

Council Meeting Minutes

Wednesday 28 April 2021 at 7.00pm
Gisborne Administration Centre
40 Robertson Street, Gisborne

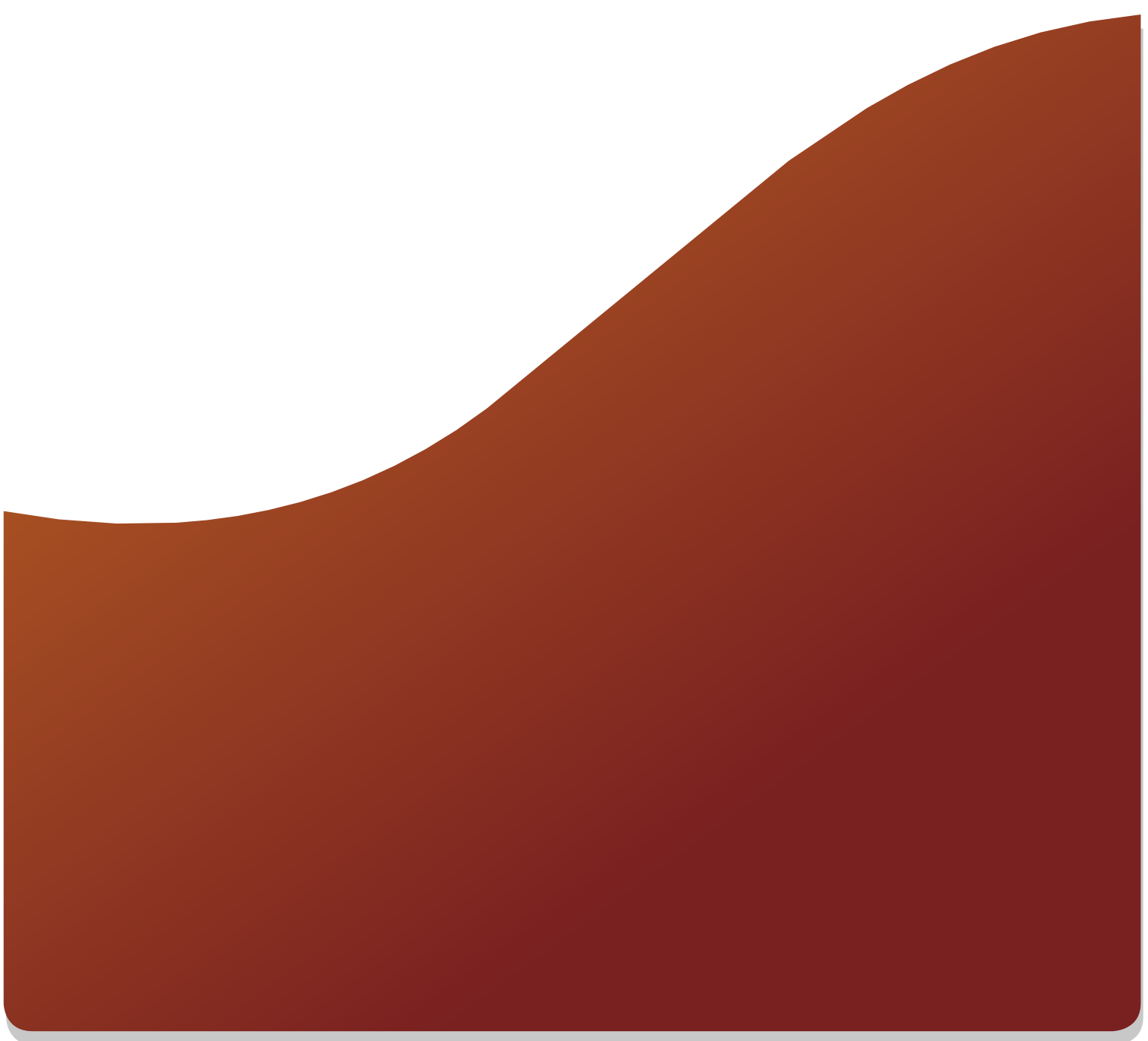


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1. RECORDING AND LIVE STREAMING OF THIS COUNCIL MEETING

The Mayor advised those present that the meeting was being recorded and streamed live on the internet in accordance with Council's *Live Streaming and Publishing Recording of Meetings Policy*, which can be viewed on Council's website. The recording will be bookmarked, archived and made available on Council's website 48 hours after the meeting.

As COVID density quotients are no longer in place, Council is in the process of transitioning back to our pre-COVID seating arrangements in the gallery which will allow space for members of the public to return to attend meetings in person.

It is hoped to have this arrangement in place for the scheduled Council Meeting on Wednesday 26 May. Local residents will be kept up-to-date via our website and social media channels.

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

2. PRESENT

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

In Attendance

Ms Angela Hughes	Acting Chief Executive Officer
Mr Shane Walden	Director Assets and Operations
Mr John Hausler	Director Corporate and Community
Mr Stephen Pykett	Acting Director Planning and Environment
Ms Kate Young	Manager Legal and Corporate Governance
Ms Allison Watt	Coordinator Governance
Mr Christo Crafford	Coordinator Statutory Planning

3. APOLOGIES

Nil.

4. DECLARATION OF CONFLICTS OF INTEREST

Cr Neil declared a conflict of interest in agenda item CX.1 which involves the awarding of a contract for the Romsey Ecotherapy Park on the basis that he is a member of the Park Committee.

5. MAYOR'S REPORT

The Mayor, Cr Jennifer Anderson, reported on some of the most recent happenings around the Shire.

Council-run events

- **Macedon Ranges Autumn Festival and Autumn Town Village events**

Local businesses were invited to be part of the inaugural Macedon Ranges Autumn Festival and help shine the spotlight on all that is great about the Macedon Ranges. A range of events were supported from Run the Rock, which I participated in, to progressive dinners, craft markets, open gardens, wine and food of the region, afternoon tea at historic Seymour Cottage in Lancefield and much more. Autumn Town Village events were held in Gisborne, Kyneton, Macedon, Malmsbury and Riddells Creek throughout April. Attendees were treated to entertainment from a line-up of local performers and pop-up market stalls from local vendors.

The five events were supported using an allocation from the State Government's Outdoor Eating and Entertainment package, which Council was required to acquit by June 30, 2021, so well done to our staff for putting this all together in such short time frames. We thank all businesses who took part and look forward to feedback from them and community members. We have all learned a lot.

- **Kyneton Town Hall Performance Season**

After closing for 12 months in response to COVID-19 restrictions, the Kyneton Town Hall performance season returns with a vibrant season of high quality performances and arts and cultural events. I recommend that everyone check out the performance season program for the full range of entertainment coming up.

- **Consul-General of Japan**

I was pleased to join the Consul-General of Japan in a visit to the Macedon Ranges Shire on 31 March 2021. The visit commenced with a Council-hosted morning tea and viewing of the Japanese Garden in the grounds of Council's Administration Centre in Gisborne, followed by a visit to Honour Avenue, Mount Macedon, Hanging Rock, wine tasting and lunch at the Wine Collective and Braemar College. He has a keen interest in wine and promised to come back and visit us later this year.

- **Citizenship Ceremony**

Nine residents made a formal pledge to become Australian citizens in the Kyneton Town Hall on 20 April. Together with my fellow Councillors, I welcomed the new citizens who now take on the privileges and responsibilities of being an Australian citizen.

Community-run events:

Councillors, together with the community, attended the following events, meetings and service

- Inaugural Picnic at Hanging Rock hosted by Woodend-Hesket Football Netball Club and Hanging Rock Cricket Club

- Bunjil Farm Hemp Farm Inaugural Open Day
- Kyneton Agricultural Society annual general meeting
- Grand Opening of the Carlsruhe fire brigade station
- ANZAC day ceremonies

Announcements

- **Macedon Ranges Regional Sports Precinct**

Council recently welcomed a further \$3.2 million towards the Macedon Ranges Regional Sports Precinct from the State Government's Growing Suburbs Fund. The allocation builds on previous funds from Council, State Government and AFL Victoria. The funding pool will assist in the delivery of stage one of the precinct including gardens, an outdoor gym, barbecue areas, a play space and a walking and cycling track. I would like to thank the staff who put the application together, and the State Government for opening up funding opportunities to peri-urban councils.

- **AgriLinks Upgrade**

Mary-Anne Thomas MP, State Member for Macedon, announced the State Government's Agrilinks Upgrade Program funding of \$480,000 towards an upgrade of Sidonia Road on 26 April. Council provided \$65,000 towards funding this project which not only improves the safety of access to some of the regions broad acre farms for sheep and beef but makes the bus trip for our future farmers also safer.

Councillor representation and attendance at meetings

- Workspace Australia Board meeting 8 April
- *Climate Change and Your Council*: Many councillors joined online three-hour interactive seminars to discuss what climate change and the *Local Government Act 2020* means for council
- COVID briefing for Mayors with the Minister for Local Government, Shaun Leane
- Quarterly webinar updating Mayors, CEOs and councillors on the *Local Government Act 2020*
- Media training sponsored by Rural Councils Victoria
- Local Government Mayoral Advisory Panel
- Ministerial Gender Equality Advisory Committee
- Rural North Central Region Mayors CEOs and Municipal Association of Victoria representatives strategic planning on line session

- **Community Vision**

I would like to once again thank the residents who took part in the Community Vision Assembly and for inviting councillors to meet them to share with us their vision statement and discuss what they thought of the process at the end of their last session earlier this month. Selected by an independent consultant, the Assembly members represented the broad demographics of the community. The Assembly has been responsible for the creation of a 10-year Community Vision for what life could look like in the Macedon Ranges in 2031, and provide recommendations and feedback for how we can get there through various Council plans and strategies. The Assembly met five times over March and April, with sessions run by professional and independent facilitators. This vision and council plan will be released to the public after Councillors have examined it and taken into consideration the recommendations provided. Keep checking on our website, through social media and via print media to have your say on these recommendations too once they are released later this year.

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

CARRIED

6. PETITIONS

Nil.

7. ADOPTION OF MINUTES

Scheduled Council Meeting: Wednesday 24 March 2021

Officer Recommendation:

That the minutes of the Scheduled Council Meeting of the Macedon Ranges Shire Council held on Wednesday 24 March 2021 as circulated be confirmed.

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

CARRIED

8. RECORD OF MEETINGS OF COUNCILLORS AND COUNCIL STAFF – APRIL 2021

Summary / Purpose

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

Policy Context

Rule 31(a) of Council's Governance Rules requires a written record of matters discussed at specified meetings of Councillors and Council staff to be reported to the next practicable scheduled Council Meeting and recorded in the minutes of that meeting.

Background Information

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

- (i) an advisory committee of the Council, if at least one Councillor is present; or
- (ii) a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be:
 - i. the subject of a decision of the Council;
 - ii. subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee

but does not include a meeting of the Council, a delegated committee of the Council, a meeting of the audit and risk committee, a club, association, peak body, political party or other organisation.

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

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

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

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

Report

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

1.	Date / Time	Type of Meeting
	Wednesday 23 March 2021 9.45am	Councillor Briefing
	Venue	Gisborne Administration Office
	Present – Councillors	Cr Jennifer Anderson (Mayor) Cr Mark Ridgeway (Deputy Mayor) Cr Dominic Bonanno Cr Rob Guthrie Cr Anne Moore Cr Geoff Neil Cr Janet Pearce Cr Bill West
	Apologies – Councillors	Cr Annette Death
	Present – Officers	John Nevins Angela Hughes Shane Walden Allison Watt Jessica Baguley Stephen Pykett Rob Ball Michelle Wyatt Krista Patterson-Majoor Leanne Khan Isobel Maginn Christo Crafford Awais Sadiq
	Presenters	Nick Byrne (REMPPLAN)
	Apologies – Officers	John Hausler Sarah Noel
	Items discussed	<ul style="list-style-type: none"> • Economic Development Strategy Workshop • Draft Roadside Conservation Management Plan • Gisborne Futures — Response to submissions: Economy & Employment

	<ul style="list-style-type: none"> • Agenda review
Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed	<p>Cr Guthrie stated that he was removing himself from the discussion on the Gisborne Futures project because of a possible perception of bias and left the meeting at 11.50am.</p> <p>Did they leave the meeting? Yes</p>
Conflicts of interest declared by officers	<p>N/A</p> <p>Did they leave the meeting? N/A</p>

2.	Date / Time	Type of Meeting
	Tuesday 6 April 2021 9.20am	Councillor Briefing
	Venue	Gisborne Administration Office
	Present – Councillors	Cr Jennifer Anderson (Mayor) Cr Rob Guthrie Cr Janet Pearce Cr Bill West
	Apologies – Councillors	Cr Annette Death Cr Anne Moore Cr Geoff Neil Cr Mark Ridgeway (Deputy Mayor) Cr Dominic Bonanno
	Present – Officers	John Nevins John Hausler Angela Hughes Shane Walden Sarah Noel Jessica Baguley Emma Orchard Stephen Pykett Danni Findlay Christo Crafford Damien Hodgkins Travis Harling Hayley Drummond Lisa Kennedy Christine Sullivan
	Presenters	Mark Davies (Mach 2 Consulting) Michael Kealy (Office of the Valuer-General Victoria) Karl Cundall, Leon Roach and Murphy Xiao (Value-It Pty Ltd) Steve Wroe (Daylesford Macedon Tourism)
	Apologies – Officers	Kate Young Allison Watt Bob Elkington

Items discussed	<ul style="list-style-type: none"> • 3 year old kindergarten rollout • Agribusiness Forum – Introduction & future direction • Revaluation 2021 • Revenue and rating • Tourism sign audit • Daylesford Macedon Tourism • Planning matter AGR 2021/2 – 184 High Street, Kyneton • Budget Workshop 3
Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed	<p>Nil</p> <p>Did they leave the meeting? N/A</p>
Conflicts of interest declared by officers	<p>Nil</p> <p>Did they leave the meeting? N/A</p>

3.	Date / Time	Type of Meeting
	Tuesday 13 April 2021 9.55am	Councillor Briefing
	Venue	Gisborne Administration Office
	Present – Councillors	Cr Jennifer Anderson (Mayor) Cr Mark Ridgeway (Deputy Mayor) Cr Dominic Bonanno Cr Rob Guthrie Cr Anne Moore Cr Annette Death Cr Geoff Neil Cr Janet Pearce Cr Bill West
	Apologies – Councillors	N/A
	Present – Officers	John Nevins John Hausler Shane Walden Angela Hughes Allison Watt Travis Harling Bob Elkington Danni Findlay Christo Crafford Rob Ball Isobel Maginn Michelle Wyatt
	Presenters	Mark Davies (Mach 2 Consulting) James Schaefer
	Apologies – Officers	Sarah Noel

Items discussed	<ul style="list-style-type: none"> • Budget Workshop 4 • Revenue and rating • Business continuity and resilience program and report on program delivery • Planning matters <ul style="list-style-type: none"> ○ PLN 2020 421 5 Susanne Court Romsey ○ DPO24 Lancefield Area 1 (James Schafer) • Gisborne Futures • Agenda review • Waterway Environmental Workshops Plans – Port Phillip and Westernport Catchment.
Conflicts of interest declared by Councillors and record of them leaving the meeting when the matter about which they declared the conflict of interest was discussed	<p>Cr Guthrie stated he that was removing himself from the discussion on the Gisborne Futures project because of a possible perception of bias and left the meeting at 1.30pm.</p> <p>Did they leave the meeting? Yes</p>
Conflicts of interest declared by officers	<p>Nil</p> <p>Did they leave the meeting? N/A</p>

4.	Date / Time	Type of Meeting
	Wednesday 14 April 2021 7.02pm	Delegated Submitters Committee Meeting
		Agenda and minutes have been made publicly available on Council's website.

5.	Date / Time	Type of Meeting
	Tuesday 20 April 2021 9.30am	Councillor Briefing
	Venue	Gisborne Administration Office
	Present – Councillors	<p>Cr Jennifer Anderson (Mayor)</p> <p>Cr Mark Ridgeway (Deputy Mayor)</p> <p>Cr Dominic Bonanno</p> <p>Cr Rob Guthrie</p> <p>Cr Anne Moore</p> <p>Cr Annette Death</p> <p>Cr Geoff Neil</p> <p>Cr Janet Pearce</p> <p>Cr Bill West</p>
	Apologies – Councillors	N/A
	Present – Officers	<p>John Nevins</p> <p>John Hausler</p> <p>Shane Walden</p> <p>Angela Hughes</p> <p>Sarah Noel</p> <p>Kate Young</p> <p>Jessica Baguley</p> <p>Travis Harling</p>

	Stephen Pykett Gary Randhawa Cam McFarlane
Presenters	N/A
Apologies – Officers	N/A
Items discussed	<ul style="list-style-type: none"> • Budget discussions • Review of Australia Day Awards Program • Planning matter – Draft Woodend Master Plan and business case update
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>

Officer Recommendation:

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

Amended Officer Recommendation

That Council endorses the record of meetings of Councillors and Council staff as outlined in this report with the inclusion of an item for the Councillor briefing on 13 April which was a presentation from James Schaefer on a report arising from a private forum conducted in Kyneton in July 2019.

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

CARRIED

9. DEPUTATIONS AND PRESENTATIONS TO COUNCIL

Nil.

10. DIRECTOR PLANNING AND ENVIRONMENT REPORTS:**Report No: Report Title:**

PE.1 Application for Planning Permit PLN/2020/225 – Re-subdivision of sixteen (16) lots into twenty-two (22) lots, creation of easement and removal of vegetation (native and non-native) – Rhonda Park, 36 Sullivans Road, Woodend

Purpose and Overview

This application proposes a re-subdivision of the subject land from 16 lots into 22 lots, along with the creation of a new easement and the removal of vegetation (native and non-native).

The application was advertised with five objections received. Note, an additional two objections were received but these have been withdrawn.

Key issues to be considered relate to the format of the proposed subdivision in context of policies and provisions relating to neighbourhood character, removal and viability of retained vegetation, increased traffic and road layout matters, bushfire safety, amenity impacts, and the provision of reticulated infrastructure services.

The application has been assessed against the relevant provisions of the Macedon Ranges Planning Scheme and objections received. On balance it is considered that the proposal is in keeping with the relevant provisions of the Planning Policy Framework, Local Planning Policy Framework, zone, overlay, particular provisions and general provisions.

It is recommended that the proposal be supported and that a Notice of Decision to Grant a Planning Permit be issued.

Recommendation

That Council resolve to Issue a Notice of Decision to Grant a Planning Permit subject to the following conditions:

- 1. Before the plan of subdivision is certified under the *Subdivision Act 1988*, and the commencement of works for the approved subdivision, 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 plan clearly detailing trees to be removed and those to be retained within the subject land as well as third party trees encroaching within the subject land, and including Tree Protection Zones for retained trees and third party trees, as well as fully dimensioned Building Exclusion Zones provided for each lot with retained trees and third party trees encroaching within the subject land. The Building Exclusion Zones must incorporate the Tree Protection Zones for retained trees and third party trees, and must also achieve simple rather than complicated alignments including the avoidance of curved lines.**
 - (b) The Landscape Master Plan required by Condition 3 of this permit.****

- (c) The plans and details required by MRSC Engineering Condition 13 of this permit.
 - (d) The native vegetation offset evidence requirements of DELWP Condition 58 of this permit.
2. The subdivision and removal of native vegetation allowed by this permit and shown on the plans endorsed to accompany the permit shall not be amended for any reason unless with the prior written consent of the Responsible Authority.
 3. Prior to the certification of a plan of subdivision, a digital copy of a Landscape Masterplan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Landscape Masterplan is to be developed in conjunction with the Functional Layout Plan and prepared by a suitably qualified and experienced landscape designer. It is to be drawn to scale and must show:
 - (a) The locations of street tree planting within the subdivision including the Sullivans Road frontage. Trees are to be spaced at a minimum of one per lot or every 12 metres, whichever is the lesser, where road reserve space allows.
 - (b) Topography and existing features, including contours for the subject land and any affected adjacent land.
 - (c) The location of all trees existing on the site, including any that overhang the site from adjoining land.
 - (d) Details of tree protection zones for all trees to be retained on site.
 - (e) Any trees proposed for removal from the site clearly designated.
 - (f) The principles and graphical concepts of the proposed treatment of any drainage reserves.
 - (g) All proposed furniture, paths (other than footpaths) and any proposed amenities. Consideration should be given to providing an amenity area within the basin reserve. At the very minimum it must include a gravel walking path and seating area.
 - (h) All interfaces to public areas separated by bollards or post and rail fencing with access provided e.g. removable bollard or gate for maintenance vehicles.
 - (i) The principles and graphical concepts of the proposed treatment of any drainage reserves.
 4. Prior to the issue of a Statement of Compliance for the subdivision, three hard copies and a digital copy of a detailed Landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The detailed landscape plan is to be prepared by a suitably qualified and experienced landscape designer. It is to be generally in accordance with the endorsed Landscape Master Plan but is to focus on the details of any reserve areas and streetscape plantings. The plan is to be overlaid on the approved Engineering plans to ensure coordination with services and other infrastructure. When approved, the plan will be endorsed and form part of this permit and is to include:

Street trees

- (a) Street tree species selection is to tie in with the existing surrounding character and be a mix of native and indigenous species to the approval of the Responsible Authority.
- (b) Typical cross-sections for each street type, dimensioning tree locations, services offsets as set out in Council's Tree Management Policy, 2019 and any other spatial requirements.
- (c) A table of offsets for all utility services and street trees.
- (d) The following notations:
 - *Tree planting is to occur between April & September to maximise establishment and survival.*
 - *Tree locations shown on this plan are a guide only and may require adjustment to coordinate with final service locations, Powercor requirements, and 'as constructed' infrastructure.*
 - *Street tree locations are to be set-out and approved on site by the Council Landscape Officer prior to installation*
 - *It is the responsibility of the contractor to confirm the location of all underground services prior to commencement of any excavation.*
- (e) An advanced Tree Planting Detail with a minimum 52L Greenwell water saver and three (3) hardwood stakes.
Reserves (including basins):
- (f) Large canopy trees are to be provided to the perimeter of (but not within) any basin areas with a preference for locally indigenous species.
- (g) Trees proposed within lawn areas are to be a minimum of three metres apart (including mulch/waterwell) to facilitate mowing machinery or consolidated within mulched garden beds.
- (h) All grassed areas are to be a minimum grade of 1:5, preferably 1:6, to allow for maintenance by mowing machinery.
- (i) Any gradients 1:4 and greater are to be planted with native grasses and groundcovers at a sufficient density to discourage weed growth. Species for gradients adjacent to and, within waterways and basins must be locally indigenous.
- (j) Seed for grassed reserves is to be a Fine and Tall Fescue mix with 20% Perennial Ryegrass.
- (k) Seed for within retarding basins is to be a Fine Fescue Mix with 20% of native seed or native grass cells interspersed.

Reserve Furniture

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

Landscape Completion

- 5. The landscaping works shown on the approved landscape plan must be carried out and completed to the satisfaction of the Responsible Authority prior to the issue of a Statement of Compliance or any other time agreed in writing by the Responsible Authority.

Landscape Maintenance

- 6. Landscaping shown on the endorsed landscape plans must be maintained to the satisfaction of the Responsible Authority for a period of two (2) years from the practical completion of the landscaping. During this period, any dead, diseased or damaged plants or landscaped areas are to be repaired or replaced during the period of maintenance and must not be deferred until the completion of the maintenance period.**
- 7. Before the certification of the Plan of Subdivision, 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:**
 - (a) Any dwelling or other building constructed on a lot must comply with the front, side and rear setbacks specified by the Neighbourhood Residential Zone (NRZ6) of the Macedon Ranges Planning Scheme (or the setback requirements of any successive zone or overlay applying to the land), with the exception that a dwelling may align within 3 metres of a side boundary on one side of a lot subject to the garage for the dwelling being located on the same side of the dwelling and must also incorporate a minimum 3 metre setback from the same boundary. The opposite side of the dwelling must achieve a minimum 5 metre setback from the alternative side boundary of the lot.**
 - (b) No buildings or works are to be located within the Building Exclusion Zones as shown on the endorsed plans forming part of Planning Permit PLN/2020/225. No trees within Building Exclusion Zones as shown on the endorsed plans forming part of Planning Permit PLN/2020/225 to be retained (including third party vegetation encroaching into lots) are permitted to be removed, lopped or destroyed (Please note: Planning permit requirements may also apply for removal of vegetation including native and exotic trees). Tree protection fencing and other measures in accordance with Conditions 55 and 56 of Planning Permit PLN/2020/225 must be implemented prior to the commencement of works for any building within on any lot containing retained trees or third party vegetation and must be maintained for the duration of building works.**
 - (c) The site coverage of all buildings constructed on any lot must not exceed 25% of the area of the lot. An area of minimum 30% of the lot area must be maintained with permeable surfacing.**
 - (d) The rear (eastern) boundary for each of Lots 9 to 22 abutting rural zoned land to the east must only be fenced with rural post and wire or similar visually permeable fencing construction to the satisfaction of the Responsible Authority.**
 - (e) Variation to the restrictions applied by this Agreement may only be granted by the prior written consent of the Responsible Authority. Any application to vary these restrictions will only be supported on the grounds that the variation achieves an appropriate outcome in respect to the preferred neighbourhood character for the locality including spaciousness of development, generous setbacks of buildings from property**

boundaries, and the retention of existing mature trees and establishment of new landscaped gardens.

Prior to a Statement of Compliance being issued:

- (a) Application must be made to the Registrar of Titles to register the Section 173 Agreement on the title to the land under Section 181 of the same Act.
- (b) The owner/s must pay all costs (including Council's costs) associated with the preparation, execution, registration and (if later sought) cancellation of the Section 173 Agreement.

Alternatively, the Section 173 Agreement specified above is not required to be entered into if a Plan of Subdivision including restrictions on the plan or a memorandum of common provisions providing for the same development restrictions specified to be included in the Section 173 Agreement (to the satisfaction of the Responsible Authority) otherwise required by this condition is submitted to and certified by the Responsible Authority.

8. Prior to the issuing of the Statement of Compliance for the approved subdivision, the owner must pay to Council a 5% cash-in-lieu open space contribution in respect to all of the land in the subdivision pursuant to Section 18 of the *Subdivision Act 1988*.
9. All underground service infrastructure including drainage and sewerage pipes, electricity, gas and telecommunication infrastructure to be located within the Tree Protection Zones shown on endorsed plans forming part of this permit (including third party trees that encroach within the subject land) must be installed by the method of boring underneath the protected trees. The boring method including the length and location must be written on all landscape and construction plans. No other method for the installation of underground service infrastructure within the Tree Protection Zones is permitted. Service infrastructure works within the Tree Protection Zones must not detrimentally impact upon the protected trees.
10. Measures must be undertaken to minimise any loss of amenity to the neighbourhood associated with subdivision works caused by dust, noise, the transport of material to and from the land, and the deposit of mud and debris on public roads and the road reserve adjacent to the subject land, to the satisfaction of the Responsible Authority.

Macedon Ranges Planning Scheme Mandatory Subdivision Conditions

11. The owner of the land must enter into an agreement with:

- (a) A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
- (b) A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media

Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

- 12. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:**
- (a) A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and**
 - (b) A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.**

MRSC Engineering & Projects Unit Conditions

- 13. Prior to the certification of the Plan of Subdivision, an amended Subdivision Layout Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and submitted electronically as a PDF. The plan must be generally in accordance with the submitted plan but modified to show:**
- (a) Extend concrete Kerb and Channel on both sides of the road from the existing bus stop westward to Morris Road where the kerb and channel is required to taper into existing swale drains. Cross section of Sullivans Road must be provided showing total road widths along with other changes.**
 - (b) Crossovers for each lot.**
 - (c) Typical cross-section showing the proposed Trenchard Street to be 7.3 metres wide and minimum court bowl radius to be 10m, with a footpath provided along the western side of the road only.**
 - (d) The proposed Wetland (Dam) with ANCOLD assessment.**

The lot layout may be adjusted subject to Council's satisfaction during the Functional Layout Plan review.

- 14. Prior to the submission of Engineering Plans and certification of the relevant plan of subdivision, a Functional Layout Plan for the subdivision must be submitted to and approved by the responsible authority. When approved the functional layout plan will be endorsed and will then form part of the permit. The functional layout plan must be drawn at a scale of 1:500 to acceptable standards and an electronic copy (PDF) must also be provided. The functional layout plan must generally incorporate the following:**
- (a) A fully dimensioned subdivision layout, including proposed street names, lot areas, lot numbers, open space areas, and widths of street reservations.**
 - (b) Topography and existing features, including contours for the subject land and any affected adjacent land.**

- (c) Identification by survey of all trees (or group of trees) existing on the site, including dead trees and those that overhang the site from adjoining land.
 - (d) Details of tree protection zones for all trees to be retained on site.
 - (e) Any trees proposed for removal from the site (including dead trees) clearly designated.
 - (f) Typical cross-sections for each street type, dimensioning individual elements, services offsets and any other spatial requirements.
 - (g) Intersections with interim and/or ultimate treatments.
 - (h) A table of offsets for all utility services and street trees.
 - (i) Location and alignment of kerbs, indented parking spaces, footpaths, shared paths, bus stops and traffic controls.
 - (j) The proposed minor drainage network and any land required for maintenance access.
 - (k) The major drainage system, including any watercourse, lake, wetland, silt pond, and/ or piped elements showing preliminary sizing.
 - (l) Overland flow paths (100 year ARI) to indicate how excess runoff will safely be conveyed to its destination.
 - (m) Drainage outfall system (both interim and ultimate), indicating legal point of discharge and any access requirements for construction and maintenance.
 - (n) Preliminary location of reserves for electrical kiosks.
 - (o) Works external to the subdivision, including both interim and ultimate access requirements.
 - (p) Proposed linkages to future streets, open space, regional path network and surrounding land.
 - (q) The location, height, width and form of all retaining walls.
 - (r) Splays on all corner lots.
15. Prior to the commencement of works for the subdivision, Engineering Plans must be submitted to and approved by Responsible Authority including payment of plan checking and supervision fees. The Engineering Plans will not be considered until the Functional Layout Plans have been approved by the Responsible Authority, landscape plans have been submitted to the Responsible Authority, the plan of subdivision has been lodged for certification with the Responsible Authority and the locations of other relevant authority services have been provided to the satisfaction of the Responsible Authority. The plans must include:
- (a) All necessary computations and supporting design documentation for any structure, civil and drainage infrastructure and geotechnical investigation report.
 - (b) Details of works must be consistent with the approved functional layout plan, submitted landscape plan and lodged plan of subdivision.
 - (c) Details of any cut and fill earthworks including retaining walls.
 - (d) Fully sealed pavements with kerb and channel, to dimensions generally in accordance with the approved functional layout plan, including traffic management devices where appropriate.
 - (e) Provision of concrete footpaths in all streets and reserves.

- (f) **Structural design details of all pedestrian crossings/bridges over the waterway. The design must include field survey, geotechnical assessment and flood modelling.**
 - (g) **Any traffic management or traffic calming devices.**
 - (h) **Driveway links designed to provide one (1) visitor space per lot served by the link.**
 - (i) **Provision of shared paths in accordance with the approved functional layout plan within streets and reserves.**
 - (j) **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.**
 - (k) **Underground stormwater drainage to each lot in the subdivision within own boundaries.**
 - (l) **Water sensitive urban design measures.**
 - (m) **Maintenance management plan for all Water Sensitive Urban Design infrastructures.**
 - (n) **Provision for all services and conduits (underground) including alignments and offsets.**
 - (o) **Provision of public street lighting and underground electricity supply within all streets and reserves where appropriate.**
 - (p) **A new sealed crossover for each lot. Crossovers should be located on the long side of corner sites where roundabout splitter islands will hinder access and should be a minimum of 10 metres from any intersection, 1 metres from any power pole, sign or service pit and an absolute minimum of 3 metres from any street tree.**
 - (q) **Vehicle exclusion measures within reserves while maintaining maintenance vehicle access.**
 - (r) **Lot boundary fencing adjoining all reserves other than road reserves.**
 - (s) **Temporary turnaround areas within the site for waste collection vehicles at the temporary dead end of any road.**
 - (t) **Traffic control measures including street name signs.**
 - (u) **A separate signage and line marking identifying the road layout, proposed signs, line-marking, RRPMS and a sign schedule.**
 - (v) **Survey details of the canopy trunk location and size of trees to be retained and associated tree protection zone.**
 - (w) **Permanent survey marks, levelled to the Australian Height Datum and coordinated to the Australian Map Grid.**
 - (x) **Splays at all intersections, to suit the road functions.**
- 16. Prior to the commencement of works, an “Asset Protection Permit” must be obtained from Council for any of the following circumstances:**
- (a) **Entering a building site by means of a motor vehicle having a gross weight exceeding two tonnes.**
 - (b) **Occupying a road for works.**
 - (c) **Connecting any land to a stormwater drain.**
 - (d) **Opening, altering or repairing a road.**
 - (e) **Opening, altering or repairing a drain.**
 - (f) **Accessing a building site from a point other than a crossover.**
 - (g) **Construct/repair/widen/remove any crossover.**

17. **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.

18. **Prior to issue of a Statement of Compliance, all works shown on the approved Engineering Plans must be constructed or carried out all to the satisfaction of the Responsible Authority.**
19. **Prior to works commencing, engineering plans detailing the storm water drainage are to be submitted for Macedon Ranges Shire Council approval and plan and supervision fees paid. The subdivision is to be provided with a drainage system to a design approved by the Responsible Authority and such that:**
- (a) The subdivision as a whole is provided with a legal point of discharge approved by the Responsible Authority and any other statutory authority from which approval must be received for the discharge of drainage.**
 - (b) Stormwater runoff from all buildings, tanks and paved areas must be drained to a legal point of discharge.**
 - (c) All drainage courses or outfall drainage lines required to the legal point of discharge and which pass through lands other than those within the boundaries of the subdivision must be constructed at no cost to the Responsible Authority.**
 - (d) All drainage courses located within allotments must be contained within expressed drainage easements.**
 - (e) The flow paths of a 1 in 100 year ARI storm need to be determined and the subdivision designed such that no private property is inundated.**
 - (f) The drainage system must have provision for runoff from the upstream catchments and include any downstream works necessary to manage flows from the subdivision.**
 - (g) Objectives of the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999) are satisfied.**
20. **Prior to the commencement of the 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.

- 21. Any temporary turning areas to the land must be constructed in accordance with engineering plans approved by the Responsible Authority and maintained to the satisfaction of the Responsible Authority.**

If the temporary turning area is to be retained after the relevant Statement of Compliance is issued, a bond of sufficient value to cover all reinstatement works must be lodged with the Responsible Authority before the Statement of Compliance is issued.

All works undertaken for a temporary turning area must be removed and all affected road pavement, concrete works, nature strips and other land must be reinstated to the satisfaction of the Responsible Authority when the turning area is no longer required.

A sign of at least 1 square meter in area must be displayed in a prominent position near the temporary turning area whilst the temporary turning areas are in operation advising that they are temporary turning areas only. The sign must be removed after the temporary turning areas are removed.

- 22. Prior to the issue of a Statement of Compliance, land on each lot 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.**
- 23. Prior to the issue of a Statement of Compliance, 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. The subdivision is to be constructed in accordance with Macedon Ranges Shire Council’s Policy Engineering Requirements for Infrastructure Construction (June 2010).**
- 25. Before the commencement of works, an environmental management plan shall be submitted to and approved by the Responsible Authority. The plan must detail how issues such as erosion prevention, temporary drainage, dust generation and sediment control will be managed, on site, during the operation of the use permitted. Details of a contact person/site manager must also be provided, so that this person can be easily contacted should any issues arise. Reference should be made to the Environment Protection Authority’s publication 960 ‘Doing it right on subdivisions’.**

- 26. Prior to certification of the plan of subdivision under the Subdivision Act 1988, the operator of this permit shall provide documentary evidence to the satisfaction of the Responsible Authority in support of all proposed new road names shown on the plan. Documentation must include a completed “Road Name History” form. All proposed new road names must comply with the naming principles described in the Victorian Government’s “Guidelines for Geographic Names 2010”.**
- 27. 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.**
- 28. The creation and removal of easement shown on the endorsed plan must not be altered without the written consent of the Responsible Authority.**
- 29. Prior to the certification of the plan of subdivision the proposed basin must be designed to satisfy ANCOLD Guidelines.**
- 30. 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.**
- 31. Control measures in accordance with the approved Site Management Plan shall be employed throughout the construction of the works to the satisfaction of the Responsible Authority. The Responsible Authority must be kept informed in writing of any departures from the Site Management Plan. If in the opinion of the Responsible Authority the departure from the approved plan is significant then an amended plan must be submitted to and approved by the Responsible Authority. The approved measures must be carried out continually and completed to the satisfaction of the Responsible Authority.**
- 32. Polluted drainage must be treated and/or absorbed on the lot from which it emanates to the satisfaction of the Responsible Authority. Polluted drainage must not be discharged beyond the boundaries of the lot from which it emanates or into a watercourse or easement drain.**

33. The operator of this permit must maintain to the satisfaction of the responsible authority for a period of two (2) years, all landscaping constructed under this permit except for grass areas along street nature strips. The maintenance period shall commence on the date the landscaping is certified by the Responsible Authority as practically complete. Any defects occurring during the maintenance period shall be repaired by the operator of this permit to the satisfaction of the responsible authority. During this period, any dead, diseased or damaged plants are to be replaced during the period of maintenance and must not be deferred until the completion of the maintenance period.

Western Water Conditions

34. Payment of new customer contributions for each lot created by the development, such amount being determined by Western Water at the time of payment.
35. Provision of reticulated water mains and associated construction works to front each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of Western Water.
36. Any existing water service which crosses any of the proposed allotment boundaries within the proposed development must be disconnected and relocated at the developer's expense, to be wholly within one allotment only and to the satisfaction of Western Water.
37. Provision of reticulated sewerage and associated construction works to each allotment within the development, at the developer's expense, in accordance with standards of construction adopted by and to the satisfaction of Western Water.
38. Provision of easements in favour of Western Water over all existing and proposed sewer mains located within private property. Easement widths and sewer offsets must comply with the current version of the Gravity Sewerage Code of Australia - Melbourne Retail Water Agencies.
39. Pursuant to Section 36 of the Subdivision Act, Western Water considers that for the economical and efficient subdivision and servicing of the land covered by the Application for Permit it requires the owner of the land to acquire an easement over other land in the vicinity, namely, any land not owned by the Developer through which a sewerage extension servicing the development is to be located. The easements created shall be in favour of Western Water.
40. Prior to Certification of the Plan of Subdivision a Restriction must be created on the plan requiring all dwellings to incorporate dual plumbing for connection to a rainwater tank with a minimum 3,000L capacity, for use in toilet flushing and garden watering.
41. The operator under this permit must 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.

42. All contractors engaged on construction of Subdivision Infrastructure obtain a Water Carters Permit from Western Water and comply with that permit at all times. The permit will include a requirement for the Water Carter Permit holder to:
- Own a metered hydrant approved by Western Water;
 - Meter and pay for all water taken;
 - Display a Western Water Permit Number Sticker on the tanker;
 - Only take water from nominated hydrants or standpipes;
 - Only use water for the purpose approved in the Water Carters Permit;
 - Avoid wastage of water on site; and
 - Comply with any water restrictions imposed by Western Water at the time water is used.

For the purpose of this condition, Subdivision Infrastructure includes new and alterations to existing: roads, drains, water mains, sewer mains, power supply, telephone, gas and any other service infrastructure required by this permit and dust suppression during construction of the same.

Notwithstanding the above, a Water Carters Permit is not required if the permit holder and contractors engaged by the permit holder can demonstrate to the satisfaction of Western Water that water is not required from Western Water's town water supply systems to construct Subdivision Infrastructure as defined above.

Goulburn-Murray Water Conditions

43. Any Plan of Subdivision lodged for certification must be referred to Goulburn-Murray Rural Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.
44. All works within the subdivision must be done in accordance with EPA Publication 960 "Doing It Right on Subdivisions, Temporary Environmental Protection Measures for Subdivision Construction Sites", September 2004.
45. Each lot must be provided with connection to the reticulated sewerage system in accordance with the requirements of the relevant urban water authority.
46. All stormwater discharged from the site must meet the urban run-off objectives and Standard C25 as specified in Clause 56.07-4 of the Victorian Planning Provisions. All infrastructure and works to manage stormwater must be in accordance with the requirements of the Responsible Authority.

Powercor Conditions

47. This letter shall be supplied to the applicant in its entirety.

48. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.
49. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.

Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.

50. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).

Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.

51. The applicant shall, when required by the Distributor, set aside areas with the subdivision for the purposes of establishing a substation or substations.

Notes: Areas set aside for substations will be formalised to the Distributor's requirements under one of the following arrangements:

- RESERVES established by the applicant in favour of the Distributor.
- SUBSTATION LEASE at nominal rental for a period of 30 years with rights to extend the lease for a further 30 years. The Distributor will register such leases on title by way of a caveat prior to the registration of the plan of subdivision.

52. The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements.

Notes:

- Existing easements may need to be amended to meet the Distributor's requirements.
- Easements required by the Distributor shall be specified on the subdivision and show the Purpose, Origin and the In Favour of party as follows:

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited / In Favour of
	Power Line		Section 88 - Electricity Industry Act 2000	Powercor Australia Ltd

Downer (AusNet) Condition

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

Department of Environment, Land, Water and Planning Conditions***Notification of permit conditions***

54. Before works start, the permit holder must advise all persons undertaking the vegetation removal works on site of all permit conditions pertaining to native vegetation protection.

Protection of native vegetation to be retained

55. 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) A radius of 12 times the diameter of the tree trunk at a height of 1.4 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree; and
 - (b) Around the patch(es) of native vegetation at a minimum distance of 2 metres from retained native vegetation.

The fence must be constructed of star pickets and paraweb or similar, to the satisfaction of the responsible authority and the Department of Environment, Land, Water and Planning. The protection fence must remain in place until all works are completed to the satisfaction of the department.

56. Except with the written consent of the department, within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:
- (a) vehicular or pedestrian access;
 - (b) trenching or soil excavation;
 - (c) storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products;
 - (d) construction of entry and exit pits for underground services; or
 - (e) any other actions or activities that may result in adverse impacts to retained native vegetation.

Native vegetation offsets

The total area of native vegetation permitted to be removed is 0.214 hectares, comprised of 3 patches of native vegetation and 7 large trees.

57. To offset the removal of 0.214 hectares of native vegetation the permit holder must secure a native vegetation offset(s) that meets all the following:
- A general offset of 0.080 general habitat units located within the North Central Catchment Management Authority boundary or Macedon Ranges Shire Council municipal district;
 - have a Strategic Biodiversity Value score of at least 0.387;
 - provide protection for at least 7 large trees;
 - must be in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP, 2017).

Offset evidence

58. 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 an established first party offset site. This must include:

- (a) a security agreement signed by both parties, and
- (b) a management plan detailing the 10-year management actions and ongoing management of the site
- (c) to the satisfaction of the Department of Environment, Land, Water and Planning and approved by the Responsible Authority.

Every year, for ten years, after the responsible authority has approved the offset management plan, the applicant must provide notification of the management actions undertaken towards implementing the offset management plan, to the department. An offset site condition statement, including photographs must be included in this notification;

and/or

- (a) credit extract(s) allocated to meet the requirements of the permit from the Native Vegetation Credit Register.

A copy of the offset evidence must be endorsed by the responsible authority and form part of this permit.

59. Within 30 days of endorsement of the offset evidence by the responsible authority, the permit holder must provide a copy of the endorsed offset evidence to the Department of Environment, Land, Water and Planning at loddonmallee.planning@delwp.vic.gov.au

Expiry of Permit – Subdivision of Land

60. This permit will expire if one of the following circumstances applies:

- (a) The plan of subdivision is not certified within two years of the date of this permit.
- (b) The plan of subdivision is not registered at Land Registry within five 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.

**** END OF PERMIT CONDITIONS ****

PERMIT NOTES

- Future owners of the land must be made aware of the existence of this permit.
- It is recommended that the developer make communication with the owner of the land to the north side of Sullivans Road to negotiate a mutually agreeable outcome for the provision of sewerage connection through that property to service the subdivision approved by this permit.

MRSC Open Space Team Notes

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

MRSC Engineering & Projects Team Notes

- **In accordance with section 17 of the Subdivision Act, works required to be undertaken as part of the subdivision hereby permitted, must not commence until the Plan of Subdivision has been certified and the engineering plans for the subdivision have been approved.**
- **The Defect Liability Period commences from the date of Acceptance of Works (Maintenance work time completion) and extend for a minimum period of 24 months, including 2 summers, or other agreed period.**

Powercor Notes

- **It is recommended that applications for electricity supply to each lot be submitted at the earliest opportunity so that the precise requirements of the Distributor can then be determined and accommodated. Applications for electricity supply shall be submitted via the Distributor's web portal, "mySupply" which can be accessed via the following link:**

<https://customer.portal.powercor.com.au/mysupply/CIAWQuickCalculator>

Downer (AusNet) Note

- The applicant should be made aware that this letter does not serve as a confirmation of gas supply availability. The owner/developer of the land may need to enter into an agreement or request a quote from AusNet Services for provision of gas reticulation to service the proposed development.

Department of Land, Environment, Water and Planning Notes

- The department advises that works or other activities on public land, which may affect protected native plants, will require a Protected Flora Licence or Permit under the *Flora and Fauna Guarantee Act 1988* (FFG). All native vegetation likely to be affected should be checked against the Protected Flora List (DELWP 2017) to determine whether FFG approvals are required. Protected Flora Permits can be obtained from the regional DELWP office (loddonmallee.environment@delwp.vic.gov.au).
- 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. In accordance with Section 66 of the *Planning and Environment Act 1987*, would you please provide a copy of the permit, if one is granted, or any notice to grant or refusal to grant a permit to the above address.

Motion

That Council resolve to Refuse to Grant a Planning Permit for the Re-subdivision of the land from sixteen (16) lots into twenty two (22) lots, creation of an easement, and removal of vegetation (native and non-native) at 36 Sullivans Road, Woodend, on the following grounds:

1. The proposal is inconsistent with the Planning Policy Framework and Local Planning Policy Framework of the Macedon Ranges Planning Scheme, including Clauses 21.04 (Settlement), 21.05 (Environment and Landscape Values), 21.07 (Natural Resource Management), 21.08 (Built Environment and Heritage), 21.09 (Housing) and 21.13-3 (Local Areas and Small Settlements – Woodend), in addition to the Woodend Structure Plan. The proposal does not respond appropriately to the existing neighbourhood character and site constraints. This results in urban infrastructure being provided upon rural zoned land thus causing adverse environmental impacts including native vegetation removal.
2. The proposal is not compliant with the purpose and provisions of the Neighbourhood Residential Zone (NRZ6) which aims to ensure that development respects the identified neighbourhood

- character of the Woodend Large Lot Township Precinct. This proposed subdivision is not responsive to the preferred neighbourhood character in this locality and the site constraints would be an overdevelopment of the subject land.
3. The proposal is not compliant with the purpose and provisions of the Environmental Significance Overlay (ESO4) which aims to protect and enhance the quality and supply of the Eppalock Proclaimed Catchment. The removal of Alternative Motion – Councillor Moore native vegetation would be a detrimental outcome within the proclaimed water catchment area including impacts to habitat and water quality.
 4. The proposal is not compliant with the purpose and provisions of Clause 52.17 (Native Vegetation) which aims to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This proposal is not consistent with the requirements of the “Guidelines for the removal, destruction or lopping of native vegetation” (DELWP, 2017) as it does not adequately achieve the avoidance and minimisation of native vegetation removal.
 5. The proposal is not compliant with Part 3AAB (Distinctive Areas and Landscapes) of the Planning and Environment Act 1987. This provision within the Macedon Ranges has been declared as a “Distinctive Area and Landscape”. The proposal is contrary to the objectives of the Statement of Planning Policy by its lack of response to the existing landscape, form and character. This includes an absent response to the interface between the Woodend township boundary and adjoining Rural Living Zone Schedule 5 properties.

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

CARRIED

Report No: Report Title:

PE.2 Application for Planning Permit PLN/2020/141 – Use and development of a child care centre and removal of vegetation (non-native) – 67 Simpson Street, Kyneton

Purpose and Overview

This application proposes the development of a child care centre providing for the care of 120 children, along with the removal of non-native vegetation.

The application was advertised with six objections and two letters of support being received.

Key issues to be considered relate to the format of the development in context of policies and provisions relating to design and built form, neighbourhood character and heritage, environmental impacts including vegetation, public access, increased traffic and road safety, amenity impacts, community infrastructure and economic development.

The application has been assessed against the relevant provisions of the Macedon Ranges Planning Scheme and the objections and letters of support received. On balance it is considered that the proposal is in keeping with the relevant provisions of the Planning Policy Framework, Local Planning Policy Framework, zone, overlay, particular provisions and general provisions.

It is recommended that the proposal be supported and that a Notice of Decision to Grant a Planning Permit be issued.

Recommendation

That Council resolve to Issue a Notice of Decision to Grant a Planning Permit subject to the following conditions:

- 1. Before the commencement of the 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) Amendments to the driveway crossing locations for the proposal with the northern driveway (exit) location retained close to the northern boundary of the site and the southern driveway (entry) relocated further south to access the site via the Wedge Street and Simpson Street intersection, along with internal driveways realigned to provide access in accordance with the modified driveway locations. Modified internal driveways should be aligned to avoid removal or detrimental impacts to retained vegetation.**
 - (b) Amendments to reduce encroachment of footpaths and other development into the Tree Protection Zones of Ash trees (in particular trees #22, 36, 39, 40 and 42 as identified in the submitted arborist report) along southern side of childcare centre to a proportion less than or as close to 10% as is reasonable, including arborist recommendations where TPZ**

- encroachment remains greater than 10%, in addition to the planting of one new Ash tree to be provided to replace the tree of the same species to be removed from the south side of the proposed building entrance.
- (c) Amended Arborist report for the recalculations of TPZ encroachments. The relocation of footpaths is recommended or alternatively permeable surfacing for footpaths may be utilised to reduce the pavement encroachment into the TPZs of trees to be retained.
 - (d) Details for the provision of a footpath accessing between the child care centre and the car park located adjacent to Mill Street (whether temporary or permanent) to ensure adequate pedestrian access between these areas of the site.
 - (e) The Landscape Plan required by Condition 3 of this permit.
 - (f) The Environmental Audit/Statement required by Condition 5 of this permit.
 - (g) The MRSC Open Space & Recreation Unit, and Engineering Unit requirements of Conditions 17, 18 and 19 of this permit.
2. The development and use allowed by this permit and shown on the plans endorsed to accompany the permit shall not be amended for any reason, unless with the prior written consent of the Responsible Authority.
3. Before the 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) The location of each species to be planted and the location of all areas to be covered by grass, lawn or other surface material;
 - (c) Paving, retaining walls, fence design details and other landscape works including areas of cut and fill;
 - (d) Appropriate irrigation systems.
4. Landscaping shown on the endorsed landscape plans must be maintained to the satisfaction of the Responsible Authority for a period of two (2) years from the practical completion of the landscaping. During this period, any dead, diseased or damaged plants or landscaped areas are to be repaired or replaced during the period of maintenance.
5. Prior to the commencement of the approved development, a certificate of Environmental Audit must be issued for the land in accordance with Part IXD of the Environmental Protection Act 1970, or alternatively an environmental auditor appointed under the Environmental Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the use of the land for a child care centre.
6. Prior to the commencement of the approved use, the titles for the subject

land (being Lot 2 LP 112815 and CA 2002 TP 812 313N Parish of Lauriston) must be consolidated (or resubdivided) to the satisfaction of the Responsible Authority, to ensure that all approved development including driveways and crossings accessing the childcare centre are contained within one lot.

7. Unless with the prior written consent from the Responsible Authority, the use hereby permitted may only operate between 6:30am and 6:30pm between Monday and Friday. 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.
8. 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 child care centre must not exceed 120 children, to the satisfaction of the Responsible Authority.
9. 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.
10. External broadcast of amplified sound or music is not permitted.
11. 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.
12. 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.
13. The operator must endeavor to ensure that staff parking is generally maintained within the western car park adjacent to Mill Street to retain parking within the main eastern car park access from Wedge Street for visitor parking. Signage must be provided for the parking immediately on the eastern side of the child care centre limiting the use of those parking spaces for short term parking during peak morning and afternoon drop off and pick up times. The operator must ensure that the use of the short term parking spaces is monitored and enforced when necessary to avoid overflow parking to nearby roads to the satisfaction of the Responsible Authority.
14. Prior to development commencing (including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings), the tree protection fencing must be erected to the satisfaction of the Responsible Authority in accordance with the approved tree protection zone(s). The fencing must be erected to form a visual and physical barrier, be a minimum height of 1.5 metres above ground level, and include signage clearly marked "Tree Protection Zone – No Entry" on all sides.

15. Once erected and approved by the Responsible Authority, the tree protection fencing shall be maintained in good condition and may only be removed upon completion of all development works, to the satisfaction of the Responsible Authority. Should temporary access be necessary within the Tree Protection Zone during the period of construction, the Responsible Authority must be informed prior to relocating the fence (as it may be necessary to undertake additional root protection such as bridging over with timber).
16. Unless with the prior written consent of the Responsible Authority, the following actions must not be undertaken in any tree protection zone as identified on the endorsed plan, to the satisfaction of the Responsible Authority:
 - (a) Materials or equipment stored within the zone;
 - (b) Nothing is to be attached to any tree (including temporary service wires, nails, screws or any other fixing device);
 - (c) Open cut trenching or excavation works (whether or not for laying of services) undertaken within the zone;
 - (d) Changes to the soil grade level within the zone.

MRSC Open Space and Recreation Unit Conditions

17. Prior to the commencement of development, amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be generally in accordance with the plans submitted with this application but modified to show the southern driveway crossing relocated to access the subject land via the Simpson Street/Wedge Street intersection and the northern driveway aligned between street trees on Wedge Street ensuring minimised encroachment into the Tree Protection Zones of adjacent street trees in accordance with recommendations in the submitted arborist report.
18. Prior to the commencement of development, a Tree Protection Management Plan (TPMP) for the road reserve trees on Wedge Street demonstrating how impact to the trees will be avoided and protected during development must be submitted to and approved by the Responsible Authority. The TPMP must be prepared in accordance with AS 4970-2009 *Protection of Trees on Development Sites* and must be prepared by a certified project suitably qualified arborist (minimum AQF Level 5 with a minimum of five years demonstrated tree assessment experience) to the satisfaction of the Responsible Authority. When approved, the TPMP will be endorsed and will form part of this permit. Other planning and engineering plans and documents submitted for endorsement or approval must be consistent with any recommendations of the TPMP. The TPMP must include:
 - (a) A clear photograph of each tree.
 - (b) The general condition and overview of each tree (e.g. Species, Health, Structure, Useful Life Expectancy (ULE), Height, Width (north-south & east-west) Diameter at Breast Height (DBH)).
 - (c) Any specific damage/faults evident within the trees prior to demolition or construction. These photographs must be supplied within the TPMP as a preliminary condition report.
 - (d) An assessment of the potential impact to the trees, including diagrams of extent of encroachment and pruning required.

- (e) A statement that canopy pruning shall only be undertaken by Macedon Ranges Shire Council approved contractors or Macedon Ranges Shire Council, if deemed appropriate, and approved by Council's Parks and Gardens Unit.
- (f) Details of construction staging and how this will be undertaken to minimise potential impact to the trees.
- (g) Construction details for any parts of the development within the TPZ of the trees
- (h) A statement that the property owner/developer will be liable for any damage caused to Council trees during the development process, including damage by privately engaged contractors.

An inspection timeframe (minimum frequency of every 2 months), with a compliance check list to be signed and dated by the developer's project arborist and project manager/foreman. Inspections must be scheduled at all phases during of construction determined to be critical to ensure the retention and ongoing protection of the street trees and are to be undertaken before, during and after the completion of the works.

MRSC Engineering & Projects Unit Conditions

- 19. Prior to the commencement of works, amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be generally in accordance with the submitted plans but modified to show:
 - (a) Extension of pedestrian path from the centre to Wedge Street with a pram crossing;
 - (b) Relocation of entry crossover to the south to the Simpson Street intersection; and
 - (c) A waste collection truck can enter and exit the site in a forward direction.
- 20. Prior to the commencement of works, an "Asset Protection Permit" must be obtained from Council for any of the following circumstances:
 - (a) Entering a building site by means of a motor vehicle having a gross weight exceeding two tonnes.
 - (b) Occupying a road for works.
 - (c) Connecting any land to a stormwater drain.
 - (d) Opening, altering or repairing a road.
 - (e) Opening, altering or repairing a drain.
 - (f) Accessing a building site from a point other than a crossover.
 - (g) Construct/repair/widen/remove any crossover.
- 21. Prior to the commencement of works, 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 including parking will occur;
 - (e) 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.

22. Prior to the occupation, the development is to be provided with a drainage system to a design approved by the Responsible Authority and such that:
- (a) The development as a whole is provided with legal point/s of discharge approved by the Responsible Authority and any other statutory authority from which approval must be received for the discharge of drainage.
 - (b) Stormwater runoff from all buildings, tanks and paved areas must be drained to a legal point of discharge.
 - (c) All stormwater drains required to the legal point of discharge and which passes through lands other than those within the boundaries of the development must be constructed at no cost to the Responsible Authority.
 - (d) Post development flows are restricted to pre-development level unless discharging directly into the Campaspe River.
 - (e) 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).

Alternatively, payment of the stormwater quality offset contribution to the Responsible Authority.

23. Prior to the commencement of use, the following works must be constructed or carried out to the satisfaction of the Responsible Authority:
- (a) New sealed crossovers in Wedge Street frontage of the site. Crossovers are to be a minimum 1.0m from any power pole, sign or service pit and an absolute minimum of 3.0m from any street tree.
24. 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.

25. 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) Responsible Authority.

MRSC Health Unit Conditions

26. The kitchen structure & fit-out and all food handling activities must be in accordance with the requirements of the Food Act 1984 and the national Food Standards Code.
27. Prior to operation, the premises must be registered with Council's Environmental Health Unit as per the Food Act 1984. Registration forms are available on Council's website.
28. Prior to the commencement of the use of the childcare centre, a documented and audited independent food safety program must be prepared to the satisfaction of the Responsible Authority, with a strong focus on allergen management from the preparation and service of potentially hazardous food to vulnerable persons.
29. The applicant must contact Coliban Water to determine whether a Food and Oil Interceptor (grease trap) is required to be installed.

Goulburn Murray Water Conditions

30. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
31. All wastewater from the development must be disposed of via connection to the reticulated sewerage system in accordance with the requirements of the relevant urban water authority.
32. Stormwater must be directed to the legal point of discharge as nominated by the Responsible Authority.

Coliban Water Conditions

33. The owner is required to provide reticulated water supply and sewerage services to the proposed child care centre within the development site and comply with any requirements arising from any effect of the proposed development on Coliban Water assets.

Services are to be provided and where necessary, amendments may be required to existing service pipes in accordance with our specifications.

34. The sewer mains extension required to service the proposed Child Care Centre site, must be finalised in accordance with Coliban Water's Developer Installed Works process.
35. All connections for either potable water supply and/or fire services must be connected to the water main located on the East side of Wedge Street.

Coliban Water will not grant our consent for connections to the existing water main located within Simpson Street, which is proposed to be decommissioned and removed.

36. All Coliban Water assets within the development site, both existing and proposed, are to be protected by an easement in favour of Coliban Region Water Corporation.

37. Applications through our Consent to Connect Process are required prior to any drain or water supply service being amended and/or connected to Coliban Water assets.

Trade waste and backflow requirements may apply to this development.

A copy of the building plans, along with a copy of the title will need to be submitted with the application. All private plumbing works must be carried out in accordance with the AS3500 National Plumbing and Drainage Code of Australia including any specific requirements of Coliban Water.

38. No structure shall be constructed closer than 1 metre from the nearest edge of an existing or proposed Coliban Water sewerage asset. The owner is therefore required to comply with the clearance requirements detailed within our Buildover Consent Guidelines located on the Coliban Water website.

Please note under section 165(5) of the Water Act (1989), Coliban Water is not required to ensure that the water pressure is adequate for firefighting.

It is important to note that Coliban Water does not guarantee fire flows. If an in-line booster pump is proposed to be used for fire services, a flow restrictor would be expected and Coliban Water would need to be provided with additional information regarding a proposed maximum flow rate and configuration. The Alternative to this is that tanks are used on-site which will not have a detrimental impact on the rest of the water network.

Expiry of Permit – Development and Use of Land

39. This permit will expire if one of the following circumstances applies:
- The development is not commenced within two years of the date of this permit.
 - The development is not completed within four years of the date of this permit.
 - The use is not commenced within two years from the completion of the development.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months afterwards.

**** END OF PERMIT CONDITIONS ****

PERMIT NOTES

- Future owners of the land must be made aware of the existence of this permit.

Goulburn Murray Water Note

- The subject property is located within an area of Cultural Heritage Sensitivity. Should the activity associated with proposed development require a Cultural Heritage Management Plan (CHMP), planning permits, licences and work authorities cannot be issued unless a CHMP has been approved for the activity.

Coliban Water Note

Specific requirements for the servicing of the proposal will be provided to the applicant after Coliban Water receives a formal application for connection to services via our Consent to Connect process.

Motion

That Council resolve to Issue a Notice of Decision to Grant a Planning Permit subject to the following conditions:

1. Before the commencement of the 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) Amendments to the driveway crossing locations for the proposal to provide for a two way crossing accessing the intersection of Wedge Street and Simpson Street and the driveway connecting northward to the main carpark area, with the two crossing locations as shown on the submitted plans to be deleted. Modified internal driveways must be aligned to avoid removal or detrimental impacts to retained vegetation.
 - (b) Amendments to reduce encroachment of footpaths, revised driveways and other development into the Tree Protection Zones of Ash trees (in particular trees #22, 36, 39, 40 and 42 as identified in the submitted arborist report) along southern side of childcare centre to a proportion less than or as close to 10% as is reasonable, including arborist recommendations where TPZ encroachment remains greater than 10%, in addition to the planting of one new Ash tree to be provided to replace the tree of the same species to be removed from the south side of the proposed building entrance.
 - (c) Amended Arborist report for the recalculations of TPZ encroachments. The relocation of footpaths is recommended or alternatively permeable surfacing for footpaths may be utilised to reduce the pavement encroachment into the TPZs of trees to be retained.
 - (d) Details for the provision of a footpath accessing between the child care centre and the car park located adjacent to Mill Street (whether temporary or permanent) to ensure adequate pedestrian access between these areas of the site.
 - (e) The Landscape Plan required by Condition 3 of this permit.
 - (f) The Environmental Audit/Statement required by Condition 5 of this permit.
 - (g) The MRSC Open Space & Recreation Unit, and Engineering Unit requirements of Conditions 17, 18 and 19 of this permit.
2. The development and use allowed by this permit and shown on the plans endorsed to accompany the permit shall not be amended for any reason, unless with the prior written consent of the Responsible Authority.

3. **Before the 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) **The location of each species to be planted and the location of all areas to be covered by grass, lawn or other surface material;**
 - (c) **Paving, retaining walls, fence design details and other landscape works including areas of cut and fill;**
 - (d) **Appropriate irrigation systems.**
4. **Landscaping shown on the endorsed landscape plans must be maintained to the satisfaction of the Responsible Authority for a period of two (2) years from the practical completion of the landscaping. During this period, any dead, diseased or damaged plants or landscaped areas are to be repaired or replaced during the period of maintenance.**
5. **Prior to the commencement of the approved development, a certificate of Environmental Audit must be issued for the land in accordance with Part IXD of the Environmental Protection Act 1970, or alternatively an environmental auditor appointed under the Environmental Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the use of the land for a child care centre.**
6. **Prior to the commencement of the approved use, the titles for the subject land (being Lot 2 LP 112815 and CA 2002 TP 812 313N Parish of Lauriston) must be consolidated (or resubdivided) to the satisfaction of the Responsible Authority, to ensure that all approved development including driveways and crossings accessing the childcare centre are contained within one lot.**
7. **Unless with the prior written consent from the Responsible Authority, the use hereby permitted may only operate between 6:30am and 6:30pm between Monday and Friday. 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.**
8. **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 child care centre must not exceed 120 children, to the satisfaction of the Responsible Authority.**
9. **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.

10. External broadcast of amplified sound or music is not permitted.
11. 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.
12. 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.
13. The operator must endeavor to ensure that staff parking is generally maintained within the western car park adjacent to Mill Street to retain parking within the main eastern car park access from Wedge Street for visitor parking. Signage must be provided for the parking immediately on the eastern side of the child care centre limiting the use of those parking spaces for short term parking during peak morning and afternoon drop off and pick up times. The operator must ensure that the use of the short term parking spaces is monitored and enforced when necessary to avoid overflow parking to nearby roads to the satisfaction of the Responsible Authority.
14. Prior to development commencing (including any demolition, excavations, tree removal, delivery of building/construction materials and/or temporary buildings), the tree protection fencing must be erected to the satisfaction of the Responsible Authority in accordance with the approved tree protection zone(s). The fencing must be erected to form a visual and physical barrier, be a minimum height of 1.5 metres above ground level, and include signage clearly marked “Tree Protection Zone – No Entry” on all sides.
15. Once erected and approved by the Responsible Authority, the tree protection fencing shall be maintained in good condition and may only be removed upon completion of all development works, to the satisfaction of the Responsible Authority. Should temporary access be necessary within the Tree Protection Zone during the period of construction, the Responsible Authority must be informed prior to relocating the fence (as it may be necessary to undertake additional root protection such as bridging over with timber).
16. Unless with the prior written consent of the Responsible Authority, the following actions must not be undertaken in any tree protection zone as identified on the endorsed plan, to the satisfaction of the Responsible Authority:
 - (a) Materials or equipment stored within the zone;
 - (b) Nothing is to be attached to any tree (including temporary service wires, nails, screws or any other fixing device);
 - (c) Open cut trenching or excavation works (whether or not for laying of services) undertaken within the zone;
 - (d) Changes to the soil grade level within the zone.

MRSC Open Space and Recreation Unit Conditions

17. Prior to the commencement of development, amended plans must be submitted to and approved by the Responsible Authority. When approved,

the plans will be endorsed and will then form part of this permit. The plans must be generally in accordance with the plans submitted with this application but modified to show the southern driveway crossing relocated to access the subject land via the Simpson Street/Wedge Street intersection and the northern driveway aligned between street trees on Wedge Street ensuring minimised encroachment into the Tree Protection Zones of adjacent street trees in accordance with recommendations in the submitted arborist report.

18. Prior to the commencement of development, a Tree Protection Management Plan (TPMP) for the road reserve trees on Wedge Street demonstrating how impact to the trees will be avoided and protected during development must be submitted to and approved by the Responsible Authority. The TPMP must be prepared in accordance with AS 4970-2009 Protection of Trees on Development Sites and must be prepared by a certified project suitably qualified arborist (minimum AQF Level 5 with a minimum of five years demonstrated tree assessment experience) to the satisfaction of the Responsible Authority. When approved, the TPMP will be endorsed and will form part of this permit. Other planning and engineering plans and documents submitted for endorsement or approval must be consistent with any recommendations of the TPMP. The TPMP must include:
- (a) A clear photograph of each tree.
 - (b) The general condition and overview of each tree (e.g. Species, Health, Structure, Useful Life Expectancy (ULE), Height, Width (north-south & east-west) Diameter at Breast Height (DBH)).
 - (c) Any specific damage/faults evident within the trees prior to demolition or construction. These photographs must be supplied within the TPMP as a preliminary condition report.
 - (d) An assessment of the potential impact to the trees, including diagrams of extent of encroachment and pruning required.
 - (e) A statement that canopy pruning shall only be undertaken by Macedon Ranges Shire Council approved contractors or Macedon Ranges Shire Council, if deemed appropriate, and approved by Council's Parks and Gardens Unit.
 - (f) Details of construction staging and how this will be undertaken to minimise potential impact to the trees.
 - (g) Construction details for any parts of the development within the TPZ of the trees
 - (h) A statement that the property owner/developer will be liable for any damage caused to Council trees during the development process, including damage by privately engaged contractors.

An inspection timeframe (minimum frequency of every 2 months), with a compliance check list to be signed and dated by the developer's project arborist and project manager/foreman. Inspections must be scheduled at all phases during of construction determined to be critical to ensure the retention and ongoing protection of the street trees and are to be undertaken before, during and after the completion of the works.

MRSC Engineering & Projects Unit Conditions

19. Prior to the commencement of works, amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be generally in accordance with the submitted plans but modified to show:

- (a) Extension of pedestrian path from the centre to Wedge Street with a pram crossing;
 - (b) Relocation of entry and exit crossover to the south to the Simpson Street intersection; and
 - (c) A waste collection truck can enter and exit the site in a forward direction.
20. Prior to the commencement of works, an “Asset Protection Permit” must be obtained from Council for any of the following circumstances:
- (a) Entering a building site by means of a motor vehicle having a gross weight exceeding two tonnes.
 - (b) Occupying a road for works.
 - (c) Connecting any land to a stormwater drain.
 - (d) Opening, altering or repairing a road.
 - (e) Opening, altering or repairing a drain.
 - (f) Accessing a building site from a point other than a crossover.
 - (g) Construct/repair/widen/remove any crossover.
21. Prior to the commencement of works, 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 including parking will occur;
 - (e) 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.

22. Prior to the occupation, the development is to be provided with a drainage system to a design approved by the Responsible Authority and such that:
- (a) The development as a whole is provided with legal point/s of discharge approved by the Responsible Authority and any other statutory authority from which approval must be received for the discharge of drainage.
 - (b) Stormwater runoff from all buildings, tanks and paved areas must be drained to a legal point of discharge.
 - (c) All stormwater drains required to the legal point of discharge and which passes through lands other than those within the boundaries of the development must be constructed at no cost to the Responsible Authority.
 - (d) Post development flows are restricted to pre-development level unless discharging directly into the Campaspe River.
 - (e) 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).

Alternatively, payment of the stormwater quality offset contribution to the Responsible Authority.

23. **Prior to the commencement of use, the following works must be constructed or carried out to the satisfaction of the Responsible Authority:**
- (a) **New sealed crossovers in Wedge Street frontage of the site.
Crossovers are to be a minimum 1.0m from any power pole, sign or service pit and an absolute minimum of 3.0m from any street tree.**
24. **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.

25. **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) Responsible Authority.**

MRSC Health Unit Conditions

26. **The kitchen structure & fit-out and all food handling activities must be in accordance with the requirements of the Food Act 1984 and the national Food Standards Code.**
27. **Prior to operation, the premises must be registered with Council's Environmental Health Unit as per the Food Act 1984. Registration forms are available on Council's website.**
28. **Prior to the commencement of the use of the childcare centre, a documented and audited independent food safety program must be prepared to the satisfaction of the Responsible Authority, with a strong focus on allergen management from the preparation and service of potentially hazardous food to vulnerable persons.**
29. **The applicant must contact Coliban Water to determine whether a Food and Oil Interceptor (grease trap) is required to be installed.**

Goulburn Murray Water Conditions

30. **All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).**

31. All wastewater from the development must be disposed of via connection to the reticulated sewerage system in accordance with the requirements of the relevant urban water authority.
32. Stormwater must be directed to the legal point of discharge as nominated by the Responsible Authority.

Coliban Water Conditions

33. The owner is required to provide reticulated water supply and sewerage services to the proposed child care centre within the development site and comply with any requirements arising from any effect of the proposed development on Coliban Water assets.

Services are to be provided and where necessary, amendments may be required to existing service pipes in accordance with our specifications.

34. The sewer mains extension required to service the proposed Child Care Centre site, must be finalised in accordance with Coliban Water's Developer Installed Works process.
35. All connections for either potable water supply and/or fire services must be connected to the water main located on the East side of Wedge Street.

Coliban Water will not grant our consent for connections to the existing water main located within Simpson Street, which is proposed to be decommissioned and removed.

36. All Coliban Water assets within the development site, both existing and proposed, are to be protected by an easement in favour of Coliban Region Water Corporation.
37. Applications through our Consent to Connect Process are required prior to any drain or water supply service being amended and/or connected to Coliban Water assets.

Trade waste and backflow requirements may apply to this development.

A copy of the building plans, along with a copy of the title will need to be submitted with the application. All private plumbing works must be carried out in accordance with the AS3500 National Plumbing and Drainage Code of Australia including any specific requirements of Coliban Water.

38. No structure shall be constructed closer than 1 metre from the nearest edge of an existing or proposed Coliban Water sewerage asset. The owner is therefore required to comply with the clearance requirements detailed within our Buildover Consent Guidelines located on the Coliban Water website.

Please note under section 165(5) of the Water Act (1989), Coliban Water is not required to ensure that the water pressure is adequate for firefighting.

It is important to note that Coliban Water does not guarantee fire flows. If an in-line booster pump is proposed to be used for fire services, a flow restrictor would be expected and Coliban Water would need to be provided with additional information regarding a proposed maximum flow rate and

configuration. The Alternative to this is that tanks are used on-site which will not have a detrimental impact on the rest of the water network.

Expiry of Permit – Development and Use of Land

39. This permit will expire if one of the following circumstances applies:
- (a) The development is not commenced within two years of the date of this permit.
 - (b) The development is not completed within four years of the date of this permit.
 - (c) The use is not commenced within two years from the completion of the development.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months afterwards.

****** END OF PERMIT CONDITIONS ******

PERMIT NOTES

- Future owners of the land must be made aware of the existence of this permit.

Goulburn Murray Water Note

- The subject property is located within an area of Cultural Heritage Sensitivity. Should the activity associated with proposed development require a Cultural Heritage Management Plan (CHMP), planning permits, licences and work authorities cannot be issued unless a CHMP has been approved for the activity.

Coliban Water Note

- Specific requirements for the servicing of the proposal will be provided to the applicant after Coliban Water receives a formal application for connection to services via our Consent to Connect process.

It was moved by Cr Neil seconded by Cr Ridgeway that the motion be adopted.

CARRIED

Report No: Report Title:

PE.3 Small Project Grants – Consideration of grant applications

Purpose and Overview

The Small Project Grants (SPG) program supports projects and initiatives that:

- support local needs
- are unlikely to be funded by other Council funding programs
- align with Council Plan priorities.

Council's Small Project Grants budget for 2020/21 is \$36,000 and not-for-profit groups can apply for a maximum of \$1,500 per application.

Applications are assessed against set criteria outlined in the Small Project Grants guidelines. Funding recommendations are presented at a Scheduled Council meeting for review and/or approval.

This report details the process of evaluation and lists any recent applications received.

Three applications have been received seeking a total of \$4,400 in funding. The applications have been evaluated against eligibility criteria and all were deemed to be eligible.

Recommendation

That Council:

1. **Approve an application from Kyneton Football Netball Club: Pride Cup \$1,500.**
2. **Approve an application from Romsey Basketball Association: All abilities junior basketball competition \$1,400.**
3. **Approve an application from Hanging Rock Cricket Association: Replacement Fridge and Barbeque \$1,500.**

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

CARRIED

Report No: Report Title:**PE.4 Establishment of Planning Committee to Determine
Planning Matters****Purpose and Overview**

This report details the process for establishing a Planning Delegated Committee (PDC) to determine statutory and strategic land use planning matters, as well as hear from applicants, landowners and submitters who made objections or submissions on such matters. The PDC could decide such matters in accordance with the Planning and Environment Act 1987 (as amended).

The establishment of a PDC could enable planning matters to be heard and decided outside Scheduled Council Meetings. This would have the benefit of providing a dedicated forum in which planning matters are heard and decided by Council, without having to consider such (often complex) matters in amongst a full and diverse Scheduled Council Meeting agenda.

The establishment of a PDC could also have the benefit of taking over a part of the current functions of the Submitters Delegated Committee as it relates to planning matters.

This report is being brought to Council in accordance with its resolution of 16 December 2020.

Recommendation**That Council:**

- 1. Endorses the establishment of a Planning Delegated Committee as a delegated committee of Council in accordance with Section 63 of the *Local Government Act 2020*, to hear from applicants/land owners and objectors/submitters on statutory and strategic planning matters including planning applications and determine planning matters;**
- 2. Receives a report recommending an Instrument of Delegation to the Planning Delegated Committee (PDC) and Terms of Reference to give effect to Council's preferred PDC option; and**
- 3. Directs that the Planning Delegated Committee be held on the second Wednesday of each month (where required) and commence no later than July 2021.**

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

CARRIED

Report No: Report Title:

**PE.5 Macedon Ranges Residential land demand and supply
assessment – Response to Notice of Motion 14/2021**

Purpose and Overview

This report responds to Council's resolution at the Scheduled Council Meeting on 24 March 2021 in relation to the Macedon Ranges Residential Land Demand and Supply Assessment (January 2020) (RLDSA).

The report recommends that no further action in relation to the MRLDSA be undertaken.

Recommendation

That Council:

- 1. Notes the Options outlined in this report**
- 2. Adopts Option One as outlined in this report that no further action be undertaken in relation to Macedon Ranges Residential Land Demand and Supply Assessment (January 2020)**

Motion

That Council:

- 1. Notes the Options outlined in this report**
- 2. Refer to the 2021/22 Budget and Council Plan process for consideration the undertaking of community consultation, based on Option 2 of this paper, on population growth scenarios for the towns of Gisborne, Romsey, Riddells Creek, Lancefield, Woodend and Kyneton that are the subject of the report prepared by Urban Enterprise on Macedon Ranges Residential Land Demand and Supply Assessment.**
- 3. Note the objective of this consultation is to obtain feedback from the communities of each of these towns on the recommended growth scenarios that the Macedon Ranges Residential Demand and Supply Assessment (RDSLAs) in part, and other Council and State government documents refer to. Specifically; does the community of each township support the projected scenarios of low, medium or high growth outlined in the RDSLAs report, or are there alternative population changes that are supported?**
- 4. Provide a workshop in a future Councillor Briefing of simpler, less costly alternative methods of consultation to those outlined in option 2 of this report, working together on defining further the scope, purpose and how outcomes will be considered in future Council deliberations.**

It was moved by Cr Anderson seconded by Cr Guthrie that the motion be adopted.

CARRIED

Cr Death called for a division.

FOR: Crs West, Ridgeway, Anderson, Guthrie, Death and Moore

AGAINST: Crs Pearce, Neil and Bonanno.

Cr Neil left the meeting at 8.16pm due to a conflict of interest in the following agenda item.

11. ACTING CHIEF EXECUTIVE OFFICER'S REPORTS:

Report No: Report Title:

CX.1 Contracts to be awarded as at 28 April 2021

Purpose and Overview

The following report sets out the details of contracts proposed to be awarded from the date of the last report to 28 April 2021 under a delegation from Council. Although the first part of the proposed resolution recommends noting the delegated authority of Council officers, the Council has the power to:

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

Recommendation

That Council:

- 1. Notes that the following contracts will be awarded by Council officers under delegated power:**
 - **C21.1102 Design and Construct Footbridge Woodend**
 - **C21.1104 Kyneton Solar Leachate Pumping System**
- 2. Delegates power to the Chief Executive Officer, pursuant to section 11(1)(b) of the *Local Government Act 2020*, to award:**
 - **C21.1103 Romsey Ecotherapy Park Stage 2**

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

CARRIED

Cr Neil returned to the meeting at 8.18pm.

Report No: Report Title:**CX.2 Review of Mayor and Councillor allowances****Purpose and Overview**

An important reform of the *Local Government Act 2020* (LG Act 2020) is the transfer of responsibility for determining mayoral, deputy mayoral and councillor allowances to the Victorian Independent Remuneration Tribunal (the Remuneration Tribunal).

However, until the Remuneration Tribunal makes its first determination on allowances, the allowance framework under the *Local Government Act 1989* (LG Act 1989) continues to apply, despite the repeal of those relevant provisions last year. Section 39(6) of the LG Act 2020 provides for this transitional arrangement.

The Minister for Local Government will make a request the Remuneration Tribunal to make a determination, however a determination is not expected until late 2021.

All councils have received advice that they must undertake and complete their own review of allowances under the LG Act 1989 by 30 June 2021.

Recommendation**That Council:**

1. Commences the statutory process pursuant to section 74(4) of the *Local Government Act 1989* to determine mayor and councillor allowances for the remainder of the Council term or until such time as the Remuneration Tribunal determines the allowances in accordance with the *Local Government Act 2020* and gives public notice in accordance with section 223 of the *Local Government Act 1989* based on a:
 - Proposed mayoral allowance of \$81,204 per annum, being the maximum allowed for category 2 councils
 - Proposed councillor allowance of \$26,245 per annum, being the maximum allowed for category 2 councils
2. Hears any submissions in relation to the determining of mayor and councillor allowances at a meeting of the Submitters Delegated Committee in June.

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

CARRIED

12. DIRECTOR CORPORATE AND COMMUNITY REPORTS:

Nil.

13. DIRECTOR ASSETS AND OPERATIONS REPORTS:

Report No: Report Title:

AO.1 Petition response – Sealing of Mowbrays Road, Cadello

Purpose and Overview

This report provides a response to a petition that was presented to Council on 18 August 2020 signed by 38 persons requesting Council seal Mowbrays Road, Cadello, between James Road and Anderson Road.

At the 26 August 2020 Ordinary Council Meeting, Council resolved:

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

A report in response to the petition was presented to the 16 December 2020 Scheduled Council meeting, where Council resolved:

“That Council:

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

This report is provided in response to this Council resolution.

Recommendation:**That Council:**

- 1. Resolve not to seal Mowbrays Road, Cadello between James Road and Anderson Road;**
- 2. Resolve that Mowbrays Road Cadello remain a Category 4 road and maintenance continue as outlined in Council’s Road Management Plan.**
- 3. Resolve that the first named petitioner be advised of the outcome of this Council resolution.**

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

CARRIED

Report No: Report Title:**AO.2 Consideration of a request for inclusion of road onto the Public Road Register – Old Station Road, Kyneton****Purpose and Overview**

This report responds to a request received by the Council (CRM 209061) to add an approximately 415m long section of access track named Old Station Road Kyneton to the Public Road Register. This section of access track is located within a road reserve that extends off Fiddlers Green Road.

Officers assessed Old Station Road for inclusion into the Public Road Register as per the Public Roads Procedure (2018). The access track requires extensive upgrade and repair to meet Council's minimum standards for a Category 6 road.

The officer's recommendation is to not add the road to the Public Road Register.

Recommendation**That Council:**

- 1. Resolve not to upgrade Old Station Road Kyneton to a public road in the Public Road Register.**
- 2. Resolve that the requester be advised of this Council resolution.**

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

CARRIED

Report No: Report Title:**AO.3 Consideration of a request for inclusion of road onto the Public Road Register – Red Gap Road, Goldie****Purpose and Overview**

This report responds to a request received by the Council (CRM 206925) to add an approximate 1km long section of fire access track in Goldie to the Public Road Register. The road section requested is Red Gap Road, Goldie, between the intersection with West Goldie Road and approximately 855 metres to the East.

Officers assessed the subject fire access track for inclusion into the Public Road Register as per the Public Roads Procedure (2018). The access track requires extensive reconstruction and native vegetation removal to meet Council's minimum standards for a Category 4 unsealed collector road.

The officer's recommendation is to not add the road to the Public Road Register.

Recommendation**That Council:**

1. **Resolve not to upgrade the section of Red Gap Road in Goldie (from the intersection of West Goldie Road east 855m) from a Fire Access track to a Public Road in the Public Road Register.**
2. **Resolve that the requester be advised of this Council resolution.**

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

CARRIED

Report No: Report Title:

AO.4 Consideration of a request for inclusion of road onto the Public Road Register – Bourke Lane, Tylden

Purpose and Overview

This report responds to a request received by the Council (CRM 215082) to add an approximately 415m long section of fire access track named Bourke Lane Tylden to the Public Road Register.

Officers assessed Bourke Lane for inclusion into the Public Road Register as per the Public Roads Procedure (2018). The access track requires a considerable upgrade to meet Council's minimum standards for a Category 6 road.

The officer's recommendation is to not add the road to the Public Road Register.

Recommendation

That Council:

1. **Resolve not to upgrade an additional section of Bourke Lane, Tylden to the Public Road Register.**
2. **Resolve that the requester be advised of this Council resolution.**

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

CARRIED

Report No: Report Title:

AO.5 Consideration of a request for inclusion of road onto the Public Road Register – Fuchsia Lane, Mount Macedon

Purpose and Overview

This report responds to a request (CRM 211385) received by Council to add an approximate 115m long section of access track named Fuchsia Lane Mount Macedon to the Public Road Register for Council to undertake future maintenance of this lane.

Officers assessed Fuchsia Lane Mount Macedon for inclusion into the Public Road Register as a Category 6 road as per the Public Roads Procedure (2018). The subject access track requires considerable upgrades and repairs to meet the Council's minimum standards for a Category 6 road. The officer's

recommendation is not to change the current Road Register Class of 'Nil' in the Public Road Register.

Recommendation

That Council:

- 1. Resolve not to upgrade Fuchsia Lane Mount Macedon to a public road in the Public Road Register.**
- 2. Resolve that the requester be advised of this Council resolution.**

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

CARRIED

14. NOTICES OF MOTION

NOTICE OF MOTION NO. 15/2020-21 – CR NEIL

It was moved by Cr Neil seconded by Cr West that Council:

- 1. Requests the CEO to present a report to a Scheduled Council Meeting regarding the provision of Christmas decorations to our towns.**
- 2. Requests that the report details the costs involved, types of decorations available, suitability to current town streetscapes, infrastructure required and other associated matters.**

CARRIED

NOTICE OF MOTION NO. 16/2020-21 – CR NEIL

It was moved by Cr Neil that Council seek a report on the feasibility of altering current road access arrangements from Kyneton South to Kyneton township, and such report to cover the concept of a new rail crossing either by underpass or overpass south-east of the current crossing, a Campaspe River bridge and relevant connecting roads to High Street or Bourke Street and the Railway Station (south side), and include a cost estimation.

MOTION LAPSED WITHOUT A SECONDER

NOTICE OF MOTION NO. 17/2020-21 – CR ANDERSON

It was moved by Cr Anderson seconded by Cr Guthrie that Council endorses referring to the annual 2020/21 review of Macedon Ranges Shire Council's Procurement Policy the inclusion of a mandatory weighting of 15% (minimum) for the Environmental Benefit evaluation criteria (selection criteria) as part of all tender evaluations.

CARRIED

15. URGENT BUSINESS

Nil.

16. CONFIDENTIAL REPORTS

Nil.

Closure of Meeting

The meeting closed at 8.39pm.

**Councillor Anderson
Mayor**