC) and the EPA Publication 1826 - Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues. The AAC publication provides more universal (Australia wide) considerations for childcare centres, whereas the EPA Guidelines are specific to Victoria and are referenced within the Planning Scheme.

The Report concludes that the proposal is expected to comply with the relevant legislation subject to the construction of a 1.8m high acoustic fence along the side and rear boundaries in accordance with the following requirements:

- To the specified heights and locations as shown in Section 4.2;
- Using fibre cement sheeting, treated timber, lightweight aerated concrete, transparent acrylic panels, glass and profiled sheet cladding as long the selected material (or combined skins) has a mass of at least 10kg/m<sup>2</sup>;
- The fence shall have no gaps or holes in it, or the likelihood of such occurring through natural causes or deformations, thus allowing noise to pass through;
- The fence must be designed and built in an acceptable manner so that noise will not pass underneath it;
- Any butt joints shall be sealed with a fire-rated weather proof mastic or an overlapping piece of material meeting the mass requirements of 10kg/m<sup>2</sup> (minimum 35mm each side of the butt joint); and
- Where multiple cladding layers are used (e.g. FC sheeting over timber paling fence), joints in the cladding materials shall not coincide.

An 'example acoustic fence' has been included at the end of the report which has caused a level of confusion with objectors, and does not reflect the above requirements. Noting that this is just an example, a condition will be included on the permit requiring an acoustic fence to be constructed in accordance with the above requirements prior to the commencement of the use. Plans for the fencing have been provided as part of the application.

As part of the consultation meeting, the accuracy of the Acoustic Report was discussed, in particular the noise modelling results as well as the proposed acoustic fence. Concerns were raised in relation to the reduction in noise levels that the Acoustic Report outlines the acoustic fence will achieve (from 95 dB(A) to 44dB(A)). The Acoustic Report was prepared on the basis of all 100 children being outside at one time. The applicant noted that the report on page 6 of the report it states:

*“The research paper Carrying Out Noise Assessments for Proposed Childcare Facilities – Proceedings of Acoustics 2006 identified that typically only up to 35% of the number of children within outdoor play areas are expected to be vocal at a given time, noting that this has been considered in our acoustic model.”*

The above statement demonstrates how a substantial decrease in decibels has been calculated.

One of the objectors noted that development is required to be in accordance with the EPA Act and Regulations (which is incorporated into the Planning Scheme). The Acoustic Report acknowledges that the childcare centre must comply with the EPA regulations and recommends a condition be included requiring noise emissions comply. This is standard practice for applications of this nature to bring awareness to the ongoing requirements for compliance with relevant legislation.

The applicant has stated that further work will be completed to provide objectors with additional information in relation to noise mitigation and to provide further background on how noise impacts were assessed prior to the compulsory conference. This information will form part of the VCAT appeal. It is considered that this information will be helpful in providing further understanding to objectors as part of the process but is not required in order for Council to form a position on the application. This is on the basis that the Acoustic Report has been prepared by a suitably qualified consultant and concludes that compliance with the relevant legislation can be achieved. It is also important to note that the Acoustic Report was referred to Council's Health Department, who did not raise any concerns in relation to the content or findings of the report.

It is acknowledged that the contents of the report could have been made clearer to more clearly demonstrate compliance, and that along with the reference to both the AAC and EPA Guidelines have been the cause for some confusion with objectors. Nonetheless, it is considered that the proposal would comply with the relevant noise legislation, noting that the proposal is predicted to be within the relevant noise limits, and as a result would not result in any adverse amenity impacts with regards to noise.

A condition has also been included on the permit requiring an acoustic assessment to be undertaken 3 months after the commencement of the use demonstrating compliance with the relevant noise legislation. The inclusion of such a permit condition confirms compliance once the centre is in operation, providing clarity to all parties.

The subject site is located within an established residential neighbourhood and benefits from excellent access through constructed local roads, along with proximity to community infrastructure, notably Woodend Primary School. This location adheres to policy objectives that endorse the establishment of childcare centres in residential areas where demand exists, thus maximising access for families.

The scale and intensity of the proposed development is appropriate for a residential setting. This proposal involves the construction of a purpose-built single-storey childcare centre, designed to accommodate 100 children, which is consistent with the typical capacity of newly established facilities. The proposed centre is regarded as modest in scale and is anticipated to integrate within the existing residential context. The proposed use is therefore in accordance with the relevant decision guidelines of the Neighbourhood Residential Zone and relevant provisions of the Macedon Ranges Planning Scheme.

Whether the proposed buildings and works are designed and sited in a way that is consistent with the purpose and decision guidelines of the relevant planning provisions and the Neighbourhood Residential Zone.

Clause 02.03-5 (Built Environment and Heritage) seeks “*to protect and enhance the distinctive character and form of the Shire’s towns. It is recognised that there is a need to facilitate industrial and commercial development that is attractive and has a positive impact on the amenity of the area*”. Clause 15 (Built Environment and Heritage) broadly emphasises the importance of creating quality environments that contribute positively to the local urban character and sense of place, and reflects the particular characteristics, aspirations and cultural identity of the community.

Clause 15.01-1L (Urban Design – Macedon Ranges) more specifically seeks to:

- Ensure that development in townships responds to key features of existing streetscapes, including building materials, colours, height, setbacks, bulk, articulation, significant vegetation, site coverage and density.
- Retain mature vegetation and incorporate landscaping that integrates with the landscape character of the area and increases tree canopy coverage across townships.

The objective of Clause 15.01-5S (Neighbourhood Character) is *to recognise and protect cultural identity, neighbourhood character and sense of place*. This policy aims to create a high-quality urban environment and promote adherence to sound urban design principles in the development of new projects.

Clause 15.01-5L (Neighbourhood Character – Woodend) provides specific neighbourhood character objectives for Woodend and locates the site within the Garden Setting Precincts. The particular neighbourhood character strategies for this precinct are discussed below.

- Maintain the spacious character of the area by siting development to accommodate adequate landscaping, using appropriate building footprints, and minimising hard surfaces.
- Improve the vegetation cover by retaining and/or planting canopy trees.
- Design development to maintain the historic ‘country town’ character of the streetscape, such as unsealed edges and grassed verges.
- Support multi-dwelling development in the Garden Setting Precinct that:
  - Presents to the street as a single, detached dwelling.
  - Provides landscaping along internal driveways.
  - Protects the residential amenity of adjoining properties

Policy guidelines seek to consider avoiding front fences over 1.2 metres in height. and the policy document *Woodend Town Structure Plan & Neighbourhood Character Study (Planisphere, May 2014)* under Clause 15.01-5L (Neighbourhood Character - Woodend)

Key decision guidelines for non-residential development within the Neighbourhood Residential Zone (NRZ) include the following:

- The design, height, setback, and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking, along with associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency, and amenity effects of traffic generated by the proposal

The associated Woodend Town Structure Plan & Neighbourhood Character Study (Planisphere, May 2014) identifies the site within the Garden Setting Area. The Garden Setting precinct will comprise dwellings set within garden surrounds, with spacing around buildings to provide for canopy trees and landscaping. The low scale of buildings and low-pitched roofs will allow the vegetation to dominate, and the delineation of public and private realms will be open, with low and permeable or non-existent front fences. New buildings will also respond to the existing character by providing generous front setbacks and space around dwellings for canopy trees.

While the current application does not pertain to a new dwelling, it has incorporated low building profiles and low-pitched roofs, while also providing sufficient space for the planting of canopy trees and landscaping. Generous setbacks are provided, including a 6-metre front setback and a 15-metre side setback, allowing the development to sit comfortably within the residential streetscape. This design will facilitate the dominance of vegetation in the overall aesthetic. The proposal aligns with the intent of the Town Structure Plan and Neighbourhood Character Precinct for Garden Setting Area. The proposed development is site-responsive and aligns well with the relevant planning provisions. It is expected to have minimal impact on the amenity of adjoining residential properties and is consistent with the intent of the Municipal Planning Strategy (MPS) and Planning Policy Framework (PPF).

While the front fencing is over 1.2 metres high and not in accordance with Clause 15.01-5L (Neighbourhood Character – Woodend), the fencing is satisfactory, given that the development is not for a dwelling and is a sensitive land use that has safety requirements for children using the child care centre is in accordance with relevant government regulations for child care centres. Furthermore, the front fencing will be permeable and softened by landscaping.

The main building entry is clearly defined and located at footpath level, offering a welcoming interface and promoting passive surveillance. The design features large windows and transparent glazing, particularly along the front façade, which creates visual interest and facilitates interaction between indoor spaces and the public realm. The design of the proposal incorporates a contemporary aesthetic, featuring a combination of brick complemented by cladding on all elevations, which adds interesting texture while respecting the existing dwellings in the area. The building's overall height is generally in keeping with the streetscape, maintaining a single-storey appearance when viewed from the street.

A landscaped area of at least 3.5 metres in width is proposed along the site's frontage. This area will feature a mix of low planting and trees to enhance the public realm, soften the built form, and screen car parking. A detailed landscaping plan is yet to be provided, and it is standard for this to be provided as a condition plan. Ample landscaping area is indicated on the site layout plan within the front setback and the car parking area. Areas for landscaping have been identified on the development plans, and some tree planting is provided adjacent to Buckland Street. The landscaping will have the effect of softening the impact of the development, while also providing shade and cooling within the play area, as well as enhancing amenity purposes.

Concerns were raised in objections, and further discussed during the consultation meeting, in relation to the location of outdoor play areas to the side and rear of the site in proximity to adjoining properties. This was in relation to potential noise impacts which have been discussed earlier in the report and found to be acceptable. Whilst the applicant advised that they were open to considering different layout options, it is likely that this would be subject to further discussions through the VCAT process and are not required in order for the proposal to present an acceptable planning outcome.

Concerns were also raised by objectors in relation to privacy based on the slope of the land down towards the northern boundary. As stated previously, the development is proposed to be single storey. Combined with setbacks to the side and rear boundaries with a 1.8m high fence, it is unlikely there will be any unreasonable impact to the amenity of surrounding landowners from overlooking. It is nonetheless acknowledged that the level of privacy currently enjoyed by neighbours due to the site being vacant would be altered.

The waste generated by the use or development will be managed appropriately as a private waste collector will collect the waste regularly. A waste collection area is nominated on the site plan and will be screened by a fence and plants to ensure that it does not impact the amenity of the surroundings. A waste management plan accompanies the application.

Overall, the proposal addresses all relevant design requirements and presents a well-considered child care centre development that is responsive to its context, visually attractive, and functional. It will enhance the character of the area and provide a much-needed community facility in a growing residential neighbourhood.

Whether the proposed buildings and works are consistent with the policy framework that deals with the protection of the Eppalock Special Water Supply Catchment.

The Environmental Significance Overlay Schedule 4 seeks to ensure the protection of the Eppalock Special Water Supply Catchment. The overlay specifically seeks to ensure the protection of the water quality and supply within the catchment, as well as the retention of vegetation that contributes to these objectives. No planning permit is triggered for the buildings and works proposed as the site is connected to reticulated sewerage.

Regardless, as the site is within a special water catchment, the application was referred to the respective water authorities (Coliban Water & Goulburn Murray Water) in accordance with the requirements of the Planning Scheme. No objections were received from these authorities. Goulburn Murray Water has indicated in its response that the subject site is adequately connected to all essential services, including sewer and drainage systems. Furthermore, it was noted that no water features have been identified near the subject site that would be adversely affected by the proposed development.

Whether the proposed car parking is satisfactory.

The purpose of Clause 52.06 (Car Parking Provision) of the Macedon Ranges Planning Scheme is to ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality. The provision also encourages sustainable transport options, consolidation of car parking facilities and the design and operation of car parks to a high standard, safe and efficient and not adversely affect the amenity of the locality.

*Car parking provision*

Concerns were raised by objectors that insufficient car parking is proposed on site and the existing on-street parking conditions are already occupied during peak school drop off times and when funerals are occurring at the cemetery.

The car parking requirements are set out in Clause 52.06-5 (Table 1 Car Parking Requirements), and a childcare centre requires a rate of 0.22 car spaces per child.

The application proposes a total of 100 children, resulting in a car parking requirement of 22 car spaces. The development provides 22 car spaces. As the required car parking is being provided, there is no need to rely on the existing on-street parking and thus it is not anticipated that the proposal would have a detrimental impact on the surrounding on-street parking conditions.

During the consultation meeting, objectors raised the potential for car parking to be located on Council land (i.e. the road reserve) rather than on the site. This is not supported by planning officers given that the site is of a sufficient size to hold adequate car parking to support the use, and that there would be no way of managing on street car parking availability to ensure it is only used by the childcare centre and not for other surrounding land uses. This is not an outcome that is supported by either the Planning Scheme or Council's general approach to car parking requirements for private developments.

#### *Car parking access and layout*

Clause 52.06 sets out design standards with respect to accessways, car spaces, gradients, mechanical parking, urban design, safety and landscaping. The proposed vehicle access to the site is via a 6.4m wide crossover to Buckland Street. This width is consistent with the requirements of Design Standard 1 of the Planning Scheme. All car parking spaces are 4.9m long and 2.6m wide, accessed via a 6.4m wide accessway, which meets the Design Standards of Clause 52.06-9 of the Planning Scheme.

The accessible space is 2.4m wide and 5.4m long, designed in accordance with the requirements specified in AS/NZS 2890.6:2022, including the provision of a 2.4m wide shared area. Adequate provision has been made on-site for vehicles to enter and exit the premises in a forward manner. The proposed parking access and layout meet the relevant requirements.

Objectors raised concerns regarding pedestrian safety. To enhance safety measures, the design of the car parking area has been developed to facilitate vehicles entering and exiting the site in a forward motion. Additionally, the conditions of the permit will require that the driveway entry to the site incorporates a corner splay, which will ensure a clear view of pedestrians on the footpath of the adjoining roadway.

Concerns were raised within the objections regarding the landscaping design surrounding the car parking area including the impacts on overflow parking, lack of planting along boundaries and the absence of canopy trees. Landscaping elements, such as the incorporation of trees within the site, can be integrated into the landscape setback and the car park area. Furthermore, there is adequate space for the installation of canopy trees within the outdoor play area and the front setback. These trees will provide shade and diminish heat absorption. It is recommended a condition be included to ensure that the selected plant species significantly contribute to heat mitigation, enhance the environmental quality of the site, and are suitable for a childcare centre.

#### Whether the proposed use will have any adverse traffic impact

The proposed childcare centre will result in an increase in traffic to and from the site, particularly during the peak drop off and pick up times early and late in the day. Concerns were raised within the objections regarding the impact on the surrounding street network when considering existing traffic impacts from the other non-residential uses on in the area, the road width, existing on-street parking and the existing road condition.

The Traffic Impact Assessment Report (TIAR) prepared by O'Brien Traffic, dated 10 July 2025, states the childcare development has been assessed as likely to generate 40 trips to the site and 40 trips from the site during peak periods (based on 0.8 trips per child), which is relatively modest in the context of the site's location. It is acknowledged that there are peak traffic periods in the surrounding area that occur during school drop off times and when funerals occur at the cemetery. However, it is anticipated that the peak drop off and pick up times for the childcare centre will not occur at the same time as these other uses. Unlike a school where there are narrow windows of time for drop-off and pick up times to occur at specified times, these are more spread out for childcare centres and therefore less impactful on the road network. Also, due to the proximity to the primary school, parents may also drop

off their children at the childcare centre and school at the same time, creating multi-purpose trips to the area.

The data from the Traffic Impact Assessment Report (TIAR) indicates that the additional traffic generated by the proposed childcare centre is not expected to have a significant adverse impact on the safety or operation of Buckland Street or the surrounding road network. The additional traffic generated by the proposal is anticipated to have no significant adverse impact on the safety or operation of Buckland Street or the surrounding road network.

The application was referred to Council's Engineering Department, who reviewed the application and have supported the proposal subject to standard conditions. This review process includes consideration as to how the proposal may impact the surrounding road network from increased traffic movements to and from the development. Conditions have been included to reflect engineering plan requirements including for the road to be upgraded from East Street to the western boundary of the development.

Concerns were raised by objectors and further discussed in the Consultation Meeting in relation to the methodology of the TIAR in particular, an incomplete assessment of the surrounding street network from East Street. It is important to note that the TIAR and its specific requirements were requested by the Head, Transport for Victoria, who were referred the application in accordance with Planning Scheme requirements. This document was provided and TfV later indicated that they were supportive of the application.

Whilst it is acknowledged that the proposal would result in additional traffic along the road network, the review and support from both Council's Engineering Department and Transport for Victoria (who both hold specific traffic engineering and road network expertise) indicates that the road network is capable of accommodation the increased traffic numbers and would not result in any adverse impacts.

In summary, the proposal is consistent with the objectives and decision guidelines of the Neighbourhood Residential Zone. It serves local community needs, respects residential character and maintains compatibility with surrounding uses. The development is appropriately scaled, with suitable setbacks, landscaping, and provisions for parking, traffic, and loading.

### **Other matters**

Concerns were raised during the Consultation Meeting in relation to potential land contamination, based on the past activities of the previous landowner dumping some form of waste materials on the site during a period of time.

Clause 13.04-1S Contaminated and potentially contaminated land seeks to ensure that contaminated and potentially contaminated land use used and developed safely. This is of particular importance where sensitive land uses such as a childcare centre are proposed.

It is important to note that available mapping (Victoria unearthed) along with a review of previous permit history for the site has not indicated any site contamination. Based on the information available, the risk of contamination is likely to be low. Nonetheless, based on the nature of the proposed land use, a conservative approach should be adopted and a condition is proposed to be included on the permit requiring a Preliminary Risk Screen Assessment (PRSA) to be undertaken prior to the commencement of the use and development.

Onsite drainage was also raised as a concern by objectors and discussing during the consultation meeting. The application was referred to Council's Engineering Department who reviewed the proposal and have provided condition consent with no concerns raised.

Conditional consent has been provided on the basis that an on-site detention system is provided and for flow paths to be determined to ensure no neighbouring property is inundated from the approved development by being designed to pre-existing development levels. It is likely that the development of the site would result in an improved drainage outcome.

**Conclusion**

The proposed use and development of the land for a childcare centre at 23 Buckland Street, Woodend, is considered appropriate when the location of the site, and surrounding context. The design effectively addresses critical considerations including compatibility with the immediately adjoining residential use and development and the scale of development. The proposed childcare centre is well-aligned with the characteristics of the residential area, and the incorporation of adequate amenities, parking facilities, and waste management strategies ensures that the development will adequately meet the needs of the local community without resulting in adverse impacts.

While concerns have been raised regarding noise, amenity impacts, stormwater management, landscaping, and heat and shading, it is considered that these issues have been addressed as part of the application and through the proposed design response, and appropriate conditions can be implemented to mitigate these issues. Proposed mitigation measures include the installation of acoustic fencing, as well as the preparation of an engineering plan and a landscape plan that requires the inclusion of canopy trees.

In summary, the proposal represents a balanced planning outcome, facilitating the use and development of a child care centre while minimising environmental and amenity impacts.

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

| Planning Scheme Clause No.                  | Matter for which the permit has been granted                                                                         |
|---------------------------------------------|----------------------------------------------------------------------------------------------------------------------|
| 32.09-2<br>Neighbourhood Residential Zone   | Permit is required to use land for a childcare centre.                                                               |
| 32.09-10<br>Neighbourhood Residential Zone  | Permit is required to construct a building or construct or carry out works for a use in Section 2 of clause 32.09-2. |
| 42.01<br>Environmental Significance Overlay | A permit is required to construct a building or construct or carry out works.                                        |

#### Conditions to be included on Planning Permit

1. Before the commencement of the use or development, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be generally in accordance with the plans submitted with the application, but modified to show:
  - a) An amended Landscape Plan in accordance with Condition 3.
  - b) A corner splay to ensure a clear view of pedestrians, in accordance with the specifications of Design Standard 1 - Accessways under Clause 52.06-9. This may involve the relocation of the two canopy trees proposed on both sides of the entry to the driveway from Buckland Street.
  - c) Appropriate annotations detailing the height and specifications for acoustic treatment must be included, in accordance with the recommendations outlined in the acoustic report prepared by Efficient Energy Choice, to the satisfaction of the Responsible Authority.
2. The layout of the use and development must not be altered from the layout on the approved and endorsed plans without the written consent of the responsible authority.
3. Before the use or development commences a landscape, plan must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of this permit. The landscaping plan must be generally in accordance with the submitted landscape concept plan but modified to incorporate revisions required by other conditions of this permit in addition to the following:
  - a) A schedule of all proposed trees, shrubs/small trees and ground cover including the use of locally indigenous plant species where appropriate.
  - b) Paving, retaining walls, fence design details and other landscape works including areas of cut and fill.
  - c) At least three (3) new canopy trees within the front landscape strip and around the carpark area.
  - d) Indicative layout of the play equipment within the outdoor play areas.
  - e) Details and location of any shade structures and canopy trees (if any) within the outdoor play areas.
  - f) Provision of screen planting along the eastern boundary (where practical) of a suitable height to provide soften the development in terms of views from neighbouring properties.
  - g) The use of drought tolerant species.

h) The landscape strip along the eastern boundary of the car parking area shall be planted with adequate landscaping to soften the built form.

4. Prior to the commencement of the buildings and works associated with the use, the permit holder must provide:

A preliminary risk screen assessment (PRSA) under Part 8.3, Division 2 of the *Environment Protection Act 2017* which states that the site is suitable for the use and development allowed by this permit.

If a PRSA states an environmental audit statement is required, an environmental audit statement under Part 8.3, Division 3 of the *Environment Protection Act 2017* is required to be provided which states that the site is suitable for the use and development allowed by this permit or an environmental audit statement states that the site is suitable for the use and development allowed by this permit if the recommendations made in the statement are complied with.

5. Except with the prior written consent of the responsible authority, the use permitted by this permit must operate only between Monday to Friday 6:30am to 6:30pm.
6. Unless with the prior written consent of the Responsible Authority, deliveries to and from the site (including waste collection) must only take place between the hours of 7:00am to 6:00pm between Monday and Friday.
7. Unless with the prior written consent from the Responsible Authority, the number of children present on the property at any one time for the operation of the childcare centre must not exceed 100 children, to the satisfaction of the Responsible Authority.
8. Prior to the use commencing (or at an alternate timeframe agreed to in writing by the responsible authority), the landscaping shown on the approved landscape plan must be carried out and completed to the satisfaction of the responsible authority.
9. At all times the landscaping shown on the approved landscape plan must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of the responsible authority.
10. Before the use starts an acoustic fence must be erected along the northern, western and eastern boundaries (boundaries abutting residential properties) of the site to a minimum height of 1.8 metres above natural ground level. The design of the fence must be prepared in consultation with a suitably qualified acoustic engineer. The details of the design and acoustic qualities of the fence must be in accordance with the recommendations of the Acoustic report prepared by Energy Efficient Choices dated 3 April 2025 (or as amended) and to the satisfaction of the responsible authority.
11. Three (3) months after the commencement of use, an Acoustic Control report prepared by a suitably qualified professional and to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority.

Any additional noise mitigation measures the report recommends are required to be implemented to the satisfaction of the Responsible Authority within one (1) month of the assessment (or at an alternate timeframe agreed to in writing by the responsible authority), with further noise testing completed (following the implementation of additional noise measures) to demonstrate compliance with EPA regulations. When approved, the plan will be endorsed and will then form part of the permit. All activities forming part of the use must comply with the endorsed document.

12. The development and use hereby permitted must be managed so that the amenity of the area is not detrimentally affected, through the:
  - a) Transport of materials, good or commodities to or from the land;
  - b) Appearance of any building, works or materials;
  - c) Emissions of noise, artificial light, vibration, smell, fumes, smoke, vapor, steam, soot, ash, dust, waste water, waste products, grit or oil;
  - d) Presence of vermin.
13. At all times noise emanating from the land must comply with the requirements of the *Environment Protection Regulations 2021* (as amended from time to time) as measured in accordance with the Noise Protocol to the satisfaction of the responsible authority.
14. The development must be provided with external lighting capable of illuminating the access, carpark and building entry. All external lighting must be designed, baffled and located so as to prevent adverse effect on adjoining land, to the satisfaction of the Responsible Authority.
15. All security alarms or similar devices installed on the land must be of a silent type to the satisfaction of the Responsible Authority.
16. No exterior plant or equipment shall be placed on the roof of the development so as to be visible from surrounding properties, unless otherwise approved by the Responsible Authority.
17. Waste collection is to occur via a private contractor between 7pm and 8pm on weekdays only and must be in accordance with the endorsed Waste Management Plan prepared by Energy Efficient Choices dated 30 May 2025 to the satisfaction of the Responsible Authority.
18. All waste and recyclables must be stored in and collected from an area set aside for this purpose. This area must be graded, drained and screened from public view to the satisfaction of the responsible authority.

Before the use starts, a sign must be provided directing drivers to the area set aside for car parking to the satisfaction of the responsible authority. The area of each sign must not exceed 0.3 square metres. At all times, the sign must be located and maintained to the satisfaction of the responsible authority.

19. Before the use starts, the area set aside for the parking of vehicles and bicycles, and access lanes as shown on the endorsed plans must be:
  - a) constructed
  - b) properly formed to such levels that they can be used in accordance with the plans
  - c) surfaced with an all-weather-seal coat
  - d) drained
  - e) line marked to indicate each car space and all access lanes
  - f) clearly marked to show the direction of traffic along access lanes and driveways to the satisfaction of the responsible authority.

At all times car spaces, access lanes and driveways must be kept available for these purposes.

Once constructed, these areas must be maintained to the satisfaction of the responsible authority.

20. Air-conditioning and other plant and equipment installed on the subject building shall be positioned and baffled so that noise disturbance is minimised, to the satisfaction of the Responsible Authority.

21. No exterior plant equipment shall be placed on the roof of the development so as to be visible from a public road, to the satisfaction of the Responsible Authority.

### **Engineering Conditions**

22. Engineering Plans are to be submitted to the Macedon Ranges Shire Council Engineering Department for assessment and approval. The plans must include:
- a) All necessary computations and supporting design documentation for any structure, civil and drainage infrastructure and geotechnical investigation report.
  - b) Details of any cut and fill earthworks including retaining walls.
  - c) All levels as per the AHD.
  - d) Provision for all services and conduits (underground) including alignments and offsets.
  - e) New concrete crossover to be constructed as per Councils Standard drawing SD001 & SD004. The contractor must conduct a prestart meeting with Council's inspection engineer to discuss the crossover construction. The crossover design may change due to arborist recommendation.
  - f) The development is provided with legal point of discharge approved by the Responsible Authority and any other statutory authority from which approval must be received for the discharge of drainage.
  - g) All stormwater drains required to the legal point of discharge and which pass through lands other than those within the boundaries of the development must be constructed at no cost to the Responsible Authority.
  - h) Stormwater runoff from all buildings, tanks and paved areas must be drained to a legal point of discharge.
  - i) An underground on-site detention system is provided to ensure the 1% AEP post-development discharge is reduced to the 20% AEP pre-development discharge.
  - j) The flow paths of a 1% AEP storm are required to be determined, and the development is designed such that no neighbouring property is inundated.
  - k) Stormwater treatment infrastructure is included within the drainage design so that the objectives of the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999) are satisfied.
  - l) Car park plans showing layout, all dimensions, line marking, bollards, wheel stops, sealed internal access, pavement design, etc.
  - m) Road upgrade plans must be submitted with full depth pavement design with minimum of 60mm thick hot mix asphalt.
  - n) Buckland street must be upgraded (from the existing intersection of East Street to entire frontage of development) to minimum of 7.3m wide carriage way including kerb, channel and underground drainage.
  - o) Payment of the development plan checking and inspection fees.
23. Prior to the commencement of works, the approved Engineering plans must be completed to the satisfaction of Council.
24. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into drains or watercourses. Soil erosion control measures must be employed throughout the development works in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995) to the satisfaction of the Responsible Authority.
25. Before the development commences, a Construction Management Plan must be submitted to and approved by the Responsible Authority. The management plan must show:

- a) Measures to control erosion and sediment and sediment laden water runoff including the design details of structures;
- b) Dust control;
- c) Where any construction wastes, equipment, machinery and/or earth is to be stored/stockpiled during construction;
- d) Where access to the site for construction vehicle traffic will occur;
- e) The location and details of a sign to be erected at the entrance(s) of the site advising contractors that they are entering a 'sensitive site' with prescribed tree protection zones and fences.
- f) The location of any temporary buildings or yards.

Development works on the land must be undertaken in accordance with the endorsed Construction Management Plan to the satisfaction of the Responsible Authority.

26. Prior to the occupation of buildings, all work shown on the approved Engineering Plans must be constructed or carried out all to the satisfaction of the Responsible Authority.

#### **Environmental Health Conditions**

27. Comply with all requirements and recommendations contained within the Waste Management Report provided by Efficient Energy Choices, dated April 2025
28. Plant equipment and music playback on the land shall comply with EPA Publication 1826 Noise Limit and Assessment Protocol for the Control of Noise from Commercial, Industrial and Trade Premises and Entertainment Venues at all times.

#### **Permit expiry**

29. This permit will expire if one of the following circumstances applies:
- a) The development is not started within 2 years of the issued date of this permit.
  - b) The development is not completed within 4 years of the issued date of this permit.
  - c) The use does not start within 2 years of completion of the development or if the use is discontinued for a period of 2 years.

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

#### **Permit Notes:**

- Future owners of the land must be made aware of the existence of this permit.
- Siting will need to be assessed in relation to any Building Permit application, which may require alterations to the building design and/or an application for report and consent for dispensations in siting provisions under the Building Regulations. Any changes to the building design form approved on the planning Permit will require an amendment to the Planning Permit.
- The buildings and works hereby permitted shall accord with the requirements of any relevant Building Act, Building Regulations, Building Code of Australia and all any other relevant Acts, Regulations & Codes.

- Prior to the commencement of works, an “Asset Protection Permit” must be obtained from Council for any of the following circumstances:
  - Entering a building site by means of a motor vehicle having a gross weight exceeding two tonnes.
  - Occupying a road for works.
  - Connecting any land to a stormwater drain.
  - Opening, altering or repairing a road.
  - Opening, altering or repairing a drain.
  - Accessing a building site from a point other than a crossover.
  - Construct/repair/widen/remove any crossover

**12 CHIEF EXECUTIVE OFFICER REPORTS**

|                                   |                                                               |
|-----------------------------------|---------------------------------------------------------------|
| <b>CX.1</b>                       | <b>ANNUAL REPORT 2024-25</b>                                  |
| <b>Officer:</b>                   | <b>Travis Fitzgibbon, Manager Communications and Advocacy</b> |
| <b>Council Plan relationship:</b> | <b>4. Delivering strong and reliable government</b>           |
| <b>Attachments:</b>               | <b>Annual Report 2024-25 (under separate cover)</b>           |

**Summary**

Macedon Ranges Shire Council's Annual Report 2024-25 has been prepared in accordance with the requirements of the *Local Government Act 2020*.

The Annual Report 2024-25 provides an account of Council's performance in the previous financial year, including against the Council Plan and Budget for that year.

Presenting this publicly helps to keep residents, businesses, employees, stakeholders and other government agencies up to date on our performance and future direction.

**Recommendation****That Council:**

- 1. Receives the Annual Report 2024-25; and**
- 2. In accordance with Section 98 of the Victorian Local Government Act 2020, gives notice that the Annual Report 2024-25 has been prepared and that it will be available on Council's website and at Council offices.**

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**Background**

Macedon Ranges Shire Council's Annual Report informs our community of our performance for the financial year, 1 July 2024 to 30 June 2025. It also provides details of our operations, achievements and challenges. Performance is measured against how well we achieved our goals and objectives outlined in the Budget 2024-25 and Council Plan 2021–31 (Year Four).

The report's structure is guided by the Victorian Government's Local Government Performance Reporting Framework. It also includes the audited Performance Statement and Financial Statements.

**Discussion**

The Annual Report 2024-25 celebrates a range of achievements from the financial year, with a combination of strategic planning and efficient delivery against the context of what has been a challenging economic backdrop.

Among our key achievements was the opening of the Lancefield Children's Centre, a priority project for Council. Construction on the project began in January 2024 and despite a delay announced in April 2024 relating to the discovery of a cultural artefact on site, works resumed in September 2024 and the centre was officially opened in February 2025, just in time for a new school term.

The soft plastics kerbside recycling trial was a free pilot, delivered in partnership with the Australian Food and Grocery Council. It involved people signing up to collect special orange

collection bags, which once full of eligible soft plastics, are double-tied and placed into the yellow-lidded recycling bin for kerbside collection. Close to 10,000 kilograms of soft plastics was diverted from landfill through the pilot from the approximately 3,000 households involved.

The use of the Macedon Ranges Sports Precinct since officially opening in June 2024 has continued to grow, having become a focal point of community sport in the region, attracting nearly 85,000 participants in the first 12 months of operation. Several regional and state level tournaments have also taken place, which has given a welcome boost to the tourism sector.

Some other highlights to note are:

- 2024 Council Elections
- Community Choice Awards
- Delivery of key capital works projects
- More than 234,000 metres squared of sealed roads upgrades and maintenance carried out.
- More than 5,000 sealed road defects patched or repaired.
- More than 15,000 tonnes of waste diverted from landfill, saving an estimated \$1.45 million.
- More than 1.75 million bin collections made.
- More than 12,000 new native plants planted in conservation reserves.
- More than 786,000 visits at Council-managed aquatics, fitness and leisure sites.
- More than 4,000 people attended events/initiatives held for young people.
- More than 7,300 visitor enquires across Kyneton and Woodend visitor information centres and pop-up booths.
- 4,648 key age and stage developmental assessments made.

### **Consultation and engagement**

There has been internal consultation on the Annual Report. The Audit and Risk Committee approved the Financial Statements and Performance Statement.

### **Collaboration**

The Annual Report 2024-25 has been created in accordance with the Local Government Better Practice guide, which has been developed to help local government in meeting the statutory requirements for the preparation of the Annual Report

### **Innovation and continuous improvement**

Council submitted both the Annual Report 2022-23 and Annual Report 2023-24 in the Australasian Reporting Awards, achieving a Bronze Award each time. The awards process allows for feedback and best practice advice on achieving greater results in reporting.

The Financial Statements have been prepared in accordance with relevant Australian Accounting Standards and Financial Reporting Standards.

**Relevant law**

This report as presented meets the Legislative requirements of Section 100(1) and 18(1)(d) of the *Local Government Act 2020* (The Act) and was prepared in line with the requirements of Section 99 of The Act.

The Financial Statements have been prepared in accordance with Australian Accounting Standards.

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report. This is because the report is a retrospective account of completed actions and does not involve the development or review of a new policy, program or service with direct and significant public impact.

**Relevant regional, state and national plans and policies**

Nil.

**Relevant Council plans and policies**

ensure Council carries out its requirements in accordance with the Act, this report is provided to acquit those requirements. Delivering on these requirements ensures that Council delivers on its priority of strong and reliable government.

The Annual Report reflects the outcomes of projects and programs outlined in the Council Plan 2021–31 (Year Four) and the Annual Budget 2024-25.

**Climate Impact Assessment**

How will the recommendation impact on Council's energy usage and greenhouse emissions profile? Receiving the Annual Report 2024-25 will not impact on Council's energy usage and greenhouse emissions profile.

How will the recommendations mitigate risks posed by climate change to Council operations and services? Receiving the Annual Report 2024-25 will not directly impact on the mitigation of risks posed by climate change to Council's operations and services.

How will the recommendation help to prepare the community for future climate scenarios? Receiving the Annual Report 2024-25 will not directly prepare the community for future climate scenarios.

**Financial viability**

In terms of financial sustainability, the Financial Statements within the report indicate that the Council remains in a strong financial position.

**Sustainability implications****Nil. Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

**13 CORPORATE REPORTS**

|                                   |                                                                                                                                                                                                                                                                                                                                                  |
|-----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>COR.1</b>                      | <b>DRAFT INTEGRATED STRATEGIC PLANNING DOCUMENTS FOR ADOPTION</b>                                                                                                                                                                                                                                                                                |
| <b>Officer:</b>                   | <b>Alison Elliott, Acting Coordinator Performance and Assurance</b>                                                                                                                                                                                                                                                                              |
| <b>Council Plan relationship:</b> | <b>4. Delivering strong and reliable government</b>                                                                                                                                                                                                                                                                                              |
| <b>Attachments:</b>               | <ol style="list-style-type: none"> <li><b>1. Shaping the Ranges 2025-2035 (under separate cover)</b></li> <li><b>2. Financial Plan 2025-2035 (under separate cover)</b></li> <li><b>3. Asset Plan 2025-2035 (under separate cover)</b></li> <li><b>4. Shaping the Ranges Year 1 Action Plan and Indicators (under separate cover)</b></li> </ol> |

**Summary**

The Community Vision, Council Plan, Financial Plan and Asset Plan form part of the Strategic Planning and Financial Management Framework, as outlined in the sections 88 through 92 of the *Local Government Act 2020* (the Act). The Act requires that these documents be adopted by 31 October in the year following a general election.

Shaping the Ranges 2025-2035 brings together two key elements required by the *Local Government Act 2020* (Community Vision and Council Plan), as well as the priority areas and actions required by the *Public Health and Wellbeing Act 2008* and the *Disability Act 2006* which were previously covered by the standalone Municipal Public Health and Wellbeing Plan and Disability Action Plan, respectively.

To satisfy the legislative requirements of the Acts mentioned above, this report seeks Council to adopt this suite of integrated strategic planning documents that guide long-term planning, decision-making and resource allocation for the benefit of the community.

**Recommendation****That Council:**

- 1. Adopts the following documents prepared in accordance with the Local Government Act 2020, the Public Health and Wellbeing Act 2008 and the Disability Act 2006, and gives public notice of its decision:**
  - (a) Shaping the Ranges 2025-2035**
  - (b) Financial Plan 2025–2035**
  - (c) Asset Plan 2025–2035**
- 2. Endorses the Shaping the Ranges Year 1 Action Plan, including the Strategic Indicators, as attached to this report.**
- 3. Responds to all submitters to the consultation processes, in accordance with Council's Community Engagement Policy.**
- 4. Notes that the adopted documents will replace the following documents:**
  - (a) Community Vision 2021-2031 and Council Plan 2021-3031**
  - (b) Municipal Health and Wellbeing Plan 2021-2025**

- (c) Disability Action Plan 2021-2025
- (d) Financial Plan 2021–2031
- (e) Asset Plan 2021–2031

## Background

Under the *Local Government Act 2020*, the *Public Health and Wellbeing Act 2008* and the *Disability Act 2006* Council is required to develop and adopt a suite of integrated strategic planning documents that guide long-term planning, decision-making and resource allocation for the benefit of the community.

This includes the Community Vision, Council Plan, Municipal Public Health and Wellbeing Plan, Disability Action Plan, Financial Plan, Asset Plan, Revenue and Rating Plan, and Annual Budget.

These documents provide a clear framework to ensure Council delivers services and infrastructure in line with community priorities, financial sustainability, and legislative obligations. The draft *Shaping the Ranges* Plan brings four of these elements together, acting as the key strategic planning document that directs all Council strategy and the allocation of resources.

The suite of documents that form Council's integrated strategic planning framework must be adopted within one year following a general election and be reviewed and updated in consultation with the community.

An overview of the Integrated Strategic Planning Framework is as follows:

Integrated Strategic Planning Framework



## Discussion

The draft *Shaping the Ranges* Plan integrates four key strategies required by legislation:

- **Community Vision** – expressing the aspirations of our community for the future of the shire.
- **Council Plan** – outlining strategic directions in response to local needs and priorities.
- **Municipal Public Health and Wellbeing Plan** – guiding efforts to improve and protect public health and wellbeing.

- **Disability Action Plan** – identifying practical steps to remove barriers, support access and participation, and promote inclusive attitudes.

These elements have been brought together to create one clear, community-focused Plan that not only satisfies legislative requirements but strengthens Council's commitment to:

- ensuring the Community Vision shapes all that we do; and
- embedding health, wellbeing, inclusion and access across services and decision-making.

The Plan sets out who we are as a community, how we live, what matters to us, and how Council will respond over the next decade - including examples of key projects and delivery priorities. It also guides the development of other operational plans, strategies, and annual budgets.



Source: Draft *Shaping the Ranges* 2025-2035

Council's Financial Plan and Asset Plan 2025-2035 are the documents that set out the long-term strategic allocation of resources to meet the ambitions set out in the *Shaping the Ranges* plan and should link clearly to the goals and aspirations in the plan.

Council's Revenue and Rating Plan 2021- 2035 was adopted at the June 2025 meeting of Council, and is also a key element of the framework, setting out Council's approach to how we generate income. This was done together with the Budget 2025-26, which is the last budget to respond to the current Council Plan and Community Vision prior to this update.

Council's Workforce Plan is the remaining element of the framework, and responds to the strategic documents adopted by Council. It will be reviewed and adopted internally by the end of 2025.

### Draft Shaping the Ranges

The Community Vision was refreshed as part of the Community Assembly process. This representative group, acting on behalf of the broader Macedon Ranges community, worked together over several weeks where participants took part in structured workshops and they explored key challenges and opportunities, informed by expert input and a diversity of perspectives.

As part of this process, the Assembly reviewed the original 2021–2031 Community Vision statement:

*“With our unique regional identity, Macedon Ranges Shire embodies a caring, resilient approach to community through our robust local economy, protection of the natural environment and a collaborative commitment to inclusivity for all.”*

Using this as a foundation, a renewed Community Vision was proposed by participants at the assembly to reflect the community's priorities for the next 10 years.

*“A regional community protecting the environment, supporting local businesses and caring for our people.”*

Underpinning this, using input from a variety of public consultations, targeted sessions, and the outputs of the Assembly, five strategic directions were developed.

These directions express a future in which all people feel they belong, can participate, and help shape the future of the shire, consistent with the Vision. While they are not mutually exclusive, the strategic directions provide a framework to guide Council's planning, decision-making, service delivery, investment, and how we monitor and report on our success.

The refreshed Vision and themes support the Shaping the Ranges Plan and inform all aspects of the Integrated Strategic Planning and Reporting Framework.



Source: Draft *Shaping the Ranges* 2025-2035

### Draft Financial Plan

The Draft Financial Plan 2025-2035 outlines Council's long-term approach to managing its financial resources responsibly and sustainably over the coming years. It sets the strategic framework for funding essential services, maintaining and renewing infrastructure, and delivering community priorities. The plan reflects Council's commitment to sound financial stewardship, ensuring that decisions made today support the wellbeing and growth of the community into the future.

In addition to guiding annual budgets, the Financial Plan provides transparency around projected income, expenditure, asset management, and debt levels. It incorporates key assumptions about economic conditions, service demands, and capital investment needs. By aligning with Council's broader strategic objectives and community vision, the plan helps ensure that resources are allocated effectively and equitably across the municipality.

The Financial Plan is reviewed regularly as part of Council's Budgeting and Financial Management Processes.

#### Draft Asset Plan

The Draft Asset Plan 2025–2035 provides Council and the community with a clear picture of how Council will sustainably manage and invest in its \$1.6 billion asset base over the next decade. It sets out the long-term approach to maintaining, renewing, expanding and upgrading infrastructure such as roads, bridges, drainage, buildings and open space.

The Plan aligns asset decisions with community priorities identified in *Shaping the Ranges 2025–2035* and ensures that investment is financially responsible, risk-based and responsive to changing needs. It outlines projected asset demand, renewal challenges and funding requirements, balancing affordability with the need to provide safe, reliable and climate-resilient infrastructure. By embedding lifecycle planning, climate adaptation, and accessibility considerations, the Draft Asset Plan strengthens Council's ability to deliver sustainable services.

#### **Consultation and engagement**

The development and exhibition of the Shaping the Ranges Plan, Financial Plan and Asset Plan and supporting strategic documents are guided by Council's *Community Engagement Policy*. This policy aligns with the *Local Government Act 2020*, ensuring engagement is meaningful, inclusive and appropriate to the level of impact.

Consistent with the policy and legislative requirements, the engagement process to develop and refine the draft Integrated Strategic Planning and Reporting documents included:

- Deliberative engagement with a Community Assembly to deliver a new community vision and develop the five strategic directions (themes) for Shaping the Ranges 2025-2035.
- Targeted stakeholder engagement, including briefings and workshops with key groups and advisory committees.
- Two formal consultation periods, during which the community provided written feedback.
- Public display of all draft documents via Council's online engagement platform, Your Say, supported by access to hard copy versions of all materials.
- Promotion through local print and digital channels, including media releases, social media, newsletters and local newspapers.
- Accessible engagement materials, provided in multiple formats to meet diverse needs.

This engagement approach ensured the community had access to relevant and timely information, a range of opportunities to participate, and a clear understanding of how their feedback will influence final decisions.

All feedback received during the consultation period has been considered and summarised in a follow-up report to Council. This report outlined proposed changes to the draft documents prior to seeking formal adoption.

**Collaboration**

The development of the *Shaping the Ranges* Plan and associated integrated strategic planning documents has involved collaboration with a range of local and regional organisations.

Collaboration was undertaken through both formal and informal engagement processes, including participation in deliberative engagement activities, targeted workshops, and stakeholder meetings.

Traditional Owner groups contributed to shaping the Community Vision and Council Plan through targeted engagement, ensuring cultural knowledge and community perspectives were meaningfully included.

This collaborative approach has supported the development of a more inclusive and community-aligned strategic framework.

**Innovation and continuous improvement**

The development of the draft *Shaping the Ranges* Plan reflects Council's commitment to continuous improvement through the consolidation of key strategic documents into a single, integrated format. This approach enhances clarity, reduces duplication, and makes it easier for the community to understand Council's long-term direction and priorities.

**Relevant law**

The preparation and public exhibition of the Draft *Shaping the Ranges* Plan and its supporting documents are undertaken in accordance with the *Local Government Act 2020*.

This includes specific requirements under Part 4 of the Act relating to the development of:

- Community Vision (Section 88)
- Council Plan (Section 90)
- Financial Plan (Section 91)
- Asset Plan (Section 92)

The Municipal Public Health and Wellbeing Plan component is prepared in line with the *Public Health and Wellbeing Act 2008*, which requires Council to outline goals and strategies to improve health and reduce inequalities.

The Disability Action Plan component supports compliance with the *Disability Act 2006*, which requires Councils to prepare and implement a plan to reduce barriers to inclusion for people with disability.

This report also recognises Council's obligations under the *Charter of Human Rights and Responsibilities Act 2006*, ensuring the rights of all community members, particularly those who may be vulnerable or marginalised are considered in the development and implementation of these plans.

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment has been conducted in relation to the subject matter of this report, and the findings of these assessments have been included across the suite of Plans and documents that make up the Integrated Strategic Planning framework.

**Relevant regional, state and national plans and policies**

The development of the *Shaping the Ranges* Plan and associated strategic documents has considered alignment with the following regional, state and national frameworks:

- Victorian Public Health and Wellbeing Plan 2023–2027 – guiding priorities for health promotion and equity across Victoria

### Relevant Council plans and policies

The development of these documents has been prepared in line with Council's Community Engagement Policy and supports the continued delivery of Council's Integrated Strategic Planning and Reporting Framework, ensuring alignment between community priorities, strategic direction, and resource planning.

#### Climate Impact Assessment

How will the recommendation impact on Council's energy usage and greenhouse emissions profile?

The recommendation supports long-term planning and resource alignment through the Draft *Shaping the Ranges* Plan, which includes a strong focus on climate resilience and sustainability. It embeds environmental outcomes across Council's strategic framework, reinforcing the direction set by Council's *Zero Net Emissions Plan* and contributing to a reduced emissions profile through informed service planning, infrastructure decisions, and project prioritisation.

How will the recommendations mitigate risks posed by climate change to Council operations and services?

By integrating climate goals into the Council Plan and Asset Plan, the recommendation enhances Council's capacity to assess and address climate-related risks. This includes adapting assets for climate resilience, supporting sustainable land use and building design, and aligning future service delivery with climate risk assessments as outlined in the *Climate Emergency Plan*.

How will the recommendation help to prepare the community for future climate scenarios? The integrated strategic documents will guide investment in programs and partnerships that support community adaptation, awareness, and behaviour change. Through collaboration with local groups and delivery of climate-focused initiatives, the Plan will help build a more informed and resilient community, prepared to respond to and recover from future climate-related challenges.

### Financial viability

The preparation and public exhibition of the draft Integrated Strategic Planning and Reporting documents has been resourced within existing operational budgets. No additional funding is required to support this stage of the process.

The long-term financial implications of the proposed plans including service delivery, infrastructure investment, and asset renewal are captured in the draft *Financial Plan 2025–2035* and Council's Annual Budgets. These documents have been developed to ensure alignment with Council's financial sustainability principles.

### Sustainability implications

The Draft *Shaping the Ranges* Plan integrates social and environmental sustainability. The plan promotes inclusion, equity and wellbeing through its focus on access, health, and community resilience. It also supports environmental sustainability by embedding climate action, natural resource management and emissions reduction goals into the Council Plan, Financial Plan, and Asset Plan.

These documents have been designed to strengthen Council's commitment to sustainable outcomes across the next 10 years.

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

|                                   |                                                     |
|-----------------------------------|-----------------------------------------------------|
| <b>COR.2</b>                      | <b>INNOVATION COMMITTEE - UPDATE</b>                |
| <b>Officer:</b>                   | <b>Adele Drago-Stevens, Director Corporate</b>      |
| <b>Council Plan relationship:</b> | <b>4. Delivering strong and reliable government</b> |
| <b>Attachments:</b>               | <b>Nil</b>                                          |

### Summary

This report provides an update on Council's resolution 2025/82 of 23 July 2025 (regarding the exploration of an Innovation Committee as an Advisory and Investigatory Committee of Council.

Councillors were briefed on 14 October 2025 and have provided feedback supporting the continued progression of this initiative. Councillors expressed interest in exploring opportunities for informal external collaboration to encourage innovative thinking and process improvement.

Work has now commenced to scope the approach, intent, operating framework, and alignment with Council's strategic priorities of this group. A draft Terms of Reference (ToR) is being developed for future Council consideration.

### Recommendation

#### That Council:

- 1. Notes the progress made towards the establishment of the proposed Innovation Committee in accordance with the Council resolution of 23 July 2025 (Resolution 2025/82).**
- 2. Requests that a further report be presented to Council, including the proposed approach and implementation plan, no later than the end of February 2026.**

---

### Background

At its meeting on 23 July 2025, Council resolved to explore the establishment of an Innovation Committee as an Advisory and Investigatory Committee of Council. The intent of the Committee is to investigate and provide recommendations on efficiency, oversight, service innovation, customer satisfaction and public value.

The resolution also requested that the CEO present a draft Terms of Reference to Council in October 2025 for consideration.

This report provides an update on this exploration with Councillors including the approaches under consideration.

### Discussion

Council passed Resolution 2025/82 in July 2025 requesting exploration of establishing an Innovation Committee. Councillors had expressed the desire for a forum to think differently about how Council delivers services, keep costs under control, and improves the customer experience.

This intent is reinforced by the desire of Council to limit increases in fees and charges for our community by scrutinising all alternatives (i.e. savings, revenue alternatives, and

efficiencies) to the extent possible. The aim is to help Council to “do things smarter” while minimising additional cost to the community.

Councillors were briefed on 14 October 2025 and presented with several models including formal and informal committees and alternative approaches with this intent in mind. Discussions covered approaches and models that allows both formal and informal avenues for innovation, and that are not burdensome on the organisation, while providing a safe and supported space to explore and test ideas.

It was noted during discussions that while an internal committee structure would provide formal governance and accountability, there is also value in facilitating informal working groups, and including external and informal collaboration from our community and external experts.

The CEO and Director Corporate have commenced work to shape a framework that responds to this feedback and balances the role of any future group or with the existing roles of Council and staff under the *Local Government Act 2020*.

The Terms of Reference are in preparation, with the aim to outline mechanisms for Councillors and staff to bring forward ideas, assess proposals, and report outcomes to the community through regular updates.

A framework including the purpose and scope, Terms of Reference, the plan to implement and operationalise the group, the proposed initial ‘work plan’, and reporting arrangements, is being prepared with this in mind, and consistent with *Local Government Act 2020* and Council’s Governance Rules.

A report is proposed to be brought to Council early in the 2026 calendar year to adopt the framework and the relevant documentation to implement the Innovation Committee (or its equivalent).

### **Consultation and engagement**

Initial consultation has occurred through Councillor Briefing discussions. Further engagement will occur with the Executive Leadership Team and Councillors in developing the draft Terms of Reference to ensure alignment with Council’s expectations and statutory obligations.

### **Collaboration**

Collaboration with other councils and sector bodies is being explored as part of developing the framework to benchmark best-practice approaches to innovation practice and governance.

### **Innovation and continuous improvement**

The exploration of an Innovation Committee demonstrates Council’s commitment to continuous improvement, evidence-based decision-making and innovation in service delivery.

### **Relevant law**

The *Local Government Act 2020* provides the statutory basis for Advisory Committees of Council and outlines Council’s powers and responsibilities for such committees. Consideration must also be given to s46 of *Local Government Act 2020* to ensure that any future Committee does not manager operations or direct staff.

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to this report. An assessment is being undertaken on the proposed framework and its implementation.

**Relevant regional, state and national plans and policies**

Not applicable to this report.

**Relevant Council plans and policies**

This initiative aligns with the Council Plan and supports continuous improvement and delivering good community value.

**Climate Impact Assessment**

Not applicable to this report.

**Financial viability**

No financial implications arise from this update. Resource requirements to support the development of the framework and any bodies or governance requirements will be met within existing budgets. However, the establishment of any new body or group may require dedicated resourcing. This will be included in the development of the framework and brought to Council as part of this future report.

**Sustainability implications**

Not applicable to this report.

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

|                                   |                                                     |
|-----------------------------------|-----------------------------------------------------|
| <b>COR.3</b>                      | <b>CONTRACTS TO BE AWARDED AS AT OCTOBER 2025</b>   |
| <b>Officer:</b>                   | <b>Ilsa Melchiori, Coordinator Contracts</b>        |
| <b>Council Plan relationship:</b> | <b>4. Delivering strong and reliable government</b> |
| <b>Attachments:</b>               | <b>Nil</b>                                          |

### Summary

This report provides details of contracts proposed to be awarded under a delegation from Council, from the date of the last report. Although this report recommends noting the power delegated to Council officers, Council has the power to:

- a) direct that the Chief Executive Officer (CEO) award the contract under the direct delegation from Council; or
- b) specifically delegate the power to the CEO.

### Recommendation

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

- 1. C2026-118 Shire Wide Bridges & Culverts Maintenance**
- 2. C2026-119 Shire Wide Footbridges Refurbishment Works**

### Background information

Council's delegated authority to its officers to award a contract is controlled by the financial value of the contract. The various financial limits of the authority are specified in Council's Procurement Policy.

### Opportunity to review delegated authority

This report provides Council with a summary of proposed contracts, which are being advertised and indicates whether delegated authority to award the contract exists.

| <b>C2026-118 Shire Wide Bridges &amp; Culverts Maintenance</b>                                                                                                  |                                                                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|
| Maintenance works are being carried for Bridges are culverts across the shire based on recommendations from recent Level 2 and Level 3 inspection and priority. |                                                                    |
| <b>Compliance Requirements</b>                                                                                                                                  | <b>Budget Impacts</b>                                              |
| The contract is within the \$1 million financial delegation of the Chief Executive Officer                                                                      | Budgeted Value (excl. GST) \$300,000.00 over a 5-month 4-day term. |

| <b>C2026-119 Shire Wide Footbridges Refurbishment Works</b>                                                                            |                                                                    |
|----------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|
| Maintenance works to existing footbridges across the shire are being carried out based on severity condition and strategic importance. |                                                                    |
| <b>Compliance Requirements</b>                                                                                                         | <b>Budget Impacts</b>                                              |
| The contract is within the \$300K financial delegation of a Director.                                                                  | Budgeted Value (excl. GST) \$200,000.00 over a 5-month 4-day term. |

As part of Council's procurement processes, several controls are implemented to ensure the risks are identified and managed. For the contracts to be awarded in this report, that includes the following measures:

- Conflict of Interest Declarations – Officers must disclose conflicts before participating in procurement decisions or panels.
- Competitive Bidding – Transparent public tendering with multiple suppliers was undertaken for all contracts and are required for contracts above the \$1m financial delegation limit of the CEO to ensure competition and transparency.
- Legal & Probity Review – Contract Coordinator reviews of each contract before execution.
- Performance Monitoring – KPIs and regular reviews, milestone tracking and monitoring for compliance with grant requirements where applicable for each approved contract.
- Public Disclosure Requirements – Contract awards are published in Council's Annual Report.
- Delegation Limits – All approvals are per the Procurement Policy and clearly defined specific financial thresholds the CEO can approve.
- Regular Reporting – the CEO submits periodic reporting on contracts for monitoring.
- Procurement Compliance – Training, audits, and adherence to policies is undertaken for all officers and steps in the process.

### **Consultation and engagement**

The nature of this report does not require any consultation or community engagement.

### **Collaboration**

The nature of this report does not require collaboration with other councils, governments or statutory bodies.

### **Innovation and continuous improvement**

Council reviews its Procurement Policy regularly, in accordance with the *Local Government Act 2020*. These reviews consider options for innovation and are part of continuous improvement processes.

### **Relevant Law**

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report.

**Relevant regional, state and national plans and policies**

There are no regional, state or national plans and policies that are relevant to the subject matter of this report.

**Relevant Council plans and policies**

Council's Procurement Policy requires staff to procure goods, services and works from suppliers who actively employ sustainable practices in their operations.

**Financial viability**

Funds for all contracts to be awarded, as listed above, have been provided in the capital and operational budget and future annual budgets.

**Sustainability implications**

Council's Procurement Policy requires staff to procure goods, services and works from suppliers who actively employ sustainable practices in their operations.

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

|                                   |                                                                                                   |
|-----------------------------------|---------------------------------------------------------------------------------------------------|
| <b>COR.4</b>                      | <b>FIRST RIGHT OF REFUSAL - FORMER RIDDELLS CREEK CFA STATION AT 67 MAIN ROAD, RIDDELLS CREEK</b> |
| <b>Officer:</b>                   | <b>Hayley Drummond, Coordinator Property and Valuations</b>                                       |
| <b>Council Plan relationship:</b> | <b>4. Delivering strong and reliable government</b>                                               |
| <b>Attachments:</b>               | <b>Site Map - 67 Main Road, Riddells Creek <a href="#">↓</a></b>                                  |

### Summary

Council has been presented with an opportunity, under the Victorian Government's First Right of Refusal (FRoR) process, to express interest in acquiring the former Riddells Creek CFA Station, located at 67 Main Road, Riddells Creek. This report outlines key information about the site, details the statutory processes involved, and presents potential options for Council's consideration regarding future use or advocacy related to the property.

### Recommendation

#### That Council:

- 1. Endorses declining the offer to enter negotiations to acquire the former CFA Station site at 67 Main Road, Riddells Creek.**
- 2. Writes to The Hon Mary-Anne Thomas MP, Member for Macedon, and relevant Ministers, requesting**
  - (a) thorough consideration of community preferences for the site, and**
  - (b) ongoing engagement with Council and the community on its future use.**

### Background

Council received notification from Department of Energy, Environment, and Climate Action (DEECA) to register Councils interest for the First Right of Refusal process for the Riddells Creek CFA Station located at 67 Main Road, Riddells Creek.

The CFA have been seeking an alternative site for a new CFA Fire Station for many years in Riddells Creek, including identifying a site at the Riddells Creek Recreation Reserve that did not proceed. In 2023 they purchased a property at 180 Main Road Riddells Creek on a site of approximately 4000 square metres where they are currently obtaining a planning permit for a new fire station.

On the basis that the new CFA fire station will proceed (subject to the planning permit) , the State Government have identified the existing site as suitable for sale, with the existing fire station to be decommissioned in late 2026.

### Discussion

#### First Right of Refusal Process

Every year, Victorian Government agencies declare a significant number of properties as surplus to requirements. Under the First Right of Refusal (FRoR) process, this surplus land must first be offered for sale/transfer to other Victorian government agencies, local governments, and Commonwealth government agencies before it is offered for sale/transfer outside government.

Agencies and local government then have 60 days to express interest in acquiring the surplus land for a public or community purpose.

If no expression of interest is received within 60 days, then the land may be disposed in accordance with the *Victorian Government Land Transactions Policy and Guidelines* either through a public auction or EOI process. Council was notified on 31 August 2025 that this property was listed on the FroR, and the closing date for Council to respond is 24 October 2025.

### Description of Site

The existing fire station was constructed in 1984 and is approximately 250 square metres. The land is zoned Public Use Zone and has a total area of 2,249.44 m<sup>2</sup>. It is located approximately 190m northeast of Station Street, along Main Road. Immediate neighbours are the Riddells Creek Primary School, Lions Club Reserve, Riddells Creek Police Station and St Ambrose Catholic Church. Across the Main Road are residential properties. Improvements on the site comprise a purpose-built Fire Station with two additional outbuildings.

### Budget

The Victorian Government has provided a confidential estimate of the value of the site to Council as part of the First Right of Refusal process. This valuation is an estimate only and could vary considerably with a formal valuation, however, the provided valuation is significant and would require Council to reprioritise its budget to proceed.

There is no current allocation of funding in budgets for unplanned property acquisition. Consequently, any funding would require referral to a future budget process. This is not currently supported, as there is not a strong strategic alignment to a Council strategy or plan for the acquisition of this site.

### Other Information, Current Buildings and Zoning

Improvements on the site comprise a purpose-built Fire Station with two additional outbuildings. The site is being sold because it is no longer fit for purpose as a CFA Fire Station. The land is zoned PUZ1 which has the public land use purpose of Service and Utility. This may need to be rezoned depending on the new proposed use at the site.

Environmental testing will be undertaken by CFA closer to the date of being decommissioned to report on if the site has any contamination etc., and this risk was considered during the assessment.

### Strategic Planning – Future development of Riddells Creek

Riddells Creek is identified to accommodate a significant amount of growth over the next 25 years. The Amess Road Precinct Structure plan was recently approved by the State Government that will provide around 1360 dwellings and accommodate an additional 3800 people. There is also land to the south of the railway line that is identified as an investigation area for future longer-term growth of Riddells Creek.

A new Council-owned community centre will be delivered as part of the Amess Road Precinct Structure Plan.

### Further Considerations

Council officers have explored potential options and assessed the strategic alignment of the proposed site with identified future community needs. In line with Council's current approach to community facilities, it is recommended that no additional buildings be acquired at this time due to ongoing budget constraints and the significant maintenance demands associated with Council's existing building asset portfolio. Furthermore, priority should continue to be given to optimising the use of, and investing in, the upgrade of existing facilities.

There are also significant limitations associated with the existing site, including the building's configuration as a fire station, which would require substantial redesign and fit-out to make it suitable for use as a community facility. Additionally, as previously noted, a new, purpose-built Council-owned community centre is planned for construction as part of the Amess Road Precinct Structure Plan.

Given these factors, no strong strategic need for Council to purchase the site has been identified.

### Advocacy

Despite recommending not proceeding with negotiations for acquiring the site, officers recognise that there is an important role for Council in advocating on behalf of the community to the State Government.

Council acknowledges that the Riddells Creek Men's Shed have been advocating for a site in Riddells Creek for some time. Council will therefore be advocating that the State Government consider the community's preferences for this site, including consideration of assigning management to the Riddells Creek Men's Shed, and that the Victorian Government continues to work closely with the community and Council on its future use.

Officers also recommend writing formally to local Member, Mary-Ann Thomas MP, and Ministers for Planning and Finance (the Hon Sonya Kilkeny MP and the Hon Danny Pearson MP, respectively) to advocate for proper consideration of the community's needs in the future treatment of the site, and in support of those already identified.

### **Consultation and engagement**

When acquiring land, Council must comply with obligations under both the *Local Government Act 1989* and the *Local Government Act 2020 (LGA 2020)*. Any acquisition must be strategically justified, aligning with Council's adopted plans and demonstrating clear community benefit. Governance requirements include a formal Council resolution to proceed.

Under s189 of the *Local Government Act 1989*, which remains in force regarding land acquisitions, Council must also publish a public notice of its intention to acquire the land and consider any submissions before making a final decision. Community engagement would be required if an acquisition was proposed and likely to have a significant community impact.

### **Collaboration**

Council is committed to ongoing engagement with the Victorian Government to ensure the best possible outcome for the site.

### **Innovation and continuous improvement**

Bringing offers as part of the FROR to Council for decision at a public meeting where they are strategically important improves public transparency and understanding of the rationale and advice to Council as part of these processes.

**Council, by advocating to the Victorian Government, can also ensure that community feedback is incorporated into both the current and long-term plans for this site to improve longer-term outcomes. Relevant law**

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not undertaken in relation to the subject matter of this report.

**Relevant regional, state and national plans and policies**

The First Right of Refusal Process is a Victorian government policy, which establishes a requirement that the Victorian government agencies must first offer to sell surplus land to other Victorian government agencies, Traditional Owners, local government agencies or the Commonwealth, before it can be sold to the public.

**Relevant Council plans and policies**

There is an opportunity for Council to provide the Minister with information regarding how future considerations for this site may align with Council's policies to support our community, for example social housing. However, Council currently has no strategy or plans that support the acquisition of this site for a community purpose.

**Climate Impact Assessment**

A Climate Impact Assessment is not required for this report.

**Financial viability**

The scale and variety of facilities at the site would mean considerable investment required for acquisition, ongoing maintenance, and/or works to reprogram the premises for Council services.

Council currently has no funding allocated for this purpose; and an acquisition of this nature is not included in any long-term financial planning.

Advocacy as outlined for future use of this site can be met within Council's current operational budget. Any additional advocacy efforts or planning may require funding through future budget processes.

**Sustainability implications**

By advocating to the Victorian Government, Council can ensure that community feedback shapes the site's future, aligning with long-term community needs and sustainability goals.

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.



**14 COMMUNITY REPORTS**

|                      |                                                                                     |
|----------------------|-------------------------------------------------------------------------------------|
| <b>COM.1</b>         | <b>THE NEXT GENERATION OF YOUTH MENTAL HEALTH PROMOTION IN MACEDON RANGES SHIRE</b> |
| <b>Officer:</b>      | <b>Mia Lobe, Youth Mental Health Programs Lead</b>                                  |
| <b>Council Plan</b>  | <b>2. Healthy environment, healthy people</b>                                       |
| <b>relationship:</b> | <b>4. Delivering strong and reliable government</b>                                 |
| <b>Attachments:</b>  | <b>Additional Mental Health Programs and Supports <a href="#">↓</a></b>             |

**Summary**

Council currently allocates 70 percent of its total Youth Mental Health budget on the delivery of the Live4Life Program, which began in 2010.

In response to stakeholder feedback, Council engaged a consultant to deliver an independent evaluation of the program, seeking to understand the experiences of schools and other stakeholders, the outcomes of the program over the past 15 years, and support Council to consider future delivery in the shire.

This report presents the findings from the evaluation of the Live4Life Program, including information on Council's financial investment to deliver the program.

This report acknowledges the outcomes of the Live4life Program over the past 15 years, in addition to presenting data that highlights the need for the program to innovate and evolve, strengthen delivery to meet stakeholder needs, and further improve youth mental health outcomes in the future.

**Recommendation****That Council:**

- 1. Co-designs the next generation approach for addressing youth mental wellbeing in partnership with Youth Live4Life, key stakeholders and local young people.**
- 2. Transitions from the current Live4Life model by December 2025 to ensure current resources can be effectively utilised towards successfully co-designing the next phase of youth mental health promotion in partnership with stakeholders.**

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**Background**

The Live4Life Program was established in the Macedon Ranges Shire in 2010, as a local, community-led response to rising concerns about youth mental health, including depression, anxiety, self-harm, and suicide. The original program was developed and delivered by Macedon Ranges Shire Council. The program has been delivered annually in partnership with local secondary schools and community organisations.

In 2016 Youth Live4Life was incorporated becoming an organisation and taking leadership with the intent to scale the delivery of the program across Victoria. At this time, Macedon Ranges Shire transitioned to being a lead agency for its local implementation under partnership agreement with Youth Live4Life.

In 2017, an aspect of the model changed; the mental health education component, which was previously co-designed and youth-led, was transitioned to an accredited Teen Mental Health First Aid model. This came with additional cost, and less flexibility to adapt the model across different schools.

Some schools have exited the program in recent years, noting it did not meet their needs (such as Bullengarook Specialist School), and there has been feedback from current schools that they may look to also exit the program in the near future.

The program was delivered in the following schools in 2024-25 Financial Year:

- Braemar College
- Gisborne Secondary College
- Sacred Heart College

Council currently allocates \$147,499 to the delivery of the Live4Life Program, this is inclusive of staff salaries and program costs.

Council has been proud to have initiated the program, supported its early successes, and having contributed to the sustainability and scaling of the program across Victoria, however, the evaluation has revealed that it is time for Council to consider evolving in the youth mental wellbeing space to ensure ongoing relevance and impact within Macedon Ranges.

As a local government known for its leadership in youth mental health initiatives, Macedon Ranges Shire Council can continue to evolve, innovate and work locally with key stakeholders, including Youth Live4Life, to co-design a new model which is responsive to current community needs. This may provide an opportunity for Youth Live4Life to pilot a new transitioned model as an option for other communities across the state and for the Macedon Ranges Shire to continue to be a leader in innovative youth-led health promotion.

## **Discussion**

### Summary of program evaluation findings

The external program evaluation acknowledges Live4Life's longstanding positive impact, including strong partnerships, youth engagement and increased mental health literacy within the community.

However, the review also highlights significant challenges currently affecting the program's viability and effectiveness in recent years, including:

- A decline in trust and relationships among stakeholders, attributed to Council restructures, staff turnover, program delivery inconsistencies, and the broader impacts of COVID-19.
- A reduced focus on youth and community development principles in the Live4Life Model, with a shift toward the delivery of Teen Mental Health First Aid Training as the program's core component as directed by service agreements with Youth Live4Life.
- Challenges experienced with interschool engagement, and mixed perspectives on the need for individualisation of the program at the school level.
- Feedback from participating schools suggests a lack of enthusiasm, with concerns about the rigidity, relevance, and scheduling challenges associated with Teen Mental Health First Aid Training.
- It was also noted that the youth mental health landscape has evolved since 2010. Mental health literacy has improved, stigma has reduced, and state-level investment, including the Victorian Government's School Mental Health Fund and Menu, offers

schools a wider range of evidence-based alternatives. This has had an impact on perceptions of the current program content and its ongoing relevance.

Beyond Blue states that over 75 per cent of mental health issues occur before the age of 25, and that suicide continues to cause the largest loss of life among young people in Australia, demonstrating that the mental health of young people remains a priority issue.

Furthermore, the level of commitment from Council and key stakeholders in supporting youth mental health, early intervention and suicide prevention remains high.

As such, identifying a sustainable way forward that addresses financial and programmatic concerns, strengthens trust and meaningful partnerships, and supports program efficacy is required.

### Cost of the Program

Council's Youth Mental Health Unit is responsible for leading the delivery of the Live4Life Program. Currently 70 per cent of the business unit's resourcing is directed to the facilitation of the Live4Life Program, with the remainder of the allocated budget delivering alternative mental wellbeing programs such as 'Branch Out' a primary school-based program.

The total recurrent annual budget allocated to the program is \$147,499. In recent years, including 2024-25 Financial Year, not all the partnership agreement deliverables were implemented. Reasons for this related to the challenges in scheduling Teen Mental Health First Aid in the participating schools, and as a result only \$136,267 of the allocated budget was spent, which equated to \$245 per participant.

Full delivery of the program in line with the partnership agreement for the three participating schools would come at a much higher cost overall (\$175,717) and a lower participant cost (\$185). It is noted that this cost is higher than Council's current allocated budget for the program.

### Opportunities Identified

The evaluation suggests several avenues to improve financial and programmatic sustainability, including:

- Training school and partner organisation staff to deliver Teen Mental Health First Aid, reducing long-term delivery costs.
- Exploring whether another community organisation could take on the lead agency role, with Council offering financial or logistical support.
- Broadening the Partnership Group to include a wider cross-section of community stakeholders to strengthen whole-of-community involvement.
- Reinforcing the program's foundation in community development and youth leadership, which may require Council to adopt a more facilitative rather than directive role.

However, it is important to note that relationship building will be an essential component of each of these opportunities, and that the program needs to evolve (due to the significant time it has been delivered in its current format) to continue building on existing knowledge levels in the community.

### Contemporary Challenges

While Live4Life has a strong history in the shire, recent years have highlighted several challenges affecting its viability and relevance. These include:

- Loss of school engagement and support.

- Reduced trust in Council to oversee the program, concerns regarding transparency of communication and lack of opportunity for shared decision-making with partners.
- Limited interest in the interschool interaction components of the program.
- Program content has not kept pace with evolving mental health literacy levels/needs and state and national mental health resource developments.
- Increased financial pressures on Council to deliver the program, due to significant increases in resource costs, a shift to the delivery of two programs (primary and secondary) within the same budget parameters and a more constrained fiscal environment following rate capping.

### Contemporary Benefits

Despite these challenges, the program retains several strengths that continue to offer value to the community. These include:

- Strong history of local ownership and engagement
- Recognised brand and model with transferable elements
- Continued relevance of prevention-led community-wide approaches to youth mental health, with an identified increase in help-seeking behaviours noted.

### Alternative supports for schools in the delivery of mental wellbeing initiatives

In considering Council's ongoing role in supporting youth mental wellbeing in the Macedon Ranges, it is important to consider alternative programs and resources available to young people in schools across the Macedon Ranges. A review of other available resources can be found in the **Attachment**.

It is noted that Government Schools are currently funded a minimum of \$25,000 (and an average of \$50,000) to support implementation of the Mental Health Fund and Menu, which offers many evidence-based mental health promotion programs. There are 88 mental health programs and supports offered on the Mental Health Menu in the Loddon Mallee region, the Live4Life Program is one of those offerings, which schools can purchase with these funds.

The evaluation of the program outlined three high-level options for Council to consider, as detailed below.

### ***Option 1***

#### Reinvigorate the full Live4Life model

Maintain alignment with the existing model, with a renewed focus on school-community partnerships, Mental Health First Aid, and youth engagement.

This would require a scale down to less than three schools due to budget limitations or at least an additional \$28,218 added to the recurrent allocated budget to deliver across the existing three schools.

This would also require:

- Long-term planning and a stronger community development approach by Council to re-engage stakeholders in the program.
- An increase in outcomes associated with the program to demonstrate ongoing relevance and effectiveness.

### ***Option 2***

#### Negotiate a modified model with Youth Live4Life

Collaborate with Youth Live4Life to adapt the model for local needs.

Based on findings from the evaluation, requested modifications would include:

- Moving away from the accredited Mental Health First Aid Training model, and instead delivering more youth-led, responsive and adaptive mental health education approaches.
- Shifting the focus of the program back to youth leadership, providing flexibility to adapt programs locally as driven by young people involved in the program.

This approach aims to better respond to school feedback while retaining key elements of the model. It is noted that to date, requests for ongoing modifications to Mental Health First Aid have not been supported by Youth Live4Life, and these negotiations may not be successful.

This approach would also allow Council to deliver the program to the three existing schools (and additional schools if they were interested in taking part) due to a more flexible scale and approach and would be accommodated within the existing allocated budget of \$147,499 (inclusive of staffing). The impacts of this approach would have to be evaluated to support assessment of the viability of the modified program.

### ***Option 3 (Recommended approach)***

#### **Phase out the current Live4Life model and establish a next generation approach**

Council may opt to transition out of the existing model by December 2025, engaging with Youth Live4Life, schools, service providers, community stakeholders and youth crew participants to identify the next generation of youth mental health promotion in the shire.

Council Officers would take the following approach:

- (1) Communicate phasing out of Live4Life model with current stakeholders, participating schools, and crew, inviting their participation and collaboration in the development of the future approach.
- (2) Embed transition supports in schools, communities, with a particular focus on L4L Crew members, for example funding leadership opportunities for crew members.
- (3) Re-engage disengaged schools, and additional stakeholders inviting their participation in the establishment of the next generation program.
- (4) Establish a Macedon Ranges Youth Mental Health Reference Group, including young people, existing crew members, Youth Live4Life, health sector, schools, services (exploring other peripheral services which impact mental health, such as alcohol and other drugs and gambling), parent and Council representatives who will oversee the establishment of the next generation program.
- (5) Deliver a collective consultation forum, and additional targeted engagement initiatives, inviting broad community, stakeholder and councillor participation to explore contemporary mental wellbeing challenges experienced by young people.
- (6) Based on the findings of the consultation forum, deliver co-design activities with the reference group, and an identified group of young people to establish the next generation program.
- (7) Present the next generation program to Council for consideration.
- (8) Pending Council endorsement, pilot the next generation program in partnership with stakeholders for 2 years, with a robust evaluation in place to assess impact and outcomes.

(9) Present outcomes of the program pilot to Council.

Elements of Live4Life such as youth leadership, community-wide education, and early intervention would be considered in the establishment of the next generation program.

The initial approach of co-designing and establishing the program would be done within the existing allocated budget (including allocated staffing). Any program funds from the 2025-26 Financial Year budget not required for the co-design process would be allocated across participating schools to support them in taking up offerings through the Department of Education Mental Health Menu.

Pilot program costs and potential grant opportunities will be explored through the Reference Group and the co-design process. The delivery cost of the newly established pilot program would be presented to Council for consideration and planned to be implemented in the 2026-27 and 2027-28 Financial Years.

### **Consultation and engagement**

Through the delivery of the evaluation, the following stakeholders were engaged and their perspectives sought:

- Live4Life Advisor
- Participating Schools
- Schools that had withdrawn from the program
- Council staff involved in the program's delivery
- Crew Alumni now working for Youth Live4Life
- Local Community Health Services
- Teen Mental Health First Aid Instructors.

Should the recommendation be adopted by Council, then these stakeholders would be invited to participate in the co-design of the next generation program, along with additional stakeholders such as:

- Local sporting clubs
- Local response services and professionals
- Young people, including those not currently engaged in the school system
- Minority groups such as LGBTIQ+ young people, those with a disability, culturally diverse
- Community groups such as Men's Shed, Scouts, Neighbourhood Houses
- Schools Wellbeing Network.

### **Collaboration**

The evaluation engaged internal and external stakeholders in the development of the report which directly led to the development of the options and recommendations.

### **Innovation and continuous improvement**

The recommendation to adopt a next-generation approach to continue to strengthen youth mental wellbeing in our shire is consistent with Council's commitment to innovation and continuous improvement.

**Relevant law**

The State [Mental Health and Wellbeing Act 2022](#) does not directly apply to local government, but does apply to state-funded Mental health and wellbeing service providers. The objectives outlined in the Act would be considered in the establishment of the Next Generation Program.

In accordance with the [Gender Equality Act 2020](#), a Gender Impact Assessment was undertaken during the evaluation process for the Live4Life Program.

The assessment identified key gender-based disparities in youth mental health, including:

- **Suicide Rates:** Suicide remains the leading cause of death among Australians aged 15–24. In 2023, the suicide rate for young adults aged 18–24 was 12.6 per 100,000, while for adolescents aged 15–17 it was 6.9 per 100,000 (AIHW, 2024). In addition, Australian Bureau of Statistics data has also highlighted a gendered difference in the number of deaths by suicide, with the suicide rate for males recorded at a rate of 18 per 100,000, whereas the rate for females was 5.8 per 100,000.
- **Self-Harm Hospitalisations:** In 2022–23, females aged 15–19 had the highest rate of hospitalisation for intentional self-harm, at 499 per 100,000—significantly higher than males in the same age group (AIHW, 2024). Ambulance attendance data has also suggested that females may have higher rates of suicide attempts than males, despite the actual suicide rates for males being higher.
- **Suicide and Self-harm:** Statistics for people who identify as First Nations, LGBTQIA+ or a person with a disability – Research has shown that suicide is the leading cause of death for Aboriginal and Torres Strait Islander youth (aged between 15-24), and that the rates of self-harm and suicide are significantly higher than for the non-Indigenous population. Research has also shown that rates of self-harm and suicide amongst LGBTQIA+ young people are higher than the general population (Australian Institute of Health and Welfare, 2024).
- **Local Context:** the Australian Institute of Health and Welfare published the following statistics on death by suicide between 2019-2023:
  - Statistical Area Level 3: Heathcote - Castlemaine – Kyneton, 16.5 per 100,000, number of deaths, 39
  - Statistical Area Level 3: Macedon Ranges, n.p (not published) per 100,000, number of deaths, 16
  - Statistical Area Level 3: Sunbury (inclusive of some parts of Gisborne and Riddells Creek), 18.4 per 100,000, number of deaths 42.

Gender-diverse young people also face additional barriers in accessing mental health support and may not see themselves represented in traditional program content or delivery formats.

The Gender Impact Assessment revealed that the current structure and delivery of Live4Life may not fully address the differing needs and experiences of young people of all genders. Program rigidity and scheduling challenges (particularly in relation to Mental Health First Aid) may limit accessibility and relevance for some students and schools.

The Gender Impact Assessment revealed that to strengthen gender equity outcomes, any future iteration of Live4Life should:

- Ensure flexible, inclusive delivery models that are responsive to gendered experiences and school contexts.

- Use content that includes non-gendered examples and reflects a diversity of identities and lived experiences.
- Involve young people of all genders (including those who are gender diverse) in co-design processes.

### Relevant regional, state and national plans and policies

The [National Mental Health and Suicide Prevention Agreement](#) is a collaborative commitment between Australian Commonwealth, state, and territory governments to improve mental health and prevent suicide by working together to create a sustainable, integrated, and people-centred system. Key objectives include reducing system fragmentation, investing in prevention and early intervention, enhancing the mental health workforce, and implementing new models of care, all underpinned by a whole-of-government approach.

Victoria's [10-year mental health plan \(2015-2025\)](#) aims to achieve the best possible mental health for all Victorians through a focus on prevention, early intervention, workforce expansion, and integrated care. Key priorities included suicide prevention and improving services for people with mental illness, their families, and carers, with a strong emphasis on co-production, [lived experience](#), and reducing stigma.

Mental wellbeing is a Loddon Mallee Public Health Unit (LMPHU) priority in their regional [Population Health Plan 2023-2025](#). Mental wellbeing was identified as a priority based on the recent local events that impact on mental wellbeing (e.g. pandemic, floods), available data and feedback from local services and communities. The LMPHU aims to enhance mental wellbeing through a prevention-focused approach, promoting resilience, connection and early intervention strategies.

Women's Health Loddon Mallee recently released [Her Mental Health Matters Strategy](#), which aims to address the gendered determinants of mental health and wellbeing.

All these resources will be considered in the establishment of the Next Generation Program.

### Relevant Council plans and policies

The [Council Plan 2021-2031](#) identifies the strategic priority *"Assist to improve mental wellbeing within the community"*.

The [Shaping the Ranges 2025-2035 Plan](#) (currently under consultation) also proposes mental wellbeing as an ongoing priority for Council through the following objective *"Our people of all ages and abilities have the opportunity to experience positive physical and mental wellbeing"*

Council's [Youth Strategy 2018-2028](#) (Elevate) identifies Mental Wellbeing as a core challenge for young people.

### Climate Impact Assessment

The recommendations outlined in this report relate to the delivery of youth mental health programming and do not have a direct impact on Council's energy use, greenhouse gas emissions, or climate resilience measures. As such, the service review does not have a material connection to climate change mitigation, adaptation, or community climate preparedness.

### Financial viability

The recommendation in this report will be implemented within the current allocated budget.

**Sustainability implications**

This report aims to continue to evolve Council's approach to facilitating Mental Wellbeing for Young people in the shire in a sustainable and effective way.

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

## Mental Health Programs and Supports for Young People in the Macedon Ranges

The following table outlines mental health promotion and prevention programs within the shire – in addition to the Live4Life Program.

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| <b>Community health services</b> | <p>Sunbury and Cobaw Community Health offers a range of free, confidential youth counselling services for individuals aged 12 to 25 in the Macedon Ranges and Sunbury regions. These services are available at multiple locations, including Sunbury, Kyneton, and Romsey, with flexibility to meet clients at alternative venues such as schools or community spaces.</p> <p><b>Youth Counselling Services</b></p> <ul style="list-style-type: none"> <li>• <b>General Youth Counselling:</b> Provides support for issues like depression, anxiety, school pressures, grief, relationships, identity, gender and sexuality, self-esteem, and goal setting.</li> <li>• <b>Enrich Youth Program:</b> Targets young individuals aged 12–24 who are experiencing or at risk of mental health challenges such as depression, anxiety, early psychosis, eating disorders, personality disorders, deliberate self-harm, or thoughts of suicide.</li> <li>• <b>Alcohol and Drug (AOD) Youth Counselling:</b> Offers confidential individual counselling for young people dealing with alcohol and other drug issues, including harm minimisation strategies and relapse prevention. Services are available at Sunbury, Kyneton, and</li> </ul> |
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|                                                  | <p>Romsey, with outreach options to schools or community locations.</p> <p>All services are free of charge and do not require a referral from a doctor</p> <p>Macedon Ranges Health (MRH), operated by Benetas, offers a range of mental health and counselling services for young people in the Macedon Ranges region. These services are designed to support individuals facing various challenges, including anxiety, depression, and other mental health concerns.</p> <p><b>Youth Counselling Services at Macedon Ranges Health</b></p> <ul style="list-style-type: none"> <li>• <b>General Youth Counselling:</b> MRH provides free, confidential counselling services for young people aged 17 and under. These services are tailored to meet individual needs and are delivered by qualified paediatric counsellors.</li> <li>• <b>ATAPS (Access to Allied Psychological Services):</b> For clients with diagnosed mental health conditions, MRH offers ATAPS-funded counselling services. A referral from a GP is required to access these services.</li> </ul> |
| <b>Through other mental health organisations</b> | <p><b>Neami National</b> – offer psychosocial mental health recovery supports for people aged 16years and over who have serious mental health challenges but are not eligible for NDIS. This is individual outreach support and group supports.</p> <p><b>Headspace</b> –Mental health education program can be delivered in person or online in classrooms. Topics are:</p> <ul style="list-style-type: none"> <li>• Mental health</li> <li>• Transitions primary to secondary, and leaving secondary</li> <li>• For parents – supporting young people</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

## Department of Education Mental Health Fund and Menu

### Schools Mental Health Fund and Menu

The **Victorian Schools Mental Health Menu** is an evidence-based initiative designed to support the mental health and wellbeing of students in government schools across Victoria. Underpinning this initiative is the **Schools Mental Health Fund**, which provides schools with funding to select and implement programs, staff, and resources from the Menu. The Menu offers a range of supports across three tiers:

- **Tier 1:** Positive mental health promotion
- **Tier 2:** Early intervention and cohort-specific support
- **Tier 3:** Targeted support for individual students

These supports aim to promote student mental health and wellbeing, enable early intervention, and provide targeted support for students who need it.

As of Term 1, 2024, all Victorian government schools receive funding through the Schools Mental Health Fund. The funding model comprises:

- A **\$25,000 base allocation** for all schools
- Additional funding based on student enrolments
- A **10% loading** for rural and regional schools
- A **60/40 credit/cash split** to support the implementation of the Fund and Menu

The average allocation per school per year is over **\$50,000**, with larger schools receiving over **\$200,000** annually.

Schools are required to use their Fund allocation to purchase programs, staff, or resources from the Schools Mental Health Menu. They must follow the Fund's procurement rules and report on their spending through the department's Strategic Online Planning Tool (SPOT).

| Mental Health Menu Program                               | Description                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <a href="#">Achievement Program   schools.vic.gov.au</a> | The <b>Achievement Program</b> is a free, evidence-based health and wellbeing framework that supports Victorian schools to create healthier, safer, and more inclusive environments for students, staff, and the wider school community. Based on the <b>World Health Organization's Health Promoting Schools model</b> and aligned with the Victorian Curriculum and School Improvement Framework, it takes a <b>whole-school approach</b> to |

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|                                                                                                                    | <p>embedding wellbeing into policies, practices, and culture. The program focuses on seven key health areas:</p> <ul style="list-style-type: none"> <li>• healthy eating and oral health,</li> <li>• physical activity,</li> <li>• sexual health,</li> <li>• mental health and wellbeing,</li> <li>• sun protection,</li> <li>• safe environments,</li> <li>• reducing harm from tobacco, alcohol, and other drugs.</li> </ul> <p>Delivered through an <b>online portal</b>, the program offers schools practical tools, resources, and step-by-step guidance to assess current practices, set goals, and track progress at their own pace. Schools complete self-assessments, develop action plans, and review their progress annually, ensuring that wellbeing initiatives are sustainable and integrated into everyday school life. By participating, schools can strengthen community partnerships, improve student engagement, and support lifelong healthy behaviours.</p> |
| <a href="https://schools.vic.gov.au">Additional mental health and wellbeing professionals   schools.vic.gov.au</a> | Additional staff                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <a href="https://schools.vic.gov.au">Additional teachers   schools.vic.gov.au</a>                                  | Additional staff                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <a href="https://schools.vic.gov.au">All-School Visible Wellbeing Program   schools.vic.gov.au</a>                 | <p>Staff capacity building program</p> <p>The <b>AllSchool Visible Wellbeing Program</b> is a <i>wholeschool initiative</i> that equips all staff—leaders, teachers, and support personnel—with the training, coaching, and tools to foster a <i>shared and meaningful language of wellbeing</i> within the school culture. Grounded in the evidence-based <b>SEARCH framework</b>, the program focuses development across six key wellbeing pathways:</p> <ul style="list-style-type: none"> <li>• Strengths,</li> <li>• Emotional Management,</li> <li>• Attention &amp; Awareness,</li> <li>• Relationships,</li> <li>• Coping,</li> </ul>                                                                                                                                                                                                                                                                                                                                    |

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|                                                                          | <ul style="list-style-type: none"> <li>• Habits &amp; Goals.</li> </ul> <p>It includes modules introducing SEARCH, practical examples and case studies, and semesterly webinars to connect participating teachers statewide</p> <p>.</p> <p>The intended benefits are multi-fold:</p> <ul style="list-style-type: none"> <li>• enhancing <i>student wellbeing literacy</i>,</li> <li>• bolstering <i>resilience</i>,</li> <li>• nurturing a stronger <i>sense of belonging</i>,</li> <li>• fostering a positive school environment.</li> </ul> <p>Schools can adopt it via face-to-face, online, or hybrid delivery. Typically spanning <b>18 months</b>, it features around 6 hours of live all staff training, 13 hours of on demand modules, and three coaching sessions for the school's wellbeing lead</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <a href="#">AllPlay Learn Professional Learning   schools.vic.gov.au</a> | <p>Staff capacity building program</p> <p><b>All Play Learn Professional Learning</b> is a <b>free, online training suite</b> developed by the Department of Education in partnership with Monash University. It equips primary and secondary school staff across Victoria to foster more inclusive learning environments for students with developmental challenges, disabilities, and diverse learning needs. Course content focuses on inclusive practices, behaviour management, emotional regulation, and teacher wellbeing, with elective modules addressing topics like ADHD, autism, and anxiety. Participation strengthens educators' understanding of inclusion and enhances their capacity to support students' emotional, behavioural, and learning needs.</p> <p>The professional learning is <b>fully online</b>, taking approximately <b>4–6 hours to complete</b>, including two elective modules of the participant's choice. While the course itself is free, schools may need to arrange staff time, such as securing casual relief teachers, to enable participation. Educators looking to delve further into inclusive education can continue their development through the broader <i>Inclusive Classrooms</i> suite of professional learning.</p> |

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| <a href="https://schools.vic.gov.au/animal-assisted-therapy/">Animal-assisted therapy   schools.vic.gov.au</a>                                                             | <p><b>Animal-Assisted Therapy</b> involves registered health professionals—such as psychologists, occupational therapists, nurses, speech therapists, social workers, or mental health professionals—working alongside trained therapy animals to support student wellbeing. These professionals hold relevant qualifications plus additional training in Animal-Assisted Therapy, and the animals are assessed and certified by experts. The therapy may be delivered individually or in groups, in formats tailored to the unique needs of primary and secondary students.</p> <p>The program aims to enhance social, emotional, and physical skills, including emotional regulation, self confidence, fine and gross motor coordination, selfcare, and day to day functioning.</p>                                                                                                                                                                             |
| <a href="https://schools.vic.gov.au/arts-therapy/">Arts therapy   schools.vic.gov.au</a>                                                                                   | <p><b>Arts Therapy</b> engages <b>registered Creative Arts Therapists</b>—who combine training in mental health, psychotherapy, and creative modalities—to support primary and secondary students via therapeutic techniques such as drawing, writing, sculpting, drama, sand, dance, and movement. These sessions, offered either individually or in groups, and delivered face-to-face or via telehealth, are designed to help students <b>explore emotions, enhance self-awareness, and reduce anxiety</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <a href="https://schools.vic.gov.au/be-you-national-mental-health-in-education-initiative/">Be You National Mental Health in Education Initiative   schools.vic.gov.au</a> | <p><b>Be You</b> is a <b>free, national wellbeing initiative</b> aimed at fostering a <b>whole-community approach</b> to mental health and wellbeing across early learning services and schools. Delivered by Beyond Blue in collaboration with headspace and Early Childhood Australia, it equips educators with <b>professional development modules</b>—13 modules grouped into five domains:</p> <ul style="list-style-type: none"> <li>• Mentally healthy communities,</li> <li>• Learning resilience,</li> <li>• Family partnerships,</li> <li>• Early support,</li> <li>• Responding together—</li> </ul> <p>Along with ongoing support from dedicated <b>Be You consultants</b> and suicide postvention assistance.</p> <p>The initiative's goals are to cultivate <b>inclusive, resilient learning environments</b>, enhance <b>mental health literacy</b>, and increase educator confidence and readiness to support student wellbeing. Research and</p> |

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|                                                                                                                        | independent evaluations affirm Be You's positive impact: highly engaged educators report improved mental health knowledge, self-efficacy, and overall wellbeing. Schools deeply invested in Be You also show enhanced student social, emotional, and learning outcomes.                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <a href="https://schools.vic.gov.au">Bio-Dash   schools.vic.gov.au</a>                                                 | <b>Bio-Dash</b> is a <b>Tier 1</b> mental health initiative providing secondary school students with evidence-based, youth-friendly tools to understand the mind-body connection and build personal wellbeing strategies—covering areas such as emotion regulation, mindfulness, gratitude, imagery, and self-talk. The program is structured around six key themes (Smart Breathing, Flexible Emojis, Max the Good Stuff, Zoning In, 7D Imagery, and SelfC oach), delivered via approximately 35 short, engaging online modules accompanied by teacher-led activities. Students develop personalised wellbeing plans that support their academic, social, sporting, or creative performance |
| <a href="https://schools.vic.gov.au">Brief Interventions in Youth Mental Health Toolkit (BIT)   schools.vic.gov.au</a> | The <b>Brief Interventions in Youth Mental Health Toolkit (BIT)</b> is a training program for secondary school mental health professionals to deliver short, evidence-based support for students with mild to moderate mental health issues like anxiety and stress. Developed by Orygen, it includes modules on skills such as mindfulness, emotional regulation, and problem-solving. The program combines face-to-face and online sessions to build staff confidence and improve student wellbeing access.                                                                                                                                                                                |
| <a href="https://schools.vic.gov.au">Cool Kids at School   schools.vic.gov.au</a>                                      | <b>Cool Kids at School</b> is an evidence-based program designed to help primary and secondary students aged 7–17 manage anxiety and emotional distress. Delivered by accredited providers—typically school counsellors or psychologists—the program employs cognitive-behavioural therapy (CBT) techniques to teach practical skills for reducing anxiety and overcoming anxiety disorders.                                                                                                                                                                                                                                                                                                 |
| <a href="https://schools.vic.gov.au">Healthy Minds Program   schools.vic.gov.au</a>                                    | The <b>Healthy Minds Program</b> is an evidence-based initiative designed for secondary schools in Victoria to promote mental health and prevent issues such as anxiety, depression, and eating disorders. Implemented through a whole-school approach, it engages students, staff, and parents in building psychological resilience and wellbeing. The program includes an 8-week core curriculum for Year 7 or 8 students, with optional booster sessions for other year levels. Delivery is a combination of face-to-face and online formats.                                                                                                                                             |

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|                                                                                                                            | <p>Key outcomes of the program include improved emotional regulation, reduced perfectionism, enhanced self-compassion, and a stronger overall school culture of wellbeing. Teachers delivering the program are required to attend a one-day training session, and schools should provide appropriate space for group activities. The program is suitable for students with disabilities and is supported by established research evidence.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <a href="#">Resilience, Rights and Respectful Relationships and Building Respectful Relationships   schools.vic.gov.au</a> | <p>The <b>Resilience, Rights and Respectful Relationships (RRRR)</b> and <b>Building Respectful Relationships (BRR)</b> programs are Victorian Government initiatives designed to equip primary and secondary school students with essential social, emotional, and relationship skills. RRRR offers eight core modules covering topics such as emotional literacy, personal strengths, positive coping, problem-solving, stress management, help-seeking, gender and identity, and positive gender relationships. BRR extends this learning into Years 8–10, focusing on themes like gender, respect, power dynamics, and media influence.</p> <p>These programs aim to foster a culture of respect and gender equality within the school community. They are delivered through a whole-school approach, incorporating both face-to-face and online learning modalities. The materials are freely accessible online and can be implemented independently or as part of a broader health curriculum. While there are no direct costs associated with the programs, schools may need to allocate resources for staff training and curriculum planning. The initiative is supported by the Department of Education and is available statewide.</p> |
| <a href="#">Respectful Relationships   schools.vic.gov.au</a>                                                              | <p>The <b>Respectful Relationships</b> initiative is a comprehensive program implemented across Victorian government schools to foster a culture of respect, inclusivity, and gender equality. It adopts a whole-school approach, integrating intensive teacher training, structured teaching materials, and ongoing support to promote positive attitudes and behaviours among students. The program aims to empower children and young people to build healthy relationships and enhance their self-confidence.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

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|                                                                                        | <p>This initiative is freely available to all government schools and is designed to be implemented in both primary and secondary settings. Schools are encouraged to embed the principles of Respectful Relationships into their culture and daily practices. While the program is provided at no cost, schools may utilize funding for casual relief teaching to release staff for training and planning purposes.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <a href="#">School-wide positive behaviour support   schools.vic.gov.au</a>            | <p>The <b>School-wide Positive Behaviour Support (SWPBS)</b> framework is an evidence-based initiative aimed at enhancing social, emotional, behavioural, and academic outcomes for students from Foundation to Year 12. By implementing a tiered intervention approach—primary prevention for all students, secondary prevention for at-risk students, and tertiary prevention for high-risk students—SWPBS helps schools create a positive and supportive learning environment.</p> <p>Schools interested in adopting SWPBS must apply for inclusion and commit to a 3–5 year implementation period. Successful implementation requires prioritising SWPBS as a whole-school goal and allocating resources for staff training and team development. While professional learning and coaching are provided at no direct cost, schools are responsible for resourcing their SWPBS implementation team and staff time.</p> |
| <a href="#">The Resilience Project – School Wellbeing Program   schools.vic.gov.au</a> | <p>The <b>Resilience Project – School Wellbeing Program</b> is an evidence-based initiative designed to enhance student mental health and resilience through a whole-school approach. Focusing on the core principles of Gratitude, Empathy, and Mindfulness (GEM), the program aims to promote emotional literacy and positive mental health among students, staff, and the broader school community. It offers a year-long curriculum aligned with Victorian standards, delivered through digital presentations, webinars, and teacher lesson plans. Each participating school is supported by a dedicated School Partnership Manager who assists with implementation and embedding the program within the school's culture.</p>                                                                                                                                                                                        |

**15 ASSETS AND OPERATIONS REPORTS**

|                                   |                                                                                           |
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| <b>AO.1</b>                       | <b>REQUEST FOR INCLUSION OF ROAD ONTO THE PUBLIC ROAD REGISTER - RED GAP ROAD, GOLDIE</b> |
| <b>Officer:</b>                   | <b>Daniel Grigson, Manager Engineering and Asset Services</b>                             |
| <b>Council Plan relationship:</b> | <b>1. Connecting communities</b>                                                          |
| <b>Attachments:</b>               | <b>Nil</b>                                                                                |

**Summary**

This report has been prepared to provide recommendations based on a request for the inclusion of a section of Red Gap Road, Goldie in the Public Road Register, following the Council resolution made at the Scheduled Council Meeting on 23 October 2024 and subsequent discussions with local residents.

**Recommendation****That Council:**

- 1. Adds Segment 1—comprising 855 metres of fire access track, extending from the bend of West Goldie Road towards the eastern side of Red Gap Road and currently maintained by Council—to the Public Road Register.**
- 2. Continues to keep and maintain Segment 2 as a Category 4 unsealed road on the Public Road Register.**
- 3. Informs residents and other stakeholders of this decision.**

**Background**

A report was presented at the Scheduled Council Meeting held on 28 August 2024 recommending a correction to this administrative error in the Council's Asset Management System and the Public Road Register, by including Segment 1 of Red Gap Road as a Category 4 unsealed road in the Public Road Register and removing Segment 2 of Red Gap Road and registering it as a Fire Access Track. However, on the afternoon before the 28 August 2024 Council Meeting, Councillors received four emails from residents — one residing on Red Gap Road, one on Powells Track in Goldie, one on Aron Road in Goldie, and another from Bullengarook — requesting that Council reconsider the officer recommendations. The resident emails resulted in the following Resolution made at the 28 August 2024 Council Meeting:

**That Council defers this item for consideration until the Scheduled Council Meeting on 23 October 2024.**

At the Scheduled Council Meeting on 23 October 2024, it was endorsed by Council to:

- 1. Notes that officers will consult with impacted property owners on the relevant sections of Red Gap Road regarding the proposed corrections to an historic administrative error to the Public Road Register.**
- 2. Notes Council officers will contact residents who have expressed an interest in this matter.**

## Discussion

The current maintenance practices are inconsistent with the registered status of the road segments, as outlined in Table 1. Council officers have held multiple discussions with the affected residents, who expressed interest in this matter during the previous Council meeting. Resident feedback was that they would like Segment 2 retained on the Public Road Register and maintained by Council. After these discussions it is proposed to proceed the status changes as outlined in Table 2 below.

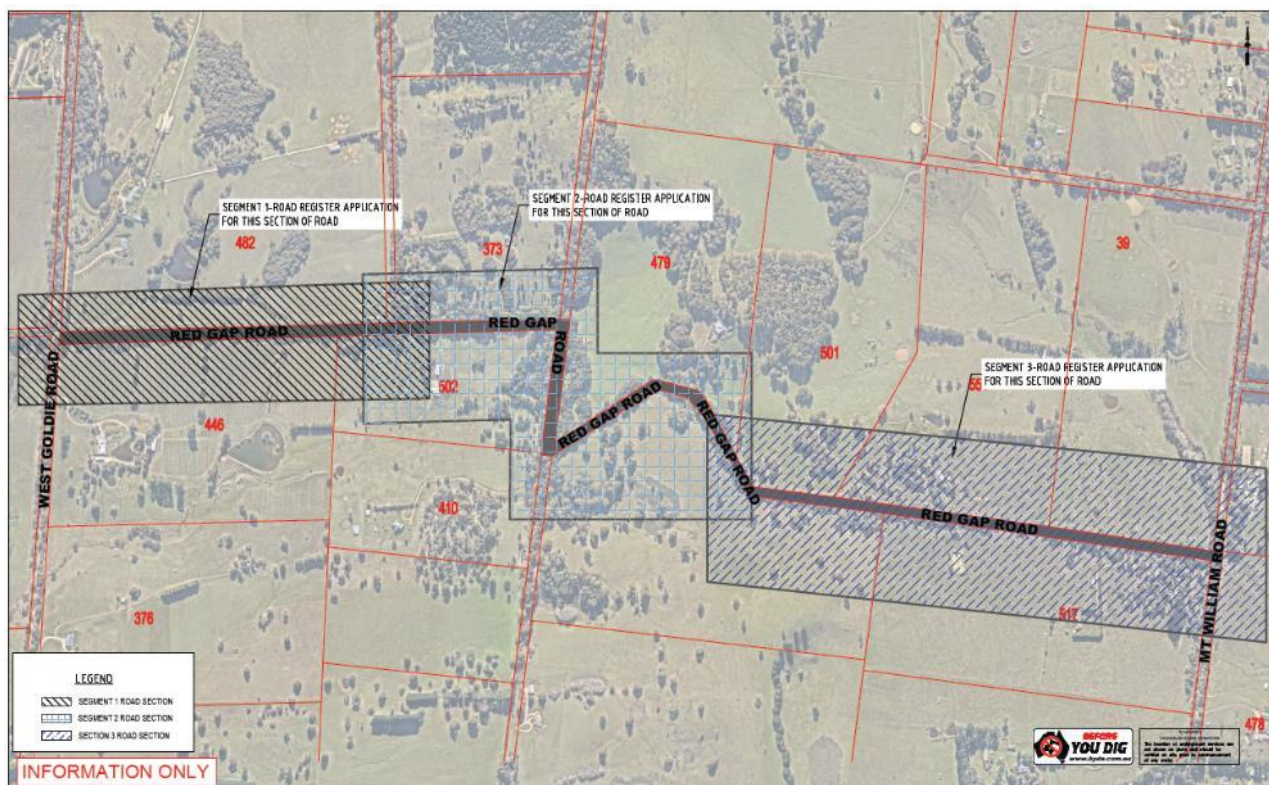


Figure 1 – Locality Plan

Table 1: Current status and condition of three segments.

|                                | Segment 1                                                                 | Segment 2                                                                   | Segment 3                                                                     |
|--------------------------------|---------------------------------------------------------------------------|-----------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| Asset ID                       | 101973                                                                    | 103343                                                                      | 103342                                                                        |
| Status in Public Road Register | No<br>(Fire Access Track)                                                 | Yes<br>Category 4 unsealed road                                             | Yes<br>Category 4 unsealed road                                               |
| Maintenance status currently   | Maintained by the civil maintenance crews for at least the last ten years | Maintained as a Fire Access Track seasonally by the civil maintenance crews | Maintained by the civil maintenance crews for at least the last ten years     |
| Current condition              | The condition is satisfactory.                                            | The condition is satisfactory.<br>Drainage can be improved.                 | The condition is satisfactory.<br>Additional road signage could be installed. |

|  |  |                                             |  |
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|  |  | Additional road signage could be installed. |  |
|--|--|---------------------------------------------|--|

Table 2: Proposed changes to the road segments via correction

|                                                                        | Segment 1                                   | Segment 2                                                                            | Segment 3                                  |
|------------------------------------------------------------------------|---------------------------------------------|--------------------------------------------------------------------------------------|--------------------------------------------|
| Asset ID                                                               | 101973                                      | 103343                                                                               | 103342                                     |
| Status in Public Road Register                                         | Add to Register as Category 4 unsealed road | Retain as Category 4 unsealed road                                                   | Retain as Category 4 unsealed road         |
| Maintenance obligations                                                | Maintained by the grading/re-sheeting crew  | Maintained by the grading/re-sheeting crew                                           | Maintained by the grading/re-sheeting crew |
| Works required to meet the proposed status in the Public Road Register | Continue to maintain as per RMP.            | Undertake 100mm re-sheeting and minor drainage works by the civil maintenance crews. | Continue to maintain as per RMP.           |

As Council has been maintaining Segment 1 for at least the past ten years, the cost to maintain it to the standard outlined in the Road Management Plan is expected to remain the same. Segment 2 is proposed to be retained on the Public Road Register as a Category 4 unsealed road. As the road is already maintained as a Fire Access Track and graded seasonally it is expected that only minor re-sheeting and grading works will be required to be undertaken as part of regular maintenance works in the area. This cost is expected to be less than \$10,000 and will be undertaken using Councils existing maintenance budgets. Signage improvements and drainage improvements will be undertaken in accordance with Councils responsibility as the Coordinating Road Authority under the Road Management Act.

This assessment has been conducted outside of the “Criteria for roads for inclusion on Register of Public Roads” from Councils Public Roads Procedure as it seeks to resolve a previous administrative error.

### Consultation and engagement

After the October Council meeting Council officers sent letters to affected residents along Red Gap Road advising them of the recommendation of Council from the 23 October 2024 Council meeting and seeking input on the proposed amendment to the Public Road Register. Feedback from residents was that they would like Segment 2 to remain on the Public Road Register, be maintained as per the Road Management Plan and Segment 1 also to be added to the Public Road Register and maintained as per the Road Management Plan.

### Collaboration

Collaboration was not required in relation to this report.

**Innovation and continuous improvement**

Council officers prepared this recommendation in accordance with the Council's Public Roads Procedure Policy. Council officers will explore updating the Public Roads Procedure to ensure clarity and consistent administration of requests for inclusion of roads onto the Public Road Register.

**Relevant law**

*Road Management Act 2004*

This recommendation does not have any direct or indirect human rights implications.

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report.

**Relevant regional, state and national plans and policies**

Not applicable to this report.

**Relevant Council plans and policies**

Council's Public Roads Procedure

Climate Impact Assessment

How will the recommendation impact on Council's energy usage and greenhouse emissions profile? Not applicable.

How will the recommendations mitigate risks posed by climate change to Council operations and services? Not applicable.

How will the recommendation help to prepare the community for future climate scenarios? Not applicable.

**Financial viability**

The expected initial cost is to be less than \$10,000 and will be undertaken using Councils existing maintenance budgets. Ongoing maintenance will be completed as part of Councils ongoing maintenance budget.

**Sustainability implications**

Not applicable to this report.

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.

|                                   |                                                                                                                      |
|-----------------------------------|----------------------------------------------------------------------------------------------------------------------|
| <b>AO.2</b>                       | <b>REQUEST TO INCLUDE FIRE ACCESS TRACK SECTION OF NEWLANDS ROAD, DARRAWEIT GUIM ONTO THE PUBLIC ROAD REGISTER</b>   |
| <b>Officer:</b>                   | <b>Daniel Grigson, Manager Engineering and Asset Services</b>                                                        |
| <b>Council Plan relationship:</b> | <b>1. Connecting communities</b>                                                                                     |
| <b>Attachments:</b>               | <b>1. Locality Plan <a href="#">↓</a></b><br><b>2. Photos of Newlands Road existing conditions <a href="#">↓</a></b> |

## Summary

This report has been prepared in response to a request from a resident of Newlands Road, Darraweit Guim, to add a Fire Access Track (FAT) section of the Newlands Road north of Heaths Lane, spanning approximately 600 meters (from Heaths Lane to Konagaderra Creek), to the Council's Public Road Register.

## Recommendation

### That Council:

- 1. Does not proceed with including the existing Fire Access Track section of Newlands Road, Darraweit Guim (approximately 600 meters from publicly maintained Heaths Lane to Konagaderra Creek) in Council's Public Road Register.**
- 2. Adds the section of Kennedys Lane between Bolinda – Darraweit Road and Newlands Road (approximately 1,360 metres) to the Public Road Register as a Category 5 unsealed road.**
- 3. Informs resident and other stakeholders of this decision.**

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## Background

Newlands Road is a road approximately 1,980 meters in length, connecting Heaths Lane at the southern end and connecting into Kennedys Lane at the northern end. Kennedys Lane from Bolinda-Darraweit Road to Newlands Road is classified as FAT, Newlands Road from Kennedys Lane extending approximately 1,380 metres is classified as Category 5 unsealed road while the remainder of Newlands Road (section requested) is FAT. The road crosses Konaganderra Creek. A resident has requested that the 600 meters of Newlands Road, starting from Heaths Lane, classified as FAT be included in the Public Road Register. This section has one primary access point and two secondary access points. It features a carriageway width of 3 to 3.5 meters.

The Public Roads Procedure outlines the criteria used to determine whether a non-registered road qualifies for consideration on the Public Road Register, as well as the process for evaluating such requests.

## Discussion

Council officers observed that the existing access track section is maintained as a FAT, with a relatively levelled carriageway, but also exhibits drainage issues along the wheel tracks.

Given the designation of this section as a FAT, it was constructed without table drains on either side. Furthermore, the track does not meet the expected construction standards (e.g., carriageway width, minimum standard thickness of base and sub-base layers, etc.) to be considered for inclusion in the Public Roads Register.

Refer to Attachment 1 for the Locality Plan.

Refer to Attachment 2 for the photos of the existing condition of Newlands Road.

Council officers provide the assessment below of Newlands Road, Darraweit Guim, against the criteria for inclusion into the Public Road Register:

| Criteria                                                                                                                                                                         | Response | Comments                                                                                                                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|----------------------------------------------------------------------------------------------------------------------------------------------|
| (1) At least two or more properties and at least two or more permanent residents are abutting onto the road or requiring the road for access purposes;                           | No       | The requested section of Newlands Road provides a primary access to one dwelling.                                                            |
| (2) Whether or not land abutting onto the road or requiring the road for access has been developed to its highest and best economic use;                                         | Yes      | The land is used for both residential and farming purposes.                                                                                  |
| (3) The type of properties abutting the road, including public open space, community facilities, sporting facilities, and car parking areas, are of significant community value; | No       | Privately owned properties that do not service the wider community.                                                                          |
| (4) Whether the road connects into and forms a part of the wider network of public roads;                                                                                        | Yes      | The requested road provides a connection to Heaths Lane and the maintained section of Newlands Road.                                         |
| (5) The usage patterns of the road in relation to the nature and frequency of past, present and likely future use;                                                               | No       | No significant change or increase in traffic volumes at this section of the road.                                                            |
| (6) Whether the road is regularly required for both vehicular and pedestrian use;                                                                                                | No       | Currently, there is one residential dwelling using a small section of the road. Pedestrian use is generally locals only.                     |
| (7) Whether the Council or any of its predecessors or any other public authority has constructed the road at public expense;                                                     | No       | There is no evidence that the Council, or any of its predecessors, or any other public authority has constructed the road at public expense. |
| (8) Whether the Council has cared for, managed or controlled the road regularly;                                                                                                 | No       | The requested road section is not regularly managed or controlled by Council. It is graded only seasonally as a Fire Access Track.           |

| Criteria                                                                                                                                                         | Response | Comments                                                                                                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------|
| (9) Whether the properties which enjoy a frontage to the road or require the road for access purposes have alternative access rights;                            | No       | One property requires a small section of the road for access to a dwelling but has access for a shed from the maintained section. |
| (10) Whether there are designated car parking facilities and traffic control signs attached to any public use of the road;                                       | No       | There is neither a car parking facility nor traffic control signs designated for public use.                                      |
| (11) Whether the road has ever been required to be set aside for public use as a condition of any planning approval;                                             | No       | There are no records that the road has ever been required for public use.                                                         |
| (12) Whether the road has ever been formally dedicated or proclaimed to be a public highway under the Local Government Act, 1989 or any predecessor legislation; | No       | No record of the Council having previously proclaimed this section of road as a public highway.                                   |
| (13) Whether the road has ever been constructed under a special charge scheme or a private street scheme;                                                        | No       | There is no record of any special charge scheme initiated by the Council or the residents.                                        |
| (14) Whether the road has been constructed by a developer or private owner or entity to Council's minimum standards;                                             | No       | This fire access track doesn't meet the Council's minimum standards.                                                              |
| (15) Whether the use is occurring "as of right", in particular evidence of previous permission;                                                                  | No       | There is no evidence of any previous permission.                                                                                  |
| (16) Existing geometric standards and surface conditions are in accordance with Council's requirements;                                                          | No       | The existing geometric standards and surface conditions do not meet the Council's requirements.                                   |
| (17) Whether the road contains assets owned and managed by public service authorities, gas, electricity, telecommunications, sewerage and water; and             | Yes      | Overhead electrical cable.                                                                                                        |
| (18) Whether the road has fencing, barriers, signage or associated safety devices.                                                                               | Yes      | The requested section of the road has private fencing.                                                                            |

The results above do not support the inclusion of the FAT section of Newlands Road, Darraweit Guim, in the Council's Public Road Register. The section in question—located

north of Heaths Lane and spanning approximately 600 meters (from Heaths Lane to Konagaderra Creek)—is currently maintained seasonally by Council as a FAT. To meet Council's minimum standards for an unsealed local road, this section would require widening of the carriageway, a crushed rock surface, and significant drainage upgrades.

Given its current designation as a Fire Access Track and the seasonal maintenance it receives, this section is considered suitable for the current level of use.

If this section of Newlands Road were to be added to the Council's Public Road Register, then necessary constructing table drains on both sides of the road, and upgrading the carriageway would be required.

Council officers estimate that the total cost of these works would be approximately \$35,000 (excluding GST). Therefore, direct investment by Council in this section is not considered to represent the best value for the broader ratepayer community, given that the road is accessible to a low number of vehicles with current seasonal maintenance.

As part of this assessment Council officers have identified that the section of Newlands Road on the Public Road Register can only be accessed by two road segments that are classified as FAT. The section of Kennedys Lane classified as a FAT (approximately 1,360 metres) is in good condition and graded by Council seasonally. This section of road does not require any pavement re-sheeting works or drainage upgrades. This section of road also has direct property connections and connects to the Category 1 Link Road of Bolinda-Darraweit Road. Therefore, it is recommended that this section of Kennedys Lane is added to the Public Road Register as a Category 5 unsealed road to facilitate effective maintenance of Councils road network.

### **Consultation and engagement**

A letter was sent to all residents in the affected area on 16 September 2025 notifying them of the received request and noting the process that would follow in accordance with Councils Public Road Procedure. One item of feedback was received by Council officers from a resident in the area noting their opposition to adding the road the public road register so as not to lead to Newlands Road being used more frequently between Heaths Lane and Bolinda-Darraweit Road.

### **Collaboration**

Collaboration was not required in relation to this report.

### **Innovation and continuous improvement**

Council officers prepared this recommendation in accordance with the Council's Public Roads Procedure Policy. Council officers will explore updating the Public Roads Procedure to ensure clarity and consistent administration of requests for inclusion of roads onto the Public Road Register.

### **Relevant law**

*Road Management Act 2004*

This recommendation does not have any direct or indirect human rights implications.

In accordance with the *Gender Equality Act 2020*, a Gender Impact Assessment was not required in relation to the subject matter of this report.

### **Relevant regional, state and national plans and policies**

Not applicable to this report.

**Relevant Council plans and policies**

Council's Public Roads Procedure

Climate Impact Assessment

How will the recommendation impact on Council's energy usage and greenhouse emissions profile? Not applicable.

How will the recommendations mitigate risks posed by climate change to Council operations and services? Not applicable.

How will the recommendation help to prepare the community for future climate scenarios? Not applicable.

**Financial viability**

If Council resolves to not include the section of Newlands Road, Darraweit Guim onto the Public Road Register there will be no financial impact. There will be minor financial impact by including the section of Kennedys Lane due to ongoing commitment to maintain the road. This will be managed through Councils existing maintenance budgets.

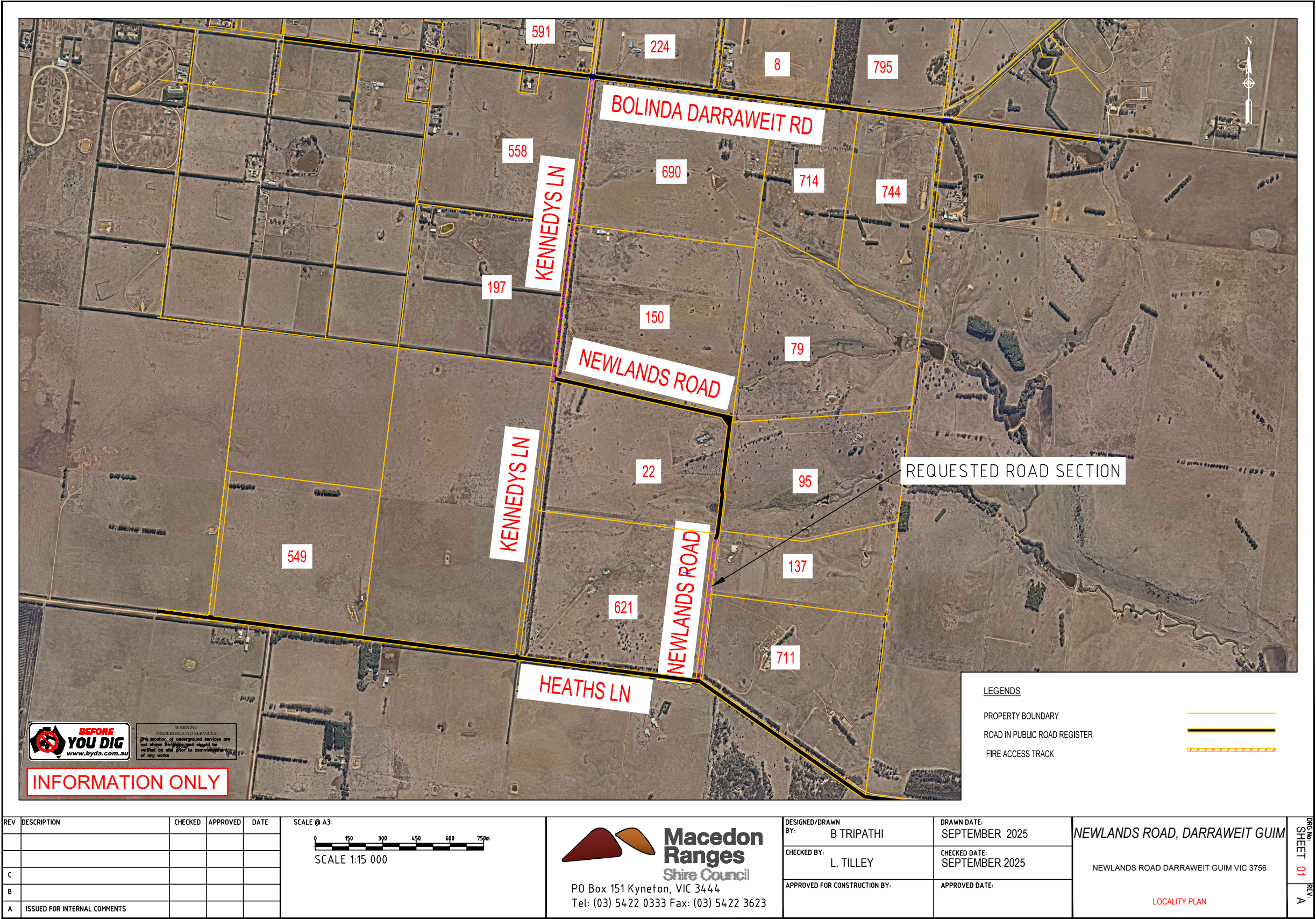
If Council was to resolve to include the section of Newlands Road, Darraweit Guim onto the Public Road Register an estimated \$35,000 excluding GST would be required to be added to the Capital Works Program as well as ongoing commitment to maintain the road. This would have a detrimental impact on the current Capital Works program.

**Sustainability implications**

Not applicable to this report.

**Officer declaration of conflicts of interest**

All officers involved in the preparation of this report have declared that they do not have a conflict of interest in relation to the subject matter.



**Attachment 2: Existing Road Conditions – Newlands Road, Darraweit Guim**

Photo 1: Looking towards the Heaths Lane/Newlands Road intersection from Newlands Road



Photo 2: Surface water tracking/ponding along the wheel track



Photo 3: Surface water tracking/ponding along the wheel track due to a lack of swale drains and adequate surface flow management

**16 NOTICES OF MOTION AND RESCISSION**

Nil

**17 URGENT BUSINESS**

**18 CONFIDENTIAL REPORTS**

Nil