

Submission on the Macedon Ranges Draft Localised Planning Statement

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Proud [REDACTED] Landholders and Residents, and Lovers of the Macedon Ranges

18 February 2018

Introduction

[REDACTED] and [REDACTED] (together, “we”, “us” or “our”) make this submission jointly on the consultation draft of the Localised Planning Statement developed for the Macedon Ranges (“DLPS”).

We are a [REDACTED] who moved to [REDACTED] in [REDACTED] after many, many years of dreaming of moving to the most beautiful place on Earth. We bought a pre-established home and replaced a family of [REDACTED] with our family of [REDACTED], thereby [REDACTED], rather than [REDACTED], the Macedon Ranges’ (and particularly the [REDACTED] township’s) population.

Whilst we understand the desire – and increasing necessity – for (especially young) Melburnians to flock out from the suburbs into regional Victoria, the Macedon Ranges’ so evidently special *je ne sais quoi* is and will continue to be sufficient temptation for developers and tree-changers for the time being. There is no need to create further incentives for would-be first-home buyers to consider a move to the Shire.

Putting aside the geographical beauty of the area, its relative vicinity to Melbourne, yet also its sufficiently sizeable distance therefrom, means that, as time goes on, more and more interested people will not be content to wait to purchase one of the existing houses at the rate at which the locals are selling them. Moreover, the overall affordability of properties in the Shire, together with its aforementioned beauty and proximity to the city, already incentivises people who want to buy a property with more land so that they can build a bigger house. Ironically (read: unfortunately), before too long, the unbridled plethora of new estates aiming for the “Australian dream” will themselves lead to the irreversible crushing of the “Macedon Ranges dream” of the locals.

Of course, development is inevitable – and, indeed, desirable – but the Macedon Ranges is not Melbourne, and so it should not be viewed as a yet-to-be-further-tapped-into alternative thereto. In special places such as the Macedon Ranges, development and growth have to be tightly controlled, rather than encouraged.

At the end of the day, the vast majority of the residents of the Macedon Ranges moved or remain there because of its country lifestyle, not because of the affordability of its land and houses, or the desire to live an “urban life” in the countryside.

For these reasons and more, we reject the *DLPS* as it is currently drafted, and so should anyone who truly cares about protecting the Macedon Ranges.

Reference to and Adoption of Other Submissions

Due to their clarity, passion, eloquence and, frankly, correct viewpoints, we refer to and adopt the following submissions (“Other Submissions”) in full:

- Macedon Ranges Protection Advisory Committee, *Planning and Environment Act 1987 – Final Report*, https://www.planning.vic.gov.au/_data/assets/pdf_file/0012/20307/Macedon-Ranges-Protection-AC-Final-Report.pdf, dated 27 July 2016;
- Macedon Ranges Residents’ Association Inc., *Macedon Ranges Localised Planning Statement – “The Government Isn’t Listening”*, <http://www.mrra.asn.au/archive1/arc1-snts/andrews-govt/2018/mrra-presentation-final-2-130218-lps-public-meeting-gisborne.pdf>, especially Resolutions 1A and 1B in “Resolution Re Draft Macedon Ranges Localised Planning Statement (December 2017)”, being page 12 thereof, as carried at the MRRRA Public Meeting on 13 February 2018 at the Gisborne Mechanics Institute (moved by Brian Penny and seconded by Adam “Murphett” [sic] – the latter surname being a typographical misspelling of “Lopez”: see <http://www.mrra.asn.au/archive1/arc1-snts/andrews-govt/2018/resolution-carried-corr-re-draft-macedon-ranges-lps130218mrra-public-meeting.pdf>); and
- Settle Woodend, *Protection for the Macedon Ranges – It’s Almost Here, What You Need to Know, What You Need to Do ...*, <http://www.mrra.asn.au/archive1/arc1-snts/andrews-govt/2018/settle-woodend-lps-protection-for-the-macedon-ranges-final-circulated.pdf>, dated January–February 2018.

Elaboration of Our Submissions

We further state as follows (with these latter points prevailing in this submission to the extent of any inconsistency with the Other Submissions):

- Being a *localised* planning statement, the *DLPS* should give *at least* as much weight to the interests of the local communities of the Macedon Ranges as it does the Victorian community generally. However, given that the *Planning and Environment Amendment (Distinctive Areas and Landscapes) Bill 2017* (Vic) is, in this instance, to be utilised with respect to the *Macedon Ranges area*, it is submitted that, notwithstanding the proposed amending Act’s Victoria-wide application, the priorities dealt with in the ultimate Statement of Planning Policy ought to weigh in favour of any strategies that are most likely to protect the interests of the specific area with which this *DLPS* deals, namely the Macedon Ranges;
- The *DLPS* accurately captured the beauty and uniqueness of the Macedon Ranges, and did a great job in identifying and acknowledging the special qualities of its landscapes, towns, people and animals. However, the pretty and vague words used therein themselves offer no real protection to the Macedon Ranges. Unfortunately, if anything, and despite their

aspirational tones, the objectives' and strategies' lack of specificity, coupled with their silence on certain other important points, serves to create a situation where the specified areas in the Macedon Ranges (in particular) are less protected than prior to the *DLPS'* release for consultation. This is because it is assumed, for the purposes of this submission, that the current version of the *DLPS* found at https://engage.vic.gov.au/application/files/4015/1331/4799/Macedon_Ranges_Localised_Planning_Statement_Consultation_Draft.pdf would form the new Statement of Planning Policy;

- Whilst the objectives are, of course, laudable in principle, without specifying how these objectives will actually be achieved, they are essentially not worth the paper they are written on;
- Whilst the strategies aligned in the *DLPS* for each of the objectives are also generally commendable, they need to be more specifically stated, and the *DLPS* needs to be more forthright about which elements will be binding on government agencies who will make future decisions regarding the policy area;
- The arrangements alluded to in the *DLPS* are simply not strong enough to prioritise, as they must, the protection of the Macedon Ranges' environmental, landscape and (rural) heritage values;
- The proposed new settlement boundaries in the *DLPS* project growth and development for the Macedon Ranges that are much more expansive than is necessary, desirable or appropriate. Furthermore, the proposed new settlement boundaries for the townships of Gisborne and Romsey are not even proffered for our consideration in this *DLPS*, and, therefore, we cannot be said to have been consulted about them (whatever they might be); and
- Given the protective aim of the *Planning and Environment Amendment (Distinctive Areas and Landscapes) Bill 2017* (Vic), it would be utterly ridiculous to lock us into this *DLPS'* proposed new settlement boundaries, and its so very un-Macedon Ranges-like land supply and growth intentions, for the next 50 years – except where Parliament approves any amendments thereto. If anything shall be locked-in for 50 years except with Parliamentary approval, then it must be akin to “*SPP8*” and the *Green Wedge Protection Act* (see below).

Rather than reiterate any further the many other issues raised in the Other Submissions and supported by us (which Other Submissions were expressly incorporated herein), we will now turn to briefly address some potential solutions to a number of the issues raised in the *DLPS*.

Solutions

Firstly, we respectfully submit that, despite its greatest of intentions, the *Planning and Environment Amendment (Distinctive Areas and Landscapes) Bill 2017* (Vic) does not adequately deal with its stated purposes of, amongst other things:

- recognising the importance of certain of Victoria's distinctive areas and landscapes; and
- integrating policy development, implementation and decision-making by re-introducing statements of planning policy.

In many ways, the *Planning and Environment (Metropolitan Green Wedge Protection) Act 2003* (Vic) (“*Green Wedge Protection Act*”) can be said to have made much more significant – and practically protective – amendments to the *Planning and Environment Act 1987* (Vic) with respect to “green wedge land” in certain metropolitan fringe areas.

The ultimate Statement of Planning Policy needs to have the same utility, strength and protection ethos with respect to the declared distinctive areas and landscapes proposed, in this case, for the Macedon Ranges, as the *Green Wedge Protection Act* had in relation to “green wedge land”. For example, the *Green Wedge Protection Act*’s requirement for ministerial authorisation for the preparation of certain amendments to planning schemes applying to green wedge land, as well as parliamentary ratification of certain amendments to green wedge land planning schemes (by way of a resolution being passed by each House of Parliament within certain timeframes).

In this respect, we submit that the *Statement of Planning Policy No. 8 (Macedon Ranges and Surrounds)* (“*SPP8*”), as issued by the Hamer government in 1975 pursuant to the *Town and Country Planning Act 1961* (Vic) and now only existing as local (as opposed to state) policy, deals adequately – far more adequately than the *DLPS* purports to – with protecting the Macedon Ranges from the harmful effects of unreasonably managed urban growth and development. Amongst other reasons, this is because *SPP8* is specific to the Macedon Ranges and its flora, fauna and communities, whereas the *DLPS* simply views the Macedon Ranges through the State’s lens of the Ranges being an area of *State* significance.

If the *DLPS* does, in fact, seek to enshrine the Macedon Ranges’ environmental and cultural significance for the benefit of current and future residents and visitors thereto, then it should concern itself less with selling us a State-sanctioned growth plan without proper details thereof and instead focus on convincing us that the Ranges are not being sold off, one bit of re-zoned land at a time, to the developers without regard for the Shire’s current residents and landscape.

Notwithstanding the *DLPS*’ alleged intent to elaborate upon *SPP8*, in our submission, the drafters of the *DLPS* have failed. Accordingly, the *DLPS* should be re-written and *SPP8* utilised as the true foundation-stone for a Localised Planning Statement that actually prioritises the beloved (rural) character of the Macedon Ranges’ towns, heritage, landscape and wildlife.

In fact, the ultimate Statement of Planning Policy should retain *SPP8* and be prepared largely in accordance with the twelve recommendations made to, and accepted by, the current Minister for Planning by the Macedon Ranges Protection Advisory Committee in 2017 in its aforementioned *Final Report*.

Conclusion

With the greatest of respect to Sunbury and Melton (which many residents of the Macedon Ranges utilise to enhance their wider shopping, social and other needs), we chose to live in the Macedon Ranges because we wanted to live in a shire of townships, villages, parks, open spaces, flora, fauna and country folk – and not in city-like suburbs.

Just as the Gisborne township suffered greatly between 1999 and 2012 from the generic planning controls adopted, this non-Macedon-Ranges-specific *DLPS* threatens to erode the areas of Gisborne,

Riddells Creek, Romsey, Lancefield, Woodend and Kyneton at least by creating another “free-for-all” for developers without appreciation for the Macedon Ranges beyond its monetary potential.

The different – and special – way of life in the Macedon Ranges is placed directly under threat by this *DLPS*, which has attempted to sell us snake oil in the form of “balanced development”.

For the foregoing reasons, therefore, we refuse to hand over a blank cheque in respect of our beloved Macedon Ranges and we reject the *DLPS*.