

Agenda

Planning Delegated Committee Meeting
Wednesday 8 February 2023 at 7pm
Held online and livestreamed at mrsc.vic.gov.au

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1 ACKNOWLEDGEMENT OF COUNTRY

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

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

2 RECORDING AND LIVESTREAMING OF THIS COMMITTEE MEETING

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

3 PRESENT

4 APOLOGIES

5 CONFLICTS OF INTEREST

6 PURPOSE OF PLANNING DELEGATED COMMITTEE

Council established the Planning Delegated Committee to provide a regular forum for hearing from people who have made a submission to Council or who are an applicant or objector in relation to a planning permit application.

The Committee is authorised to determine statutory planning applications and Planning Scheme amendments only in relation to the Planning and Environment Act 1987. Its purpose is to hear from applicants/land owners and objectors/submitters on statutory and strategic planning matters, planning applications and to determine other planning matters.

7 ADOPTION OF MINUTES

Recommendation

That the Committee confirm the minutes of the Planning Delegated Committee of Macedon Ranges Shire Council held on 7 December 2022, as circulated.

8 HEARING OF SUBMITTERS

8.1	HEARING OF SUBMITTERS IN RESPECT OF APPLICATION FOR A PLANNING PERMIT PLN/2013/349/B - 12 MORROW ROAD EAST, NEW GISBORNE - TWO LOT SUBDIVISION (AMENDMENT SOUGHT TO ALTER ACCESS TO LOT 1)
Officer:	Christo Crafford, Coordinator Statutory Planning
Attachments:	Submission ↓

Summary

To hear from submitters in relation to Planning Application PLN/2013/349/B for the subdivision of the land into two lots (amendment sought to alter the access to Lot 1).

Recommendation**That the Committee:**

- 1. Notes the submission received in relation to PLN/2013/349/B for the subdivision of the land into two lots (amendment sought to alter the access to Lot 1); and**
- 2. Requests that recommendations be prepared, based on all relevant information, including the submissions received, for consideration and determination at the next Scheduled Council Meeting on 22 February 2023.**

Background

The subject site is located on the northern side of Morrow Road East, approximately 1km north-east of Gisborne Township. It is located on the southern slope of Magnet Hill on the eastern side of the Calder Freeway.

The subject site is 2.03 hectares in size and rectangular in shape with a frontage of approximately 101m to Morrow Road East. It is largely clear of significant vegetation (excluding planted garden plants around the existing dwelling). There is a single storey brick dwelling and associated outbuildings to the south-east part of the site. The dwelling is well setback from property boundaries and surrounded by trees and a garden. The northern portion is clear of vegetation, with vehicular access is gained via an existing gravel driveway and crossover off Morrow Road East.

The immediate area to the north and east are similarly zoned Low Density Residential Zone. These lots range from 0.5 to 2 hectares in size and developed with dwellings associated with the rural context of the area. Land to the west are zoned Rural Living Zone Schedule 2, similarly developed with low scale dwellings on lots of approximately 2 hectares in size.

Summary of proposal

The application is to amend the access to Lot 1. The application seeks to amend the original 2 lot subdivision permit as approved by Council rather than the subsequent 3 lot proposal considered and refused by Council and VCAT. The application proposes the reduction of the access for proposed Lot 1 from 20m to 10m. This will result in Lot 1 size of 7844m² (previously 9222m²) and Lot 2 size of 1.25 hectares (previously 1.124 hectares).

No other aspect of the proposal would be changed including the retention of the building and effluent envelopes on Lot 1 exactly as before and the 3m wide landscaping strip along the western and northern boundaries would remain as before.

Planning permit trigger/s

A planning permit is required to subdivide a lot in a Low Density Residential Zone.

Summary of submissions

A total of one (1) objection was received to this application. It is summarised as follows:

Objection/concern regarding application
<ul style="list-style-type: none">• The 20m width for the access was approved by Council and VCAT and should be retained.
<ul style="list-style-type: none">• The amendment will impact on the street trees and result in a traffic safety issue.
<ul style="list-style-type: none">• Lot 1 is likely to be used by heavy vehicles and operated as an earth moving business.

Officer declaration of conflicts of interest

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

SUBMISSION 1

PLN-2013-349-B

11 November 2022

Mr Christo Crafford
Coordinator Statutory Planning
Macedon Ranges Shire Council
Robertson Street
Gisborne, Victoria, 3437

C.C.: Ms Rebecca Stockfeld – Director Planning and Environment

Re: Recent Amendments to PLN-2013-349-B Unannounced to Immediate Neighbours

Dear Mr Crafford,

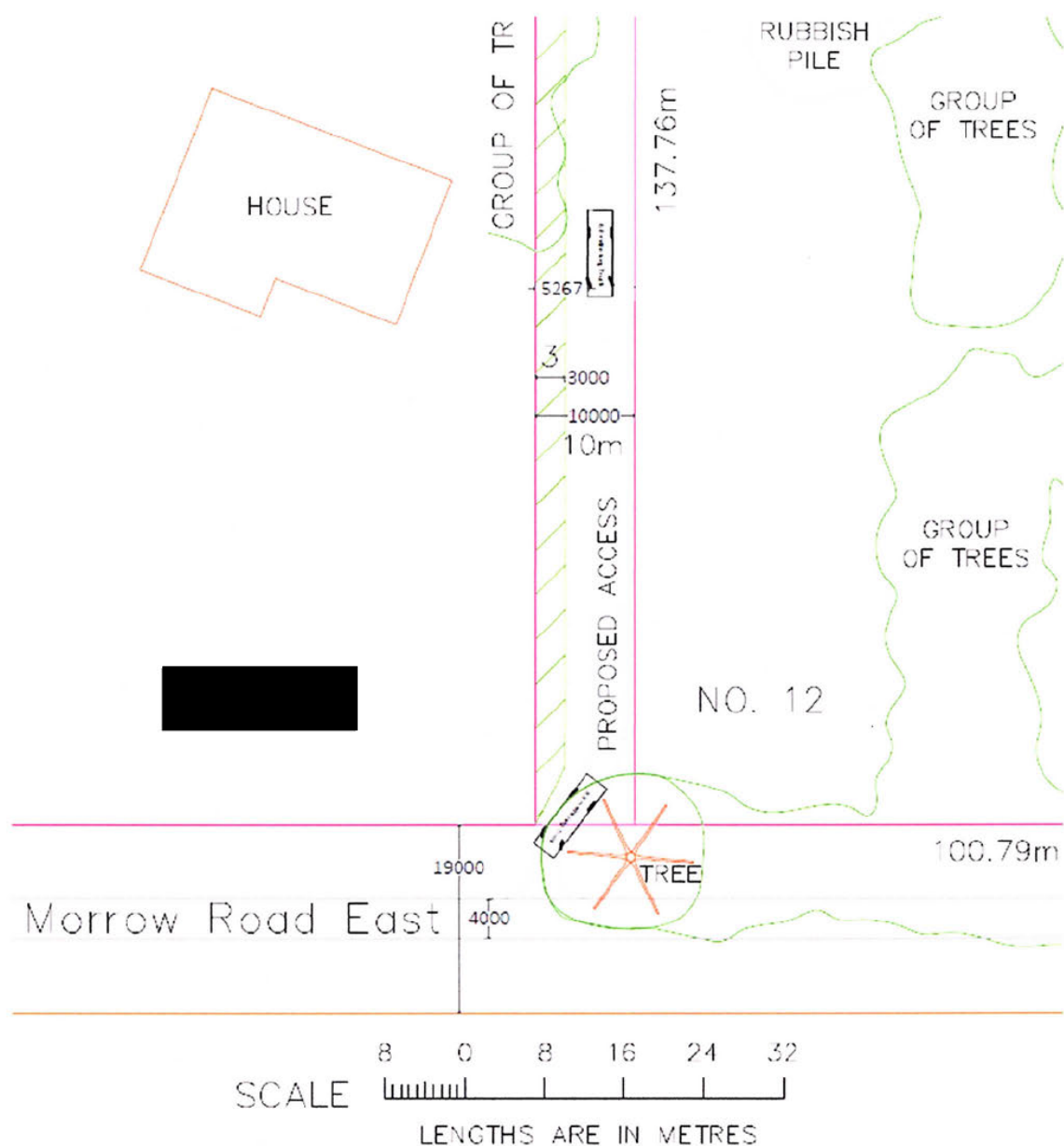
We write to you and the Macedon Ranges Shire Council to articulate our concerns with the recent amendments to PLN-2013-349-B for the subdivision of the property at 12 Morrow Road East, New Gisborne, Victoria. These amendments which do adversely affect the immediate neighbours of the property have not been announced to these immediate neighbours. It was only through our asking the Macedon Ranges Shire Council about the progress of this planning application that we discovered that amendments had been made and were about to be approved without any consultation.

Our concerns relate specifically to the impacts on the amenity and safety of the neighbourhood from the reduction in width of the 138-metre-long driveway reserve part of the battle-axe site layout approved by the Macedon Ranges Shire Council and VCAT in 2018 from the approved 20-metre width down to a 10-metre width, and are:

1. The Macedon Ranges Shire Council has indicated that the oak tree in Morrow Road East immediately outside the proposed entrance would not be removed. If this is correct, then motor vehicles and trucks would have to enter Morrow Road East at an angle, with the driver of the vehicle potentially unable to see traffic travelling along Morrow Road East in a westerly direction. This is an unacceptably dangerous situation not allowed under VicRoads regulations.
2. The oak tree itself will block visibility of Morrow Road East, thus creating a serious safety hazard, and is not allowed under Victorian regulations.
3. According to Victorian regulations, the minimum driveway access to the roadway must not be less than 3.5 metres wide.
4. Victorian regulations require the oak tree mentioned above to be removed, and the removal of this tree requires a planning application.

5. Victorian building regulations state that a driveway in excess of 30 metres in length must be designed, constructed and maintained for the length of the driveway for a load limit of at least 15 tonnes and be of all-weather construction.

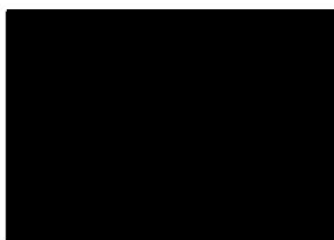
Drawing of proposed battle-axe access to Lot 1 as the subdivision of number 12 Morrow Road East and surrounds based on drawing accompanying PLN-2013-349-B to illustrate some of the concerns raised in this letter:



6. As the owners of the property have indicated that the battle-axe allotment is likely to be purchased by a friend who operates a building demolition and earthmoving business operating large and heavy vehicles, this site is likely to be used as the central site for the storage and operation from which these heavy vehicles will operate. Such use would require the installation of a roadway to driveway crossover with significant load-handling capabilities.
7. If the site is used for heavy vehicles as suggested above, then Morrow Road East itself would require a significant upgrade to be able to safely handle these heavy vehicles. The cost of this upgrade should be borne by the planning applicant.
8. Our experience with the operator of these heavy vehicles has shown that these vehicles almost always damage the roadway, the culverts and the roadside. He even demolished the roadside letterbox of our [REDACTED] Road East while attempting to navigate the road, again proving that he is incapable of keeping his large trucks on this narrow road.
9. We ask you this question, "Why would someone buy this lot to build a home when it is completely landlocked and has no outlook?"
10. Following on from the above points, we are therefore very concerned that this building demolition and earthmoving business will use the site as a cheap alternative to illegally dump building refuse, which he has already done on more than a dozen occasions, as reported to the Macedon Ranges Shire Council. To substantiate this, we would suggest that the Council view the 15 or so piles of building refuse scattered around the property and explain why the Macedon Ranges Shire Council has done nothing about this concern which has been highlighted numerous times over the past couple of years. Also, how do we know that this building refuse does not contain hazardous materials such as asbestos that could be blowing over us on windy days?

Please explain by response what the Macedon Ranges Shire Council will be doing to address our concerns with this planning application?

Thank you.



8.2	HEARING OF SUBMITTERS IN RESPECT OF APPLICATION FOR A MISCELLANEOUS CONSENT MCA/2022/29 - DEVELOPMENT OF AN OUTBUILDING, EFFLUENT DISPOSAL AND MINOR WORKS ASSOCIATED WITH THE DWELLING OUTSIDE THE BUILDING AND DRIVEWAY ENVELOPES 12 CORNISH ROAD, RIDDELLS CREEK
Officer:	Awais Sadiq, Coordinator Statutory Planning
Attachments:	Submissions ↓

Summary

To hear from submitters in relation to Miscellaneous Consent Application MCA/2022/29 for Development of an Outbuilding, Effluent Disposal and Minor Works associated with the Dwelling outside the Building and Driveway Envelopes.

Recommendation

That the Committee:

- 1. Notes the submission received in relation to MCA/2022/29; and**
- 2. Requests that recommendations be prepared, based on all relevant information, including the submission received, for consideration and determination at the next Planning Delegated Committee Meeting on 8 March 2023.**

Background

Subject site is located on the north-eastern side of Cornish Road, Riddells Creek, approximately 125m north from its intersection with Whittakers Lane. The site is rectangular in shape having an area of 4001m² and is currently vacant in terms of buildings and works. The current access to the site is via Cornish Road. A large native tree is located on the site approximately 50m from the street frontage.

The surrounding properties vary in size to the subject site. The properties to the immediate north and west are similar sized properties that contain a single dwelling. To the east are smaller sized low density zoned properties that contain a single dwelling and to the south are smaller again residential properties. The majority of properties have been cleared of native vegetation.

Summary of proposal

The applicant is seeking miscellaneous consent for the development of an outbuilding, effluent disposal works and some minor works in association with the dwelling outside the building and driveway envelopes. An effluent disposal field having an area of 400m² will be located to the north of the building envelope (entirely outside), having a setback of 3m from the front boundary and 1.5m from the side boundary. An outbuilding associated with the dwelling will be located to the south of the building envelope (entirely outside) having a setback of 1.5m from the side boundary and 36m from the rear boundary. The outbuilding will be 12m long and 7m wide and will be made from Colorbond in "Monument" colour.

Minor earthworks in association with the construction of the dwelling will occur outside the building envelope. Minor works in association with the construction of driveway will also be carried outside the driveway envelope.

Planning permit trigger/s

A miscellaneous consent is required to vary the requirements under the Section 173 Agreement.

Summary of submissions

A total of One (1) objection was received to this application. It is summarised as follows:

Objection/concern regarding application
<ul style="list-style-type: none">• Buildings and works should be inside the building envelope;
<ul style="list-style-type: none">• Impact on views;
<ul style="list-style-type: none">• Installation of septic system outside the building envelope.

Officer declaration of conflicts of interest

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

13th October, 2022

MCA/2022/29 - 12 Cornish Road, Riddells Creek

I refer to correspondence dated 15/08/2022 in relation to Planning Permit for Lot 2 PS 830906U P/Kerrie & subsequent correspondence received by email 12/10/2022 showing revised plans for placement of shed outside the building envelope.

Our position still stands. We object on the following grounds :

. VCAT ruling -

VCAT final ruling/correspondence dated 9/11/2017, as previously provided to MRSC - stating building envelope is to be no greater than 500m2.

MRSC initially sought to provide building exclusion zones & also delineation of Tree Protection Zones which would also form part of the building exclusion zones. MRSC stated the reason for this was to limit the number of requests to Council seeking consent for buildings & works outside the envelopes!

. Section 173 attached to title at 12 Cornish Road -

A Section 173 agreement, a legal document, is imposed by the Responsible Authority, MRSC. An agreement can continue to operate & impose restrictions on land even if the need for a permit ceases. We therefore question why MRSC would breach their own agreement & approve a permit in this instance?

. Ongoing drainage issues due to land falling in a south west direction toward our boundary -

Please see attached photo – taken today. You will note in the photo that there is minimal ground water on 12 Cornish Road property, [REDACTED].

We believe another large structure will only contribute to further drainage issues both directly onto our property & due to the already poor infrastructure (open stormwater drain) which floods during heavy rain.

Following our enquiries in relation to reticulated sewerage installation, we received confirmation from [REDACTED] stating permit would not be issued by MRSC Health Unit, “not to issue a Septic Permit for the lots at [REDACTED] due to the Western Water conditions requiring the lots to connect to reticulated sewerage”. MRSC have since advised verbally that this decision has been overturned.

Further, we have had no notification/evidence of an LCA being conducted on site from a professional assessor with specific knowledge of soil, soil hydrological & soil chemical processes.

. Failure to provide minutes/documentation as a reference of meeting at Council Offices at 1630 held on 29th September, with Christo, Danielle & yourself – the meeting requested by MRSC.

[REDACTED]

16th October, 2022

MCA/2022/29 – 12 Cornish Road, Riddells Creek

Personally, this is about the applicant seeking to save money & unfortunately must also consider existing neighbouring properties with just concerns regarding development implications to them.

The applicant has admitted to saving money by buying directly off their developer who, he quoted, were friends. The applicant is not prepared to pay for a connection to reticulated sewerage which can be paid off over time and will benefit their future property value.

Sewerage will prevent excess water run off from their treatment plant into [REDACTED] which can clearly be seen by the photos provided. We have been experiencing their septic run off into [REDACTED] for years – despite reporting to MRSC. It is currently seeping from the property the [REDACTED] – [REDACTED] of 12 Cornish Road.

The applicant wants to erect a very large shed structure that will ruin [REDACTED] and serenity for ever. [REDACTED].

We just can't believe that MRSC can impose a building envelope to 12 Cornish Road, THEN attach a further section 173 to the title, strengthening their stance on the exclusion zone. MRSC then allow the applicant to attempt to breach their own ruling. The applicant was well and truly aware of the Title conditions when he purchased this block of land, therefore we believe MRSC should be upholding this rather than cause ill feeling between us, the applicant & Council.

If this new shed is approved, - approximately 500m2 of roof space, plus roof space for new dwelling, stormwater will be directed to the open culvert in the front of their property which flow around towards Whittakers Lane, [REDACTED] and WILL cause severe flooding [REDACTED] and across the road to neighbouring properties. Poorly maintained drains only add to this situation. The flooding has happened for many years (see photos) even without the addition of any new homes or sheds on the block, as the surface water now runs down their block and exits through [REDACTED]. [REDACTED] so we know what happens to [REDACTED] during wet weather patterns. It seems Councils just look at more rates and more money and just let property owners deal with the mess "not if it happens, but when it happens" approach.

I have sent numerous photos through to Danielle on Thursday of flooding waters out the front and out the back on the said [REDACTED] showing the water ingress.

[REDACTED]









Maria Nunez

From: [REDACTED]
Sent: Wednesday, 31 August 2022 1:25 PM
To: 'G Burns'; Natania Hollingsworth
Subject: RE: MCA/2022/29 12 Cornish Road

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

[REDACTED],
I can confirm that I do not have any concerns with what you have planned to build (house & shed) on 12 Cornish Road. If the MRSC planners would like to contact myself to confirm if there is anything formal from my side I will be more than happy to assist

[REDACTED]

[REDACTED]

8.3	HEARING OF SUBMITTERS - PLN/2022/243 - USE AND DEVELOPMENT OF A RESPITE DAY CARE CENTRE FOR DEMENTIA PATIENTS AND ASSOCIATED CARETAKER HOUSE - 78 OLD LANCEFIELD ROAD WOODEND NORTH
Officer:	Nicole Wadden, Senior Statutory Planning Officer
Attachments:	Submissions ↓

Summary

To hear from submitters in relation to Planning Application PLN/2022/243, regarding the use and development of the site for a respite day care centre for dementia patients, caretaker's house and associated buildings and works.

Recommendation

That the Committee:

- 1. Notes the submission received in relation to Application for Planning Permit PLN/2022/243, for use and development of the site for a respite day care centre for dementia patients and associated buildings and works; and**
- 2. Requests that recommendations be prepared, based on all relevant information, including the submission received, for consideration and determination at the next Scheduled Council Meeting on 22 February 2023.**

Background

The subject site is located north east of the intersection of Old Lancefield Road and Barkers Road, Woodend. The site is square in shape and measures 3.940 hectares. The site is a vacant lot with an eastern and western boundary of 200m and a northern and southern boundary of 195m.

The subject site contains a watercourse and is predominately clear of vegetation with the exception of some planting along the northern property boundary.

Surrounding properties within proximity of the site contain a mix of uses. To the west of the site, land is zoned industrial and currently serves as the depot for the Macedon Ranges Shire Council. North of the site the land also sits within the Farming Zone and is currently used and owned by the Macedon Ranges Shire Council and serves as an organic materials holding site. East and South of the site land is predominately vacant and within the same zone as the site. Within a wider context land to the south and south west of the site is predominately developed with single dwellings and is used for rural residential lifestyle properties.

Summary of proposal

The applicant is proposing to use the land for a Respite Day Care Centre, Caretakers House and associated buildings and works.

The proposal is to provide short-term, day respite care for persons suffering the early stages of dementia where patients are primarily being cared for in their home. The respite care will provide care during the day with no overnight stay. The centre will provide care for up to 15 patients at a time providing care in a 'farm style' rural setting.

The development of a caretaker's house is also proposed which will provide accommodation for a permanent volunteer on site.

The development works proposed on site are as follows:

Respite Day Care Activities Cottage:

The development will have two bedrooms (rest rooms), two kitchenettes, one kitchen, and six bathrooms, sitting area, meeting room, office and store. The activities cottage will feature a large veranda that will cover the outside of most of the northern, eastern and western side of the structure. It will have a total length of 32.860m and a total width of 15.130m, and rise to an overall height of 6.195m. The development will be sited 23m from the southern boundary and 58m from the eastern boundary. The cottage will have a total floor area of 482m². Materials proposed include weatherboard cladding in a pearl grey colour and Colorbond roofing in a Dune colour.

Caretakers House

The caretaker's house will have a single bedroom and bathroom and contain a kitchen, living and dining area in addition to a walk in wardrobe, laundry, and single car garage. The caretaker's house will have a total length of 12.540m and a width of 8.550m, rising to an overall height of 4.3m. The development will be sited 8m from the southern boundary. The development will be constructed of weatherboard cladding and Colorbond roofing to match the respite day care activities cottage.

Maintenance Shed

The shed will have a length of 10m and a width of 6m rising to an overall height of 3.9m. The development will have a total floor area of 60m² and will be sited 4m from the eastern boundary and 100m from the southern boundary. The development will be constructed of Colorbond cladding to match the previously discussed structures.

Planning permit trigger/s

Clause 35.07-1 Farming Zone (FZ) - A planning permit is required to use the land for a Respite Day Care Centre and Caretakers House.

Clause 35.07-1 Farming Zone (FZ) - A permit is required for building and works associated with a section two use and with reduced setbacks to a boundary.

Summary of submissions

A total of seven (7) submissions of support were received to this application. They are summarised as follows:

Submission of support regarding application
<ul style="list-style-type: none">• The proposal responds to a need for specialised dementia respite day care in the community.
<ul style="list-style-type: none">• The proposal allows for additional essential services within the shire
<ul style="list-style-type: none">• The proposal utilises a farm style setting to provide therapeutic care which is responsive to the rural environment within the Macedon Ranges.

Officer declaration of conflicts of interest

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

To the Macedon Ranges Shire Council Planning Department

Re the proposal for Macgregor's Farm Day Care Cottage, (Dementia Support Centre),
Woodend

25th November 2022

I became aware of the Woodend Lifestyle Carers Group in recent years. Their support for those with dementia and particularly their carers has been recognised as an essential service for those of us living in the Macedon Ranges.

[REDACTED], and I was encouraged [REDACTED] to get [REDACTED] from Dementia Australia and local support groups. Fortunately we have been meeting now with the Woodend based group. The information they have provided, social support and networking with agencies to help with [REDACTED] is much appreciated.

We attended a fund raising car boot sale at the Macgregor's Farm site earlier this year. We were pleased to support the project. The prospect of a suitable drop in centre for people with dementia is something that would make all the difference to our daily lives.

We applaud the Woodend Lifestyle Carers Group for pursuing the goal of having a local purpose built facility.

I understand plans for building are currently with Council.

Please understand there is a great need for a timely approval of the plans, so that progress is made as soon as possible.

We are looking forward to accessing the facilities.

Regards

[REDACTED]
[REDACTED]

Maria Nunez

From: [REDACTED]
Sent: Wednesday, 11 January 2023 12:22 PM
To: Macedon Ranges Shire Council
Cc: Nicole Wadden
Subject: Planning Application No. PLN/2022/243 – No. 78 Old Lancefield Road, Woodend North 3442.

Categories: Planning

To whom it may concern

I write in my capacity as a member of the steering committee of the Macgregor's Farm Project that is currently seeking a Planning Permit to construct facilities on its' land at 78 Old Lancefield Rd Woodend. My [REDACTED] stems from my private and professional interest in the provision of Aged Care facilities in the Macedon Ranges and beyond.

There are 2 distinct and separate systems of Aged Care support in Australia, first there is the Home Care system which offers support packages of varying depth of assistance to qualified applicants that assists in their ability to remain in their own residence. This part of the system is usually supported by a family member but not always.

The second part of the system are the permanent aged care facilities providing care for people no longer able to remain at home. The permanent aged care system also provides for short-term respite stays but the availability for these is limited and for commercial reasons most commonly used as a prelude to permanent care at that aged care facility.

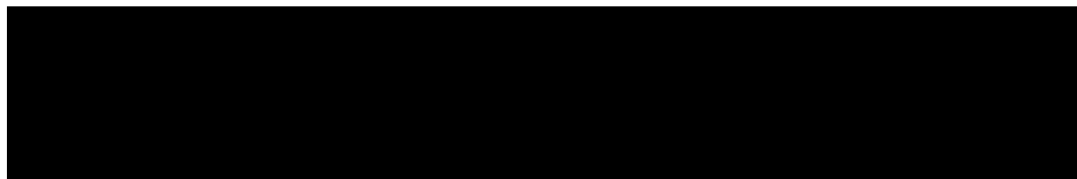
The Macgregor's Farm Project aims to provide short term (daily) respite care to a dementia sufferer in order that his/her carer can be free to pursue personal needs. This is generally not available in the current permanent care system and rarely in the facilities in the Macedon Ranges where long-term beds are scarce.

The project will be quite unique and will provide incredible relief to 'at home' carers in the Macedon Ranges. We seek the support of Councillors and the grant of a Planning Permit.

Kind regards,

[REDACTED]

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January 9, 2023

The Planning Department
Macedon Ranges Shire Council,

Dear Planning Officer

RE: Macgregors's Farm Day Care Cottage, 78 Old Lancefield Road.

The [REDACTED] has supported the Woodend Lifestyle Carers Group with monetary donations for some years now, after hearing a members of its committee give a presentation on the project they were undertaking to create much-needed respite for those living at home with dementia in and around the Macedon Ranges.

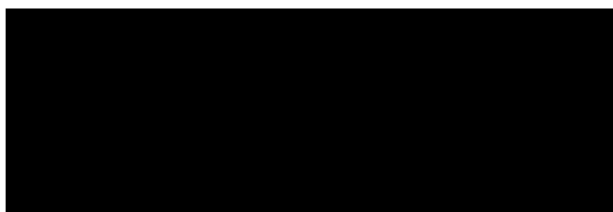
The initiative shown by the members of WLCG to support their community has been impressive in that they have not only acquired the land necessary to support their project, but they have followed all the appropriate avenues required to ensure that future generations of our community will benefit greatly from the service that will be provided by Macgregor's Farm Day Care Cottage, the proposed facility to be built at 78 Old Lancefield Road, Woodend North.

As a [REDACTED] [REDACTED] fully appreciate the great advantage that would be gained from a facility where those living with dementia may be supported on an ad hoc basis, thus allowing their carers time to participate in some of the everyday events that non-carers take for granted.

The [REDACTED] members fully understands the impact of poor mental health and wellbeing that comes with full time care and would support a program that would give positive benefits in preventing mental health.

We believe there is a great need for our Council to support the planning application which is now under consideration by your Planning Department. The Day Care Cottage will provide an invaluable service for our community.

Kind regards



SUBMISSION 1 D23-210

Maria Nunez

From: [REDACTED]
Sent: Tuesday, 3 January 2023 12:45 PM
To: Macedon Ranges Shire Council
Cc: Nicole Wadden
Subject: Planning Application No. PLN/2022/243 - 78 Old Lancefield Road, Woodend North
Categories: Planning

To whom it may concern:

During the almost [REDACTED] [REDACTED] there was a distinct lack of support for carers and I consequently became a founder member of Woodend Lifestyle Carers Group Inc in 2012. With [REDACTED] I came to realise that with the rapidly rising numbers diagnosed with this insidious disease in the Macedon Ranges and little or no respite being available, then something needed to be done to support our ever increasing membership.

In 2017 the Macedon Ranges had 759 people diagnosed with dementia, with a projection of that number increasing by 2050 to 5787 pax.* This would bring the annual growth rate for the Macedon Ranges into the top four Local Government Areas in Victoria.

The great need for respite for carers has been underscored by the continuing appeals for support from those who have been directed by their GPs and other healthcare professionals to approach Woodend Lifestyle Carers Group. There is an urgent need for premises where those with the diagnosis can be cared for on a regular or casual 'drop-in' basis, and this need would be addressed by the Macgregor's Farm Day Care Cottage proposed in the above Planning Application.

Please give urgent and positive consideration of this much-needed facility to support both the elderly and not-so-elderly residents of this Shire, particularly those who have retired from rural properties and are no longer able to have contact with livestock or perform activities that have been an integral part of their former lives.

Kind regards

[REDACTED]

Maria Nunez

From: [REDACTED]
Sent: Wednesday, 4 January 2023 11:08 AM
To: Macedon Ranges Shire Council
Cc: Nicole Wadden; Cherry Servis
Subject: Planning Application No. PLN/2022/243 No 78 Old Lancefield Road, Woodend North 3442

Dear All,

I write to you as a member of the [REDACTED]

[REDACTED] regarding the abovementioned Application for Planning Permit to enable the construction on the abovementioned land of a "Day care cottage": for the assistance of and support of carers of sufferers of Dementia and associated illnesses.

It is quite disappointing that Council's Planning Department did not see fit to grant the Application on its merits and the information, and material as submitted to it and issue a permit, as it was entitled to do, but has opted to refer the Application to Council for approval, but given the "unusual circumstances" of the Application it is understandable.

I say disappointing, given the very recent decision of the Victorian Civil and Administrative Tribunal (VCAT) in the matter of :

Mark's Country Place Ltd. Vs Macedon Ranges Shire Council (VCAT reference No P 174/2022) Date of Order 28th October 2022.

I would assume that both Council and its Planning department is aware of that decision and the outcome of the hearing.

Having referred to the above decision, I do not propose in these brief submission to set out the history of the application or the grounds of Appeal following the refusal of Council to grant the Permit, but I would like to draw Council's attention to the parallels between the Mark's Country Place application and that of the WLSCG application.

1. Both applications require a permit for the project and buildings
2. Both projects are within the Macedon ranges Planning Scheme
3. The land zoning is "Farming Zone" and within Environmental Significance Overlay.

However notwithstanding the above, and whilst it is clear that the proposal will result in a "community facility being established outside the established built up areas in a rural zoned land," it is also clear that

- a. the proposal and use of the land will provide the opportunity for people with "special needs" to access the facility,
- b. The Planning Scheme itself encourages responsible authorities to make decisions to integrate planning policies and balance conflicting objectives in favour of NET COMMUNITY BENEFIT and sustainable development

AND it is my humble submission that whilst this proposal is for a predominantly non-agricultural use (although there will be some farming activity as set out in the application), when its limited impacts are balanced against the benefit to the community, it is clear that the net benefits will far outweigh any adverse affects.

I would therefore ask that Council exercise its powers and discretion in favour of the Application and grant the Permit so as to enable this urgently needed facility to proceed without further delay and cost to this Not for Profit organization.

[REDACTED]

Submission 6

D23-4875

[REDACTED]
Sent: Tuesday, 17 January 2023 1:12 AM

To: Macedon Ranges Shire Council <mrscmail@mrsc.vic.gov.au>

Cc: Nicole Wadden <nwadden@mrsc.vic.gov.au>; [REDACTED]

Subject: Reference Planning Application No. PLN/2022/243 – 78 Old Lancefield Road, Woodend North.

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

Dear Macedon Ranges Councillors

I have been part of the [REDACTED] for a few years now to ensure my experience and years of working in the aged care sector across the world can translate to support an absolutely critical need my and our community has for respite care, with whatever means necessary whether it is professional nursing /health organisation advice, or fundraising support.

[REDACTED]
[REDACTED] Respite support for older persons in this region is almost non existent, certainly not enough to support our ageing population.

Our older citizens need respite support in familiar surroundings and that means rural locations that remind them of home and give them a peaceful country style environment. The Macgregor Farm project has been close to our community's heart as it is locals supporting older locals receive support in a manner that is non threatening and familiar. Assisting older persons remain in their community when they most need us is critical to their mental health and quality of life. Having services that support carers keep on caring by having respite ensures frankly, the survival of carers who often die before their loved one. Having a semi-rural setting near essential health services ensures the respite service can achieve their goals of quality care and support.

Macgregor farm is about locals helping locals, in a professional and thoroughly considered manner. It needs our ongoing support and older persons in the Macedon Ranges needs its heart.

Please help us achieve our goal of helping our older citizen friends and families receive quality respite care and dementia support by supporting the Macgregor Farm project.

Thankyou

[REDACTED]

Maria Nunez

From: [REDACTED]
Sent: Friday, 6 January 2023 2:30 PM
To: Macedon Ranges Shire Council
Cc: Nicole Wadden

To whom it may concern.
First an introduction:

[REDACTED] primarily responsible for providing support to carers in the Macedon Rangers area of Victoria.

A brief history:

During study for [REDACTED] I initiated and ran a group to support people diagnosed with epilepsy and received very positive results from both attendees and their family members (one, [REDACTED] commented that group work can achieve unique positive progress / results that medication, education and family support can never achieve and thanked me for the changes he had observed [REDACTED]. It was this experience that taught me the power of shared experiences with like minded people - the corner stone of successful group intervention.

To, as they say, cut a long story short, I went on to instigate and fund [REDACTED] [REDACTED] [REDACTED] / relocation and prior to Covid restrictions volunteered to assist in providing group support at [REDACTED]

Purpose of this communication:

My experiences above have illustrated to me time and time again the unique and vital work that group intervention provides in caring, progressive communities. I therefore wish to offer my support to Woodend Dementia Support in their request for support / assistance from your good offices.

Yours faithfully,

[REDACTED]

D23-8077

Maria Nunez

From: [REDACTED]
Sent: Tuesday, 17 January 2023 8:04 PM
To: Macedon Ranges Shire Council
Cc: [REDACTED]
Subject: Fwd: Re. Planning application. No. PLN /2022/243 - 78 Old Lancefield Road, North Woodend.

[REDACTED]

Subject: Re. Planning application. No. PLN /2022/243 - 78 Old Lancefield Road, North Woodend.

When I heard that the Woodend Lifestyle Carers Group were wanting to further develop their contribution to dementia services in the Macedon Ranges, particularly to those who were struggling with the burden of trying to care for family members with varying stages of dementia, in their own homes, I brought the site we are considering here to their attention. I knew from my own background in the health sciences, and from the many people I knew who have not been able to tap into the dementia support they needed, that this was a growing need and that here was an ideal site for a new facility. Fortunately, [REDACTED] [REDACTED] to enable them to put their plans into action.

Without doubt the outstanding success of the Very Special Kids Glen Osmond Farm [REDACTED] [REDACTED] gave me the confidence to make this move. The aims of these two projects have much in common and I think some of the comparisons are very relevant and should be noted. Both the Glen Osmond Farm (GOF) and Macgregor's Farm (MF) utilise areas of natural beauty and stunning views and are suitable for small scale farming and horticultural activities which make their own contribution to the therapeutic support they provide. The healing aspect of nature and the contribution of animal care is being more and more understood and appreciated in the health care sector. The GOF was one of the leaders in this area and has made a huge contribution to many families [REDACTED] with [REDACTED] conditions. MF will have its own special and in many ways unique contribution to make to families who, although dealing with a different medical problem, also live with similar states of uncertainty and severe stress.

Both projects are sited in locations which also add to the quality of the area and to the well-being of those who live in the nearby housing developments. They do not introduce any traffic problems and provide easy access to local towns and links to Melbourne.

Being a new venture, when the proposal for the GOF was put forward, it was the support of the then MRSC CEO and the Mayor and council members that made the vision a reality. I feel confident that the success of the Glen Osmond Farm will encourage the present Council to give this proposal their equal and full support.

[REDACTED]

Submission 9

DZS-15550

From: [REDACTED]
Sent: Monday, 23 January 2023 5:38 PM
To: Macedon Ranges Shire Council
Cc: [REDACTED]
Subject: FW: In conjunction with formalised submissions
Categories: Planning

[REDACTED]
Submission as below.

PLN//2022/243 – 78 Old Lancefield Road Woodend North
Subject:

Daily and residential respite is at a premium everywhere and totally inadequate in our region. This long range and unique development has been donated 10 acres and sufficient funds to commence stage two with a day farm respite and function facility.

The further three stages will incorporate a full-service accommodation and treatment opportunity unique certainly in Australia.

“When asked to consider accepting the Patrons role with the Woodend Lifestyle Carers Group, my response to their courtesy and commitment was reciprocal! [REDACTED], I am intimately aware of the therapeutic, cosmic magic and comfort conjured from that parallel universe of creativity.

[REDACTED] and understand both the demands on - and consequences of this role. Equally I have witnessed the tragedy of this too often, allied stress, [REDACTED]

[REDACTED]

I commend the WLCG on its focus and compassion, especially its determination to create and construct at Macgregor’s Farm, a unique haven of respite and care for its local community.”

[REDACTED] I would like to thank them and our wonderful benefactor for their insight and determination to “plant this healing acorn!”

[REDACTED]

[REDACTED]

8.4	HEARING OF SUBMITTERS IN RESPECT OF APPLICATION FOR PLANNING PERMIT PLN/2021/587 - RESUBDIVISION OF FOUR (4) LOTS INTO FOUR (4) LOTS - 1164 KYNETON SPRINGHILL ROAD, KYNETON SPRINGHILL ROAD AND 535 SHEPHERDS HILL ROAD SPRING HILL
Officer:	John Perry, Statutory Planning Officer
Attachments:	Nil

Summary

To hear from the applicant in relation to Planning Application PLN/2021/587 for the Resubdivision of Four (4) Lots into Four (4) Lots.

Recommendation

That the Committee:

1. **Notes no submissions have been received in relation to PLN/2021/587 for the Resubdivision of Four (4) Lots into Four (4) Lots; and**
2. **Requests that recommendations be prepared, based on all relevant information, for consideration and determination at the next Planning Delegated Committee Meeting on 8 March 2023.**

Background

The subject site comprises four contiguous allotments having a total area of approximately 206.69 hectares. It is located in Springhill, approximately 3.5 km away from the Shire's border with Hepburn to the west. The site is currently used for mixed farming and grazing uses. A single dwelling with associated agricultural buildings are located on each of the three allotments forming part of the site. Majority of the site is clear of native vegetation with the provision of mature vegetation along the boundaries and scattered within the site. Majority of the surrounding properties are mixed farming and grazing sites, with some residential rural/rural lifestyle houses to the east.

Summary of proposal

The applicant is seeking planning permit for the resubdivision of four lots into four lots. Following will be the area of each of the lot:

- LOT 1 ON PS 900305K having an area of 86.23ha comprising an existing dwelling with associated infrastructure.
- LOT 1 ON PS 900306K having an area of 40.33ha comprising an existing dwelling with associated infrastructure.
- LOT 2 ON PS 900306K having an area of 40.01ha comprising an existing dwelling with associated infrastructure.
- LOT 3 ON PS 900306K having an area of 40.12ha and will be vacant.

Planning permit trigger/s

A planning permit is required to:

- Subdivide the land under the Farming Zone (Schedule 1)
- Subdivide the land under the Environmental Significance Overlay (Schedule 4)
- Subdivide the land under the Bushfire Management Overlay

Summary of submissions

No submissions were received for this application.

Officer declaration of conflicts of interest

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

8.5	HEARING OF SUBMITTERS IN RESPECT OF APPLICATION FOR AN EXTENSION OF TIME TO PLANNING PERMIT PLN/2015/204 - CONSTRUCTION OF FOURTEEN DOUBLE STOREY DWELLINGS, CONSTRUCTION OF ASSOCIATED BUILDINGS AND WORK (EARTHWORKS, ROADWORKS AND FENCING), AND REMOVAL OF VEGETATION INCLUDING TWO (2) NON-NATIVE TREES WITHIN THE DAVY STREET ROAD RESERVE, CONSTRUCTION OF WORKS WITHIN THE BLACK GUM RESERVE (OUTLET DRAINS AND RESERVE) AT 2-4 DAVY STREET, WOODEND
Officer:	John Perry, Statutory Planning Officer
Attachments:	Nil

Summary

To hear from the applicant in relation to an Application to Extend a Planning Permit for the Construction of fourteen double storey dwellings, construction of associated buildings and work (earthworks, roadworks and fencing), and removal of vegetation including two (2) non-native trees within the Davy Street road reserve, construction of works within the Black Gum Reserve (outlet drains and reserve) in relation to Planning Application PLN/2015/204.

Recommendation

That the Committee:

- 1. Notes that no submission has been received in relation to the Application to Extend Planning Permit PLN/2015/204; and**
- 2. Requests that recommendations be prepared, based on all relevant information, for consideration and determination at the next Planning Delegated Committee Meeting on 8 March 2023.**

Background

The subject site is located on the northwest side of High Street, bounded by Davy Street to the northwest and an unnamed fire track to the southeast. It directly abuts the Five Mile Creek corridor and a range of recreational facilities to the north of the creek.

The land is currently vacant and has a fall towards Five Mile Creek.

The site has the following interfaces:

- To the southeast of the site is High Street. Adjacent to the site, High Street is an elevated two lane highway ramping down from the historic Woodend Bridge. Davy Street serves as an unmade service lane extending off the Highway at the grade of the review site. High Street is the main road into and out of the township. Across High Street is the Woodend Primary School and associated sporting grounds, with further residential subdivision abutting the Creek behind a levy bank to the south-east.
- The south-western boundary of the site abuts an unmade fire track and a recreation reserve which forms part of a broad open space and recreation link along Five Mile Creek. Within this space, and immediately abutting the site is Davy Street, which is an unmade road, used to access sporting grounds to the east. Beyond the carriageway is

a bitumen strip (and double storey structures) used for CFA training, with an open landscape leading to Five Mile Creek.

- The north-western boundary of the site is again defined by the unmade Davy Street (which is planted with scattered native trees on the road reserve) and the formal sporting ground used by the local football and cricket clubs. Low scale community and sporting buildings occur within this setting with open parkland extending beyond the oval to the west.
- The site's north-eastern boundary is shared with two (2) residential lots that address Davy Street, to the east and west (at Lot 19 and 4). Lot 19 on the northeast contains an historic double storey dwelling, which is known as Islay House. Further north along Davy Street and High Street is traditional single storey cottages set close to the frontages and other more recent dwellings of 1 and 2 storey, setback behind garden frontages.

Summary of proposal

The applicant is seeking to extend the planning permit PLN/2015/204 for the completion of the development.

Planning permit trigger/s

Pursuant to Section 69 of the *Planning and Environment Act 1987*, the owner may ask the responsible authority for an extension of time to complete the development if:

- a) The request for an extension of time is made within 12 months after the permit expires; and
- b) The development or stage started lawfully before the permit expired.

Summary of submissions

No submissions were received for this application.

Officer declaration of conflicts of interest

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

8.6	HEARING OF SUBMITTERS IN RESPECT OF AMENDMENT C145MACR - ENVIRONMENTAL SIGNIFICANCE OVERLAY SCHEDULE 4
Officer:	Daniel Hall, Graduate Strategic Planner
Attachments:	C145 - Exhibition - Submissions Redacted (under separate cover)

Summary

To hear from submitters in relation to Planning Scheme Amendment C145macr which proposes to make changes to Schedule 4 of the Environmental Significance Overlay (ESO4).

Recommendation

That the Committee:

- 1. Notes the submissions received in relation to Planning Scheme Amendment C145macr; and**
- 2. Requests that recommendations be prepared, based on all relevant information, including the submissions received, for consideration and determination at the next Planning Delegated Committee Meeting on 8 March 2023.**

Background

Council on behalf of Coliban Water has prepared Amendment C145macr, which seeks to amend Schedule 4 of the Environmental Significance Overlay in the Macedon Ranges Planning Scheme. This action implements the Upper Coliban Integrated Catchment Management Plan, 2019 (UCICMP) which has been prepared by the North Central Catchment Management Authority (NCCMA) and Coliban Water.

On 10 March 2022 Council resolved to seek authorisation from the Minister for Planning to prepare and exhibit Amendment C145macr.

Consultation

The amendment was authorised with five conditions on 22 July 2022, and was exhibited from 13 October to 24 November 2022

As a part of exhibition process, Council:

- Sent more than twelve thousand letters to affected parties (owners and occupiers).
- Published:
 - Two public notices within the Midland Express and Sunbury-Macedon Ranges Star Weekly.
 - A notice within the November edition of Woodend Gazette.
 - An article in the November edition of Council's environmental newsletter.
 - A notice on the Council website (Have your Say and Planning Scheme Amendments) and a notice on Coliban Water's website.

Summary of submissions

A total of 16 submission including 13 opposing the amendment were received. They are summarised as follows:

Objection/concern regarding amendment.
<ul style="list-style-type: none">• Environmental concerns - Allowing fencing up to 10m and within 30m of a defined waterway.
<ul style="list-style-type: none">• Environmental concerns - The deletion of the permit trigger for non-native vegetation removal more than 30m from a defined waterway.
<ul style="list-style-type: none">• Environmental concerns - Object to Coliban Water status as the determining authority over MRSC for ESO4 – concerns relating to previous environmental track record.
<ul style="list-style-type: none">• Agricultural concerns - Requiring a permit for fences within 10m of a defined waterway - affecting access to water and imposing additional economic costs on landholder/agricultural producer.
<ul style="list-style-type: none">• Agricultural concerns - Negatively impacts agricultural uses by requiring a permit to remove vegetation within 30m of a defined waterway claiming this may influence bushfire risk within these areas.
<ul style="list-style-type: none">• Agricultural concerns - The broadening of the environmental objective of ESO4 – describing it as “over-reach” and will reduce the ability of land within this area to be farmed.
<ul style="list-style-type: none">• Agricultural concerns - The definition of a waterway. Concerns the definition of a waterway will include surface-run off.
<ul style="list-style-type: none">• General concerns - One submission against the amendment citing an error in the advertised material.
<ul style="list-style-type: none">• General concerns - One submission supports protecting the environment but cannot support this Amendment until previous issues relating to their property have been resolved.

Officer declaration of conflicts of interest

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