Submission to “Macedon Ranges Localised Planning Statement “

Hello Fiona DePreu

It was enlightening to have you listen to me and show interest in the long term sustainability of Riddells Creek township boundary and development of infrastructure around Riddells Creek surrounds when I attended the Woodend Information meeting on 06/02/2018.

We spoke about accepting the Southern Area south of the railway line in Riddells Creek being in the Township boundary of Riddells Creek, plus expanding this area Eastward to the ES07 Treatment Plant Buffer zone and it being contained by the Escarpment and View Protection in the south along the Riddells Creek water ways.

We spoke about the importance of including this area in the township boundary to justify all Developers contributing to a Developer Contribution Plan “DCP” to fund a “PTV” required future connector road extension with a Separate Grade Railway Crossing. The initial Proposed Connector road is funded by the Developer for the land south of the railway line then in the future a Separate Grade Railway Crossing may have to be funded by a small area left out of the current Southern Area. As this small extended area of land owned by three people, who are all agreed to be in the township boundary, would not have enough development to fund such Separate Grade Railway Crossing and will most likely need Government assistance to fund it. Even if the south of the railway line is not developed, a Connector Road is still required to comply with recommendations from Bushfire Royal Commissions, Emergency procedures and requirements and the new planning requirements for population growth in a Bush Fire Prone Areas etc.

Currently to head south directly away from the threat of a major source of bushfire is restricted by a narrow heritage listed bluestone railway overpass bridge at the intersection of Riddell and Kilmore Roads. A second route for residences is well overdue and is paramount for the expected population grow of Riddells Creek.
When I was involved in the fighting of the Kilmore East / Kinglake fires we were give set routes to travel north and south as to avoid potential head on accidents in low viability,
At Riddells Creek you don’t have that infrastructure for safety as there is currently only one route south from the dangers of a bushfire if it occurs in Riddells Creek’s high risk areas in the north.

Riddells Creek Township’s everyday lifestyle has 60% of its population commuting to Melbourne for work (2006 Censes), The local and surrounding residences that live on the north side of the railway line would be grateful for this Proposed Connector Road and its intended future Separate Grade Railway Crossing being installation
Also the PTV has indicated and welcoming the opportunity to have access to the southern side of Riddells Creek’s Railway Station which holds the largest part of “PTV’s” land for needed future car parking.
The southern side of the railway station reduces the risk of every railway commuter always crossing the railway tracks to access the train which mainly utilises the fast track railway system on the south platform.
The extra parking is need now, since the “PTV” rezoned Riddells Creek Fare Zone to the same as a Metropolitan Railway Stations, which attracts more commuters from other regional areas like Macedon and Woodend to park at Riddells Creek to take advantage of this cheaper railway fare to and from Melbourne.
We all ready had a railway related death incident were a 14 yr old boy was killed by a train when he tried to cross the tracks to the southern platform in October 2013.
PTV should be proactive in reducing this ever happening again and with a Southern Area Developer developing the area next to the Station on the south side would be an opportunity to have the Developer Contribution Plan fund and plan the access and possible the car parking area at their cost not the public.

The Southern Area south of the railway line including the proposed addition of land to the east, up to the ES07 Treatment Plant Buffer has been corresponded and engineered by MRSC, PTV, Western Water, CFA and the 2016 Riddells Creek C100 Amendment’s Panel Committee already with this area, by producing recommendations on facts. They indicated the Southern Side of Riddells Creek Railway line by the Concept Plans which includes the land Eastward of that Southern Area in respect to complying for Population growth, Township Lifestyle, Emergency Plan Procedures for the township’s future.
If this area is “eartagged” as an area of interest in planning the future of the township and is required to for compliance, it should be document that it should be preserved for the Township Boundary, so all stakeholders can refer to it when planning the township’s, Precinct Structure Plans, Emergency Procedure Plans and the Land Owners, so they can plan what they are engaged in.
In the 2016 Riddells Creek C100 Amendment Panel Hearing the Panel Hearing asked if this addition of land to the Southern Area south of the railway line was investigated prior to public viewing of the amendment. MRSC gave a negative conflicting answer to the Panel, Thus created a response in the Panel Report,

(Macedon Ranges Planning Scheme Amendment C100 Panel Report 21 June 2016 (page 29))

and others sought an expansion of the Southern precinct (and the associated UGZ) to the east in order that their properties be included. This proposal was not exhibited as part of the Amendment and potential stakeholders have not had the opportunity to comment on it. In addition, the Panel was not presented with any evidence about the suitability or capacity of this land to be developed. For these reasons, the proposal cannot proceed as part of Amendment C100 and the Panel has not formed any views about its merits.

It has been found since then, there were in-depth correspondences for this additional area by many stakeholders prior, but the MRSC censored this out of the public viewed document. Now we have the same situation, which again it is censored out of public viewing in the Macedon Ranges Localised Planning Statement ‘Consultation Draft”

It’s critical at these first stages of planning a township’s future for all the facts. Stakeholders in the future, will have a clear image of what the capacity of Riddells Creek could be developed to, in order to have a healthy township lifestyle as a Peri Urban Support Town to Gisborne and a Commuting town to Melbourne

A very large Riddells Creek predicted population growth that is already well ahead of its estimated rollout schedule is inundating this town.

In the process of “Submission” in 2016, for the C100 Riddells Creek Residential Amendment there was one?? entry in the Submissions Register for over 260 submissions from Riddells Creek’s local residences wishing for the township to be developed on the south side of the Railway Line.

So it seems if the “locals” have a say then development on the south side is a desirable outcome.

As stated above and since then I was able to obtain MRSC, PTV, and Tract Consulting documents that were investigate by relevant Stakeholders yet still had been refused by MRSC to be added in for public comment prior to its release.

Now we have the Macedon Ranges Draft Localised Planning Statement and whilst this area has still been involved in many categories of discussions for population growth, Western Water’s solutions to rectifying sewage spills in the town centre, Western Water’s ability to access infrastructure funded by developers to be able to market Recycled Water further west in rural property areas, PTV solution to car parking and accessing the south side of the railway station, PTV commitment to future installation of Separate Grade Railway Crossings, CFA recommended area for development in a BPA, etc.
Population growth will prevail and the environment protection strategies will be undermined and become obsolete if both Township boundaries and Environment Protection Policies are not considered to cater for expected population grow for the same intended duration.

I and the other local property owners north and south wish that the Southern Area south of the railway line is beyond just being considered as an Investigation Area but as part of the Riddells Creek Township Boundary and will include expand an additional area to the east on the same side of the railway line up to the ES07 Buffer for the Riddells Creek Treatment Plant. This small area is owned by three property owners whom all agree that the area is need to be included for the future survival and functioning of the township.

This area is only 87ac (less infrastructure), it is constrained by natural features, ES07 Treatment Plant Buffer, Escarpment and View Protection, yet contributes to the Bushfire Prone Area requirements and recommendations set out by the 2009 Bushfire Royal Commission.

Other supporting points below such as David Niven statement, Robert Rorke Statement, Western Water, PTV, MRSC, Planning Practices, Truck Crash coverage, Examples of code of practice in other Victorian BPA's, Environmentalist recommendations for development on the northern side of the railway line impacts, and documentation from the consultant acting for the new owner and developer of the Southern Area, “Tract Consulting”

Listening to you talk Fiona, I feel your common sense would see that if there was discussions about this area on the south side of the railway line taking place for the last 5 years (that I know of), it would stand that the Area South of the railway line also include that small documented area eastward by stakeholders in the past to be included in the new Riddells Creek Township Boundary for all stakeholders to see what is the long term future “Goalposts”, in order for Riddells Creek to handling the expected population growth and be still a viable functional township without destroying further envirnmental concerns.

We have an opportunity to clarify any misconceptions that the State Government may be financially liable for due to the Planning Minister Richard Wynne’s failure to accept the CFA, MRSC request and C100 Panel Hearing recommendations when he Gazetted an outcome that may breach the State Government’s duty of care if in the future, there is a bushfire in the area of Riddells Creek.

Not allowing enough land reserves for population growth could impede on the objectives of having an Environmental Protection Policy for Macedon Ranges and including State Emergency Planning Policies may be conflicting.

**Note:** I asked a neighbour who is developing [redacted] for permission to refer to their consultant [redacted] for more of your industry professional explanations to explain in more detailed points behind the development on the south side of the railway line at Riddells Creek Township. Please refer to their attachments also.
If any of the support documents or a need for clarification arises, please call me [redacted] on [redacted] or email [redacted].

Please understand I am not trying to drown you with information just when told by the Panel Committee last time if it is not submitted it can’t be commented on its merits has made me over cautious.

Some of the below history is incomplete due to multiple pages so if you require further evidence or complete transcript of discussions with various Stakeholders please contact me.

Regards
[redacted]
Mobile [redacted]
Email [redacted]
Support Material aid to be produced in a Panel Hearing environment

Proof of some withheld evidence from the 2016 C100 Riddells Creek Residential Amendment by MRSC confirming investigations into Stakeholders interests in the Southern Area south of the Railway Line and extending that area eastward.

There are also many emails supporting this investigation with positive productive statements in including this area for future benefits of the township.
Truck Crashed into the Bluestone overhead railway bridge at the intersection of Riddell Road and Kilmore Road at Riddells Creek.
The only south route from the township, without heading into roads north and east with unmanaged vegetation along those roads next to the “BMO”, The west would be inundated by safe workplace requirement of the Bluestone Railway bridge as it is at the intersection of Kilmore and Riddell Road.

What would have happen if this Truck crash happens in Ash Wednesday, Black Saturday or 2014 bushfire at Riddells Creek???
There is no second route south away from the high risk bushfire area in the northern side of the railway line

This incident has frightened many locals that Riddells Creek is land locked if there is an incident. People will panic if a clear familiar Evacuation Route from this area is not established as a route that is used in every day commuting.

I understand Vicroads have a future plan to duplicate Riddell Road from Sunbury, but they are unable to have it on the table, whilst the Bluestone bridge traffic restriction is not overcome by a Connector Road to relieve traffic congestion crossing under the railway line to access Riddells Creek Township and surrounding areas.
Western Water

Western Water planned for the southern area to be developed “UGZ” as they had an extension on the time requirements to overcome an EPA request to eliminate the sewage spills into the Riddells Creek Park Lake and Riddells Creek waterway from the Sewer Pump Station located in the centre area of Town.

The Developer for the Southern Area south of the railway line was to fund a direct Sewer Line to the Treatment Plant with its own pumping station, where Western Water were going to off load extra sewage as the current pump station has a larger inlet pipe then its outlet to the Treatment Plant causing spillage in heavy rains.

Now this is not going to happen in the near future due to the Planning Minister Richard Wynne disregarding the 2016 Riddells Creek C100 Amendment’s Panel Hearing Recommendation.

Western Water is currently trying to obtain land at their cost (our cost) next to the current pump station to build a Retarding Tank, right in the middle of the town’s central business area. Once this becomes public information it will also create an outcry as it did with the proposed supermarket on the same site.

Western Water states that the whole Riddells Creek Sewer System needs up grading and the Southern Area Developer funded Sewer Line to the Treatment Plant would have allowed this upgrade to be spread out over time and have a less of an impact on the day to day functioning of the township and accommodate any further development in the northern side of the railway line in Riddells Creek.

Western Water recycled water is an issue as it is being penalised by the EPA for dumping this low “C” Grade water into the Riddells Creek / Jackson Creek Waterways. When the public become aware it will set the Environmental Groups into an uproar. The Developer in the south was going to utilise this water in its public areas and have the pipeline travel through the subdivision to the west where the Rural C110 Amendment which prohibited new dams being built will become a marketing area for this Recycled Water reducing an environmental hazard impact on the Water ways. These rural properties are acceptable for the sale of this Recycled Water, so instead of paying extra on heavy EPA fines for dumping it in waterways it could become a financial asset to the Government.

The Riddells Creek Waterways on the south side of the railway line are not water catchment areas for storage and has three Treatment Plants (Gisborne, Riddells Creek and Sunbury)
using these waterways as mixing zones from them dumping low grade treated sewage in them.
It is a known fact residential areas increase stormwater runoff and this concept would help and make these mixing zones have a more predictable flow of water and reduce this environmental conflict.

Western Water stated that Riddells Creek Township needs its Town Water Supply to be upgraded and Western Water stated that this upgrade needs to go through or near the Southern Area south of the railway line to the northern side to service the township’s future demand.

MRSC has in the past slandered that there is no infrastructure on the south side of the railway line, but this area does have several locations with Town Water, etc.
In saying this Western Water has corrected this and emailed MRSC and stated that it is the same cost to supply infrastructure to both proposed north or south areas in Riddells Creek for population growth.
One of my main concerns is that all parties stated that the southern area will eventually be required for population growth and this includes the desired expanded area east of that area.

As stated in 2014 by then MRSC Planner David Niven, about my property [redacted] was not to be considered for the Riddells Creek C100 Residential Amendment so he was asked about including the property in the C110 Rural Amendment and he said “No! Your property will most likely be required for future town expansion”. I gather less property owners will have less hurdles in expanding the township, but those properties should be documented now as an area of interest in township future expansion.

At a meeting at Melbourne in 2016 with Robert Rorke, Manger Loddon Mallee Regional Planning Services, spoke about the importance of the 2016 Riddells Creek C100 Residential Amendment’s Panel Hearing Committee recommendations. Which the Planning Minister, Richard Wynne disregarded, causing a conflicting situation with many of the planning requirements such as 2009 Bushfire (Black Saturday) Royal Commission recommendations that was enshrined in the planning requirements for new subdivisions in a Bushfire Prone Area “BPA” etc etc.

When Robert Rorke was asked if The Minister’s actions may put the State Government in the future at risk of liability as the Government’s Duty of Care will be eventually breached, if there is another bushfire such as Ash Wednesday or Black Saturday in the future. Robert Rorke only responded the Precinct Structure Plan process would rectify any concerns and may require the Southern Area south of the Railway line Developer’s Proposed Connector Road being accepted for compliance for Development in the northern side of the railway line area if required.

The 2016 Riddells Creek C100 Amendment Panel Hearing recommended a similar point that the “PSP” will control the release if any oversupply of land in the township for population growth if required.
The Northern side of the railway line in Riddells Creek is constrained by the BMO in the west, north and north/east.
You have a small area in the east on the north side of the railway line up to a wetland area of concern with the native flora and fornia groups and subject to the BPA and Embers policies. This area started to be investigated by a well known Local Environmentalist “Russell Best” prior to him passing away recently when it was proposed as a priority area for development in the C100 Amendment. Russell Best emailed the same email to both myself and MRSC Mayor Jenifer Anderson containing a short briefing of what he had already found of importance to be documented for Flora and Fornia Groups for protection and requested further studies of this area.

So it is established Riddells Creek township boundary is now locked from further expansion on the north side of the railway line and needs to cross the railway line to remain a viable town with the expected population growth.

MRSC had a Heritage Overlay HO229 modified in 2014 for population growth to be accommodated by “In Fill”. This action resulted in an outcry once locals realised that a promised Bluestone Cottage was legally demolished recently and had no Heritage protection.
This concept is a negative practice to demolish character, and heritage buildings in town and to replace them with multiunits which gives you a feeling you are not in a country town but almost walking down Melbourne’s CBD streets.

On the Southern side of the railway line it has not been recognised to have Aboriginal Significance besides the standard Culture Overlays on all waterways.

Russell Best comment that this area has little environmental impact and it has physical boundaries that the Riddells Creek township can be expanded to in order to accommodate future population growth.

Currently on public display in the Macedon Localised Planning Statement is an area referred to South of the railway line “Future Investigation”.
This area has for several years been investigated to a point a Developer has purchased 247ac of that land for Developing Residential in the future. During this investigation period it was found that the land Eastward of this area up to the ES07 Traetmnet Plant Buffer and surrounded by the Escarpment and View Protection and contributes to the Bushfire Prone Area requirements and the day to day functioning of the township in the future.
Again this extended area is justified and drawn repeatedly into the same attention the Northern and Southern Development areas of the 2016 Riddells Creek C100 Amendment did.
Added area for Township Boundary, Eastward up to the ES07 Traetmnet Plant Buffer and surrounded by the, Escarpment and View Protection and contributes

Riddells Creek Township Central Business Area
Whilst I was at the 2016 Panel Hearing I took notes as to comments about developing to the south of the railway line especially about Planning Stakeholders obligations for subdivisions in “BPA” and how the southern area not being a productive agriculture land, zoned rural living with basically no environmental conflicts helped support development in other areas including infill of the township especially regarding Bushfire requirements that Planning Minister Richard Wynne seems to have over looked when dismissing the Panel Hearings Recommendations
Some examples stated in the Panel hearing and later investigating those Statements, I found those requirements to see what they are referring to Eg

LOCATION, LAYOUT AND SITING OBJECTIVES

Location objective

To ensure that development is located and sited so that it does not increase the risk to life, property and community infrastructure from bushfire.

Standard BF3

Development should avoid locations where the risk to life, property and community infrastructure from bushfire cannot be reduced to an acceptable level through bushfire protection measures.

Decision guidelines

Before deciding on an application the responsible authority must consider:

- The characteristics of the bushfire hazard including the type, area and location of vegetation.
- The topography of the land and its potential impact on the intensity and severity of bushfire.
- The likely bushfire behaviour at both the local and broader scale.
- Access and egress both to the site and within the site.
- The proximity of the site to established urban or township areas.
- The impact of bushfire protection objectives under the Bushfire Management Overlay and any schedule to the overlay on the level of risk.
Siting and layout objective

To ensure that the siting and layout of development reduces the risk to life, property and community infrastructure from bushfire to an acceptable level and prioritises the protection of human life.

Standard BF4

The siting and layout of development should:

- Minimise the bushfire risk having regard to slope, access, aspect, orientation and vegetation.
- Avoid or minimise the removal of vegetation.
- Site new buildings as far from the bushfire hazard as practicable.
- Minimise the need for long access and egress routes through areas of bushfire hazard and locate habitable buildings as close as practicable to property entrances.
- Provide safe access and egress for emergency services.

Decision guidelines

Before deciding on an application the responsible authority must consider:

- Reasonable siting options which may be available to achieve acceptable bushfire protection through the siting of development.
- Whether acceptable bushfire protection has been achieved through the siting and layout of the development.
Defendable space and construction for other occupied buildings objective

To ensure that the defendable space to be provided and the construction of buildings are appropriate to the number, age and mobility of anticipated occupants.

This objective only applies to an application to construct or extend a building in association with the following uses:

- Accommodation (other than a dwelling or a dependent person's unit)
- Child care centre
- Education centre
- Hospital
- Leisure and recreation
- Place of assembly

Mandatory Standard BF8.1

Defendable space and construction requirements must be calculated:

- In accordance with the requirements of the Building Act 1993 but substituting Table 2 to this clause for Table 2.4.2 in AS3959 Construction of buildings in bushfire prone areas (Standards Australia), or
- Using an alternative method to the satisfaction of the relevant fire authority.

Standard BF8.2

Buildings should be provided with the defendable space specified in Table 2. This does not apply where an alternative method in accordance with Standard BF8.1 is used to calculate defendable space and construction requirements where defendable space must be provided to the satisfaction of the relevant fire authority.

Buildings should be sited, designed and constructed having regard to the likely future occupants.

Decision guidelines

Before deciding on an application the responsible authority must consider:

- The bushfire site assessment prepared in accordance with Standard BF8.1.
- Whether an appropriate level of defendable space has been provided.
- The characteristics of any likely future occupants including their expected age, mobility and capacity to evacuate during a bushfire emergency.
- The intended frequency and nature of occupation.
- The need for a bushfire emergency plan to be prepared to the satisfaction of the relevant fire authority.
- Any relevant guidance published by the relevant fire authority.
- The likelihood of fire service or other emergency service attendance in the event of a bushfire.
- The need for bushfire emergency and evacuation procedures.
An application for subdivision of 60 or more lots must also describe in relation to the surrounding area:

- Location, distance and type of any nearby public open space and recreational facilities.
- Direction and distances to local shops and community facilities.
- Directions and walking distances to public transport routes and stops.
- Direction and walking distances to existing neighbourhood, major and principal activity centres and major employment areas.
- Existing transport routes, including freeways, arterial roads and streets connecting neighbourhoods.
- Local street network including potential connections to adjacent subdivisions.
- Traffic volumes and movements on adjacent roads and streets.
- Pedestrian, bicycle and shared paths identifying whether their primary role is neighbourhood or regional access.
- Any places of cultural significance.
- Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
- Proximity of any fire threats.
- Pattern of ownership of adjoining lots.
Public transport network objectives

To provide an arterial road and neighbourhood street network that supports a direct, efficient and safe public transport system.

To encourage maximum use of public transport.

Standard C16

The public transport network should be designed to:

- Implement any relevant public transport strategy, plan or policy for the area set out in this scheme.
- Connect new public transport routes to existing and proposed routes to the satisfaction of the relevant public transport authority.
- Provide for public transport links between activity centres and other locations that attract people using the Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne.
- Locate regional bus routes principally on arterial roads and locate local bus services principally on connector streets to provide:
  - Safe and direct movement between activity centres without complicated turning manoeuvres.
  - Direct travel between neighbourhoods and neighbourhood activity centres.
  - A short and safe walk to a public transport stop from most dwellings.

Neighbourhood street network objective

To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.

Standard C17

The neighbourhood street network must:

- Take account of the existing mobility network of arterial roads, neighbourhood streets, cycle paths, shared paths, footpaths and public transport routes.
- Provide clear physical distinctions between arterial roads and neighbourhood street types.
- Comply with the Roads Corporation's arterial road access management policies.
- Provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport.
- Provide safe and efficient access to activity centres for commercial and freight vehicles.
- Provide safe and efficient access to all lots for service and emergency vehicles.
- Provide safe movement for all vehicles.
- Incorporate any necessary traffic control measures and traffic management infrastructure.

The neighbourhood street network should be designed to:

- Implement any relevant transport strategy, plan or policy for the area set out in this scheme.

- Include arterial roads at intervals of approximately 1.6 kilometres that have adequate reservation widths to accommodate long term movement demand.

- Include connector streets approximately halfway between arterial roads and provide adequate reservation widths to accommodate long term movement demand.

- Ensure connector streets align between neighbourhoods for direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles.

- Provide an interconnected and continuous network of streets within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles.

  **Provide an appropriate level of local traffic dispersal.**

- Indicate the appropriate street type.

- Provide a speed environment that is appropriate to the street type.

- Provide a street environment that appropriately manages movement demand (volume, type and mix of pedestrians, cyclists, public transport and other motor vehicles).

- Encourage appropriate and safe pedestrian, cyclist and driver behaviour.

- Provide safe sharing of access lanes and access places by pedestrians, cyclists and vehicles.

- Minimise the provision of culs-de-sac.

- Provide for service and emergency vehicles to safely turn at the end of a dead-end street.

- Facilitate solar orientation of lots.

- Facilitate the provision of the walking and cycling network, integrated water management systems, utilities and planting of trees.

- Contribute to the area’s character and identity.

- Take account of any identified significant features.
Lucky escape

By Angela Crawford

Jan. 27, 2015, midnight

A truck jackknifed and collided with a rail bridge at Riddells Creek on Saturday afternoon.

The driver of a prime mover was lucky to escape injury when his truck collided with a rail bridge at Riddells Creek on Saturday afternoon.

The accident occurred at about 3pm when the driver came around a bend too quickly and tried to apply the brakes but they locked.

He steered away from cars waiting to turn at the intersection, but the truck jackknifed and collided with the bridge on Riddell Road, between Markham Road and Kilmore Road.

The driver, aged in his 40s from Gordon, suffered minor injuries and was treated at the scene. The bridge sustained minimal damage and the truck was written off. It was not carrying a load.

Traffic was diverted while the road was closed for a couple of hours.
Within the rural areas of the municipality, there are a number of communities with restricted access and egress. This is due to the pattern of existing roads (both minor unsealed access roads and major arterial roads), being predominantly single carriageways that follow the topography and landscape. This creates challenges in planning bushfire mitigation programs. There are additional concerns relating to the ability of road networks to accommodate the evacuation of an area’s population during a fire event, and emergency fire fighting vehicles and police being unable to respond in certain areas and under certain conditions.

Access and Egress in an emergency context

Roads provide access and egress for the community, emergency services and other service providers. In an emergency context this means facilitating residents leaving an impacted or threatened area, residents returning to the area, emergency services responding into an area and the delivery of recovery services.

Note: THERE SHOULD BE NO EXPECTATION THAT ROAD TRAVEL WILL BE SAFE IMMEDIATELY BEFORE, DURING AND IMMEDIATELY AFTER FIRES OR OTHER EMERGENCIES.

The Risk

There is a risk that impacted roads will fail, leading to the following consequences:

- Residents will be trapped and unable to escape the fire
- Emergency services will not be able to respond into impacted areas
- Residents will not be able to return to their homes
- The recovery services will not be able to be delivered.
References:
The following publications were considered in the development of this treatment plan:
CFA Roadside Management Guidelines
2009 Victorian Bushfire Royal Commission final report
Road Bushfire Assessment Guidelines and Methodology
Evaluation of roadside vegetation management for fire management purposes
2.5 Other background documents

Council prepared or commissioned the following documents in support of the Structure Plan process and/or the development of the Amendment:

- **Riddells Creek Residential Land Needs Assessment**, July 2013 (SGS Economics and Planning)
- **Riddells Creek Commercial and Industrial Study, Revised Draft**, February 2013 (SGS Economics and Planning)
- **Riddells Creek Residential Demand Assessment**, March 2016 (Urban Enterprises)
- **Riddells Creek Bushfire Risk Assessment**, February 2016 (Terramatrix).

The Panel has considered the relevant elements of these reports and, where appropriate, refers to them in this report.

- **Clause 13.05-1** (Bushfire planning strategies and principles) includes the overarching strategies:

  Prioritise the protection of human life over other policy considerations in planning and decision-making in areas at risk from bushfire.

  Where appropriate, apply the precautionary principle to planning and decision-making when assessing the risk to life, property and community infrastructure from bushfire.

- **Clause 21.06-3** (Bushfire) supports prioritising fire risk in planning decisions, avoiding increasing bushfire risk and minimising exposure of people to bushfire risk.

(vii) **Planning Practice Note 64 – Local Planning for Bushfire Protection (PPN64)**

PPN64 provides guidance about local planning for bushfire protection and assists councils to tailor the Local Planning Policy Framework in response to bushfire matters where necessary.
Note in the 2014 Riddells Creek grass fire it was noted that the railway line did **not** act as a firebreak due to several reasons. The main reason by the CFA was that the Significant Native Grass Reserve is unmanaged and compromised it acting as a firebreak.

The grass fire simply jumped the railway line resulting in the fire impeding towards the “Riddells Creek Emergency Assembly Area” resulting in the CFA having to take action and all evacuates couldn’t flee as the only road from town to south was blocked and all other roads had unmanaged vegetation so a wall of CFA Fire Trucks were placed between the public evacuates and the fire whilst Fire fighting helicopters were used to control the advancing fire to a point the fire trucks could cope.

As a result of fire and water the railway line at great cost had to be replaced in that area causing the daily life for rail commuters to suffer.

So the Railway Line in the Township of Riddells Creek is not deemed a fire break asset and needs that infrastructure to be protected

But from CFA Media residential subdivision is so this implementation may protect the Macedon Ranges from fire in the south as if it got in the Macedon Ranges it may not stop till it reaches the Murray River.
Preparing and Assessing a Planning Application under the Bushfire Provisions in Planning Schemes

General guidance for new subdivision

Roads

13. Future residents and fire authorities require safe access within the subdivision and to and from the subdivision.

14. Two different access options to the wider road network will enhance bushfire safety and support more effective fire fighting.

15. Direct roads away from the bushfire hazard and avoid situations where roads pass through areas of unmanaged vegetation.

16. Apply the requirements of Clause 56 of planning schemes when designing the road network.
4.6.4 Bushfire Controls for the Proposed UGZ areas

The two proposed UGZ areas represent green field sites, and can be designed with protective features that provide a hard edge against grassfire. These could comprise perimeter roads, public open space to provide assured low fuel setbacks, and minimum BAL-12.5 construction for houses. The road network could be designed to facilitate movement of residents away from the interface with the grassland and to facilitate property protection by the fire services, through provision of multiple ‘spoke’ roads that connect the ‘rim’ perimeter road to the safe area within the ‘hub’ of the precinct. A community facility near the ‘hub’ could provide a formal or informal place of shelter and reduce reliance on the existing NSP.
6.3.2 SETTLEMENT PATTERNS

Professor Hansen told the Commission about the need for good planning and the risks inherent in allowing residential development and population growth in bushfire-prone areas without adequately considering bushfire risk.

In my opinion, seeking to protect communities living in dwellings scattered across rural landscapes from the ravages of bushfire, often with one access road in and out, is tantamount to “death trap” planning. Unfortunately, there are areas within Victoria where rural living and rural residential development is characterized by this pattern of settlement and yet, in my opinion, it is this very type of settlement pattern that makes it very difficult for planning and building provisions to avoid and manage bushfire risk.**

This question of land fragmentation was also nominated by Mr. Greg Johnson of Friends of Nillumbik as one of the challenges facing Nillumbik Shire Council in land-use planning to reduce bushfire risk.**
Land use planning plays a central role in building community resilience and safety. Indeed, one of the key findings of the 2009 Victorian Bushfires Royal Commission (VBRC) was the need for planning to prioritise human life over all other policy objectives. This priority was enshrined in Victoria’s Planning Provisions through Planning Scheme Amendment VC83.

- Access routes should be located away from the bushfire hazard and sited where the bushfire risk and vegetation removal are minimised.
Access routes should be located away from the bushfire hazard.

**Existing development**

The proximity of a subdivision in relation to established urban or township areas can also influence the bushfire risk. Subdivisions should be located close to public roads and access ways and provide clear and ready access from all properties to the public road system for both residents and firefighters. Access routes should be located away from the bushfire hazard.

**Do I need to consider bushfire if my subdivision is not covered by the BMO?**

If a development is not covered by the BMO bushfire risk should still be considered in accordance with the State Planning Policy at Clause 13.05. Bushfire risk should be managed irrespective of whether the site is covered by the BMO and all subdivisions should be designed to reflect the level of bushfire risk on the site.
Direct roads away from the bushfire hazard and avoid situations where roads pass through areas of unmanaged vegetation.

Provide perimeter ring roads.

**ACCESS FOR SUBDIVISIONS**

*General requirements for subdivision objectives (as relevant to access)*

To ensure that all lots created are capable of:

- providing safe access to properties for emergency and other vehicles at all times.

*Standards BF1 and BF2 for access (in part)*

All lots created should be capable of providing:

- access and egress which meet the requirements of the relevant fire authority.

For subdivisions of 10 lots or more, the need for a perimeter road to be provided adjoining the bushfire hazard for firefighting purposes should be considered.
Local planning for bushfire protection

Information that may inform a schedule

A schedule that seeks to modify the measures in Clause 52.47 requires a clear justification and must be able to demonstrate that the modified measures continue to give effect to the objectives in Clause 52.47. The justification will be included in the explanatory report for any planning scheme amendment which seeks to introduce a schedule. **A schedule is not an appropriate tool to reduce bushfire measures where inconsistent with prioritising human life.**

Four-step approach to considering bushfire

**STEP 1: Establish the context.**

**STEP 2: Identify the risks from bushfire.**

**STEP 3: Analyse and evaluate the risks.**

**STEP 4: Translate risk mitigation into planning scheme provisions.**

**Step 1 – Establish the context**

Establishing the context provides factual information which will be important when thinking about the way bushfire considerations may impact on local planning decisions. It will also support discussions with the relevant fire authority and seeking authorisation to proceed with a planning scheme amendment. The following information will help establish the bushfire context:

- a locality and site description
- the location of the settlement or site in the surrounding landscape (use 20km, 10km and 1km radius from a settlement or planning proposal site)
- **the relevant Regional Bushfire Planning Assessment which provides a high level analysis of locations where the bushfire hazard may impact on planning objectives**
- whether an area is included in the Bushfire Management Overlay
- whether an area is a designated Bushfire Prone Area under the Building Regulations 2006 (regulation 810)
- **relevant fire history in the local and wider area**
- Municipal Fire Prevention Plans
- **the surrounding road network and the availability of strategic access to safer locations**
- the Victorian Fire Risk Register
- the way in which existing settlement patterns, site coverage, lot size, density, development structure and vegetation patterns may impact on bushfire behaviour
Features of the location or site that affect the level of risk

- access and egress both to the location or site within it
- proximity to established urban or township areas
- vegetation on site that planning schemes seek to protect.

- Regional Bushfire Planning Assessment identified single road access to many rural lots which hinder evacuation to a safer place.
Refer to the [redacted], details of development for Riddells Creek Township and population growth.
Dear [Name],

**AMENDMENT C100 TO THE MACEDON RANGES PLANNING SCHEME**

**RIDDLE CREEK STRUCTURE PLAN, SEPTEMBER 2013 AND RIDDLE CREEK NEIGHBOURHOOD CHARACTER PRECINCT PROFILES, JULY 2015**

Thank you for your letter to the Hon. Richard Wynne MP, Minister for Planning, about Amendment C100 to the Macedon Ranges Planning Scheme. I am responding on behalf of the Minister.

I understand that you are concerned that the Macedon Ranges Shire Council did not exhibit a document with the amendment, prepared by an external authority, which investigated a future separate grade railway crossing and connector road. Under section 18 of the **Planning and Environment Act 1987**, council must make the amendment, the explanatory report, any document applied, adopted or incorporated in the amendment and any accompanying agreement available for any person to inspect free of charge until the amendment is approved or lapses. This requirement would not have applied to the above document because it was not a document applied, adopted or incorporated in the amendment.

Secondly, I note that you believe that the land affected by the future crossing/road should be included in Amendment C100 so that developers and not the State Government pay for the proposal. If the Minister decides to approve rezoning land in the southern development area to the Urban Growth Zone, a precinct structure plan must be prepared before non-urban land can be converted into urban land. The precinct structure plan process will enable key issues like transport and access to be considered in further detail. It is not unusual for a development contributions plan to also be prepared at the same time.

I also note that the revised Clause 21.13-5 highlights that coordinating infrastructure delivery is a key issue for Riddells Creek and strategies include managing and staging new development and ensuring that the necessary infrastructure is provided in the priority growth areas.

And lastly, you recommend that the southern development area be expanded to the east to allow for the proposed crossing/road to be included. Whilst there may be merit in doing so, I am advised that the proposal to extend the southern development area to the east was not exhibited as part of the amendment and potential stakeholders have not had the opportunity to comment on it nor has the Panel reviewed the merits of such a proposal. Further consultation and review would need to occur if this area was extended.

Any personal information about you is a third party in your correspondence will be protected under the provisions of the Privacy and Data Protection Act 2002. It will only be used or disclosed to appropriate Ministerial, statutory authority, or departmental staff in regard to the purpose for which it was provided, unless required or authorised by law. Enquiries about access to information about you held by the Department should be directed to the Privacy Coordinator, Department of Environment, Land, Water and Planning, PO Box 100, East Melbourne, Victoria 3002.
I appreciate the time you have taken to write to the Minister raising your concerns about this matter. The department will give careful attention to these issues during the assessment of the amendment.

If you have any further queries about this matter, please contact Fiona Murray, Senior Regional Planner, from the Loddon Mallee Region of the Department of Environment, Land, Water and Planning on (03) 4433 8056.

Yours sincerely

[Signature]

JANE HOMewood
Executive Director Statutory Planning Services

24 / 10 / 2016
28 October 2015

Ms Sophie Segafredo
Strategic Planning and Environment
Macedon Ranges Shire Council
PO Box 151
Kyneton VIC 3444

Dear Sophie

SUBMISSION TO PLANNING SCHEME AMENDMENT

Proposal: C100
Council: Macedon Ranges Shire Council

Thank you for providing CFA notice of Macedon Ranges Shire Council Planning Scheme Amendment C100 - Riddell’s Creek Structure Plan.

CFA has reviewed the exhibited documents and makes the following submission.

Bushfire Hazard
Riddell’s Creek is a township that could be exposed to two distinct fire risk events – bushfire from the north, (Mt Macedon, Macedon, Cherokee, Barroko) and grassfire from the south/ southwest (Gisborne, Gisborne South, Sunbury)

The township has experienced several, major fires including Ash Wednesday 1983 and Dairymple Road Fire 2013.

The main bushfire hazard to Riddell’s Creek is the forest vegetation to the north and north-west of the existing settlement in the Macedon Ranges. The Bushfire Management Overlay (BMO) covers the hazard.

Relevant Planning Context
Ministerial Direction 11 requires a planning authority to evaluate how the amendment addresses any relevant bushfire risk. Practice Note 46 provides further direction for preparing amendments and required a planning authority to address all comments from relevant referral or statutory authorities.

Clause 13.05 Bushfire sets out strategies and principles with the objective of strengthening community resilience to bushfire.

The overarching strategies are to:

Protecting lives and property

cfa.vic.gov.au
Prioritise the protection of human life over other policy considerations in planning and decision-making in areas at risk from bushfire.

Where appropriate, apply the precautionary principle to planning and decision-making when assessing the risk to life, property and community infrastructure from bushfire.

Clause 13.05 also includes the strategic and settlement planning strategy to:

Ensure that strategic and settlement planning assists with strengthening community resilience to bushfire.

Assessment

Municipal Strategic Statement

The Amendment includes changes to the Municipal Strategic Statement (MSS). In the Environmental Risks section, CFA recommends that Strategy 4.1 be reworded for clarity and consistency with Objective 4. Words to the effect of ‘Limit new development and subdivision in the LDRZ to the north and west of the township and in the Rural Bush land neighborhood character precincts.’

CFA recommends any new development should be directed away from the northern/northern western localities to Gisborne/Kilmore Road and be provided in the southern/south eastern localities.

CFA also recommends priority should be given to infill development within the existing township area. This will reduce the potential of fire spotting from any bushfire event north of the township running into the township onto vacant unmanaged land.

This strategy could also draw on the strategies from Clause 13.05 Bushfire and include words to the effect of ‘Development should only proceed where the risk to life and property from bushfire can be reduced to an acceptable level.’ It would also be useful to identify where the ‘highest risk sites’ are i.e. land covered by the BMO

Neighborhood Character Precincts

Each of the Rural Bush land Precincts identifies the need to constrain growth to ‘minimize the bushfire impact,’ CFA recommends rewording for clarity or including a specific objective and strategies relating to bushfire. These could include; siting new development to have regard to bushfire risk by maximizing separation from the hazard, ensuring any new landscaping doesn’t compromise the ability of residents to implement and maintain defendable space, ensuring risk to existing and future residents will not increase as a result of future land use and development.

Conclusion

CFA requests a change to the form of the proposed amendment as outlined above.

If you wish to discuss this matter in more detail, please do not hesitate to contact David Allen, Manager Community Safety, on 8746 1400

Yours sincerely,

Chris Eagle
Assistant Chief Officer
Country Fire Authority
Hi

Following on from yesterday’s email, I looked at the area today. The trees on the creek line are Eucalyptus ovata (Swamp Gum) - typical Koala food. The trees on the flats on the west of Wohl Court are either E. obliqua (Messmate) or E. rubida (Candlebark) or a mix (the tree at the very top of Wohl Court is E. obliqua). The trees to the east of Wohl Court seem to be E. rubida but I couldn’t get close enough to verify 100% - see pic attached with magnificent and highly significant habitat holes.

All the trees seem to be very old, many with very large nesting holes and, as such, they are very significant. Significant both for their age and the areas are all described on DEPI maps as required assessment under the EPBC Act. As far as I know, any removal without proper EPBC assessment would be in breach of the law. No trees should be removed and the occupants of the nesting holes should be identified. The habitat holes really are very significant.

During a very short walk along the Wohl Court roadside (I’ve never been there before in fact) I saw a couple of plant species that fall on our documented ‘rare and significant plants list: http://natureshare.org.au/collection/312/.

Some of the Eucalyptus species are also listed.

Most of the native plants on the above list that I saw on Wohl Court also occur on Amess Road and adjoining properties; eg. Pultenaea pedunculata and what looked like Isotoma fluviatilis subsp. australis - seen looking over a fence so I couldn’t get close enough to be 100% certain). Given this fact, it should be assumed (until proven otherwise) that EPBC-protected species (eg. Dianella amoena), that also occur on adjoining properties, also occur in the development area.

I know two knowledgeable locals that regularly walk along Wohl Court and they tell me the wildflowers there in Spring are quite a spectacle. I can believe this.

The area where I saw the Isotoma is a natural swampy soak and therefore potentially very significant for rare plants and frogs, including the potential for EPBC-protected species (removal of which may be in breach of the law - eg. the EPBC Act). There is also a natural waterway running through the area that a resident on Wohl Court told me still runs occasionally - this seems to be verified by the full dam at the end of the waterway. The length of this waterway needs to be assessed for plants and animals (eg. those listed in the previous email - and not least for Pseudophryne bibronii which was recorded nearby in similar habitat 47 years ago and not since).

While most of the land in this area is ‘dead’, there are small pockets that should be set aside and rehabilitated given their very high significance. Searches need to be made for the Golden Sun-moth, Growling Grass Frog, Dianella amoena, the recently listed Geranium sp. 1 and other protected species. This is because this area is typical habitat for these species and these species have been recorded nearby (sometimes within a few hundred metres).

Feel free to call me on ....

Cheers
On Monday, December 16, 2013, [redacted] wrote:
Hi [redacted]

I've attached some maps that give an idea what is on those blocks. I will go down there tomorrow to see if I can work out what Euc species are there, age, etc.

There are a number of plant species in the vicinity protected by legislation and these should be searched for on the Amess Rd site (eg. Purple Donkey-orchid, Dianella amoena, Geranium sp. 1, Golden Sun Moth, Growling Grass Frog, etc).

Here is a link that points out that EVC 55 is protected by the Federal EPBC Act (search for 55):
Patch sizes need to be 0.5Ha and some do seem to be that size. Combined they are even more significant.

The trees on the site are covered on a list of species of local significance that need to be protected:

You may also be interested to know that Koalas have been recorded recently on the part of Sandy Creek (might be called Dry Creek there?) that crosses the Amess Rd property.

The Mt Charlie site seems far less important (relatively) but all old trees in open paddocks are very important to local biodiversity as they are effectively now modified grassland areas.

Hope this helps for now.

Cheers

[redacted]

On Thu, Dec 12, 2013 at 3:35 PM, [redacted] wrote:

Hello [redacted]

This is actually area 4