

Macedon Ranges Protection Advisory Committee

Advisory Committee appointed pursuant to Part 7, section 151 of the *Planning and Environment Act 1987* to provide advice on an appropriate policy to achieve protection of the significant values, attributes and character of the Macedon Ranges and support changes to the legislative framework. The Advisory Committee will also report on potential legislative options and statutory arrangements available to implement the final policy.

Name

1. The Advisory Committee is to be known as the ‘Macedon Ranges Protection Advisory Committee’.
2. The Advisory Committee is to have four members comprised of the following skills:
 - a. Expert knowledge and experience in Victorian land use planning law.
 - b. Expertise in strategic and statutory land use planning, including a sound understanding of the implementation of policy through land use planning decisions.
 - c. Technical or policy experience related to one or more of the following areas of knowledge: natural resource and water management; cultural heritage; biodiversity; landscapes; sustainability; strategic and statutory land use planning; and local government and stakeholder engagement.
 - d. The Advisory Committee may also seek specialist advice as appropriate.

Purpose

3. The purpose of the Advisory Committee is to provide advice to the Minister for Planning on an appropriate policy to support changes to the legislative framework to achieve protection for the Macedon Ranges and its unique natural attributes, high environmental values and distinctive rural character and townships. The Advisory Committee will also consider and report on legislative options and statutory arrangements to achieve protection.
4. The Advisory Committee is to provide independent advice and present its findings and conclusions on the following matters:
 - a. The extent of the geographic area the final policy and legislative controls should apply to.
 - b. An assessment of why protection is needed, including identification of the key values and attributes that contribute to the significance of the Macedon Ranges and the key threats and areas that are under threat.
 - c. The issues, challenges and opportunities for Victoria's land use planning framework in protecting the significant values and attributes of the Macedon Ranges, and the key principles that should underpin legislative protection.
 - d. The extent to which the current policy and planning framework addresses the identified threats, issues and challenges to protecting the area and identification of any gaps in policy.

- e. An appropriate policy to support changes to the legislative framework and provide certainty for the community, Local Government, State Government departments and agencies and other key stakeholders.
- f. Potential legislative options and statutory arrangements available, including tools available to State Government department and agencies and Local Government, to implement the final policy and achieve protection of the unique values, attributes and character of the Macedon Ranges.

Background

5. Macedon Ranges Shire is approximately 60 kilometres north-west of Melbourne, midway between Melbourne and Bendigo. The area is part of the broader metropolitan Melbourne hinterland, is predominantly rural in character and includes a number of significant high quality landscapes, both natural and built.
6. The area's rural landscapes provide an important buffer between local towns and settlements and the urban areas of metropolitan Melbourne with a range of farming and related rural activities and high quality soils that are an important food production resource. Macedon Ranges, including Macedon Regional Park and Hanging Rock and rural landscapes are significant tourism assets for the region, and more broadly the state. The region also contains high ecological values, special water supply catchments and includes areas subjects to high bushfire risk.
7. Due to its amenity and proximity to metropolitan Melbourne, the area is increasingly coming under pressure for development.
8. There is significant concern and interest amongst State Government, key stakeholders and the local community to ensure that the area is protected from inappropriate development.

Method

9. The Advisory Committee may apply to vary these Terms of Reference prior to submission of its reports.
10. The Advisory Committee may inform itself in anyway it sees fit, but must consider:
 - a. The latest relevant information available on the areas' biodiversity values, remnant native vegetation, water resources, geography, geology and landforms, landscape values, agricultural land use, and cultural heritage values.
 - b. Loddon Mallee South Regional Growth Plan
 - c. Plan Melbourne
 - d. Macedon Ranges Planning Scheme
 - e. Statement of Planning Policy No. 8 – Macedon Ranges and Surrounds, 1975
 - f. Draft Macedon Ranges Localised Planning Statement, September 2014, including background, consultation and reporting undertaking by Macedon Ranges Shire Council.
 - g. Any other relevant State Government policy document.
11. The Advisory Committee is expected to publish an Issues Paper for the purposes of public consultation, which will discuss points 4a, 4b, 4c and 4d of the Terms of Reference.
12. The Advisory Committee must invite public submissions and consider all submissions.
13. The Advisory Committee must carry out public notification, consultations, hearings or workshops. All such proceedings will be open to the public.

14. The Advisory Committee will conduct its hearings as far as practicable in a location and times accessible to all parties (within the Macedon Ranges Shire Council).
15. The following parties should be asked to meet with the Advisory Committee:
 - a. Macedon Ranges Shire Council
 - b. Local Water Authorities
 - c. Relevant State government departments and agencies
 - d. Catchment Management Authorities
 - e. Macedon Ranges Residents' Association
 - f. Other peak bodies, stakeholder groups and community groups
16. The Advisory Committee may meet and invite others to meet with them when there is a quorum of at least three Committee members.
17. The Advisory Committee may limit the time of parties appearing before it in the interests of efficiency
18. The Advisory Committee may prohibit or regulate cross-examination.
19. The Advisory Committee may appoint its own legal counsel to assist in any of its deliberations if required.

Submissions are public documents

20. The Advisory Committee must retain a library of any written submissions or other supporting documentation provided directly to it until a decision has been made on its report or five years has passed from the time of its appointment.
21. Any written submissions or other supporting documentation provided to the Advisory Committee must be available for public inspection until the submission of its report, unless the Advisory Committee specifically directs that the material is to remain confidential.

Outputs

22. The Advisory Committee must produce an Issues Paper for the purposes of public consultation, which will discuss points 4a, 4b, 4c and 4d of the Terms of Reference.
23. The Advisory Committee must produce a written report including:
 - a. A response to the 'Purpose' of the Terms of Reference.
 - b. An assessment of submissions to the Advisory Committee.
 - c. Any other relevant matters raised in the course of the Advisory Committee hearing.
 - d. A list of persons who made submissions considered by the Advisory Committee.
 - e. A list of persons consulted or heard.

Timing

24. The Advisory Committee is required to complete its research and the preparation of the Issues Paper within 40 business days from the date of receipt of notification of its appointment.
25. The Advisory Committee is required to complete its hearings no later than 40 business days from the final date for submissions on the Issues Paper.

26. The Advisory Committee is required to submit its report in writing as soon as practicable but no later than 40 business days from the completion of its final hearings or other consultations.
27. The Advisory Committee must complete its work and submit its final report to the Minister for Planning by 15 July 2016.

Fee

28. The fee for the Advisory Committee will be set at the current rate for a Panel appointed under Part 8 of the *Planning and Environment Act 1987*.
29. The costs of the Advisory Committee will be met by the Department of Environment, Land, Water and Planning (Planning).

HON RICHARD WYNNE MP
Minister for Planning

Date:

Appendix A – Other Information

The following information does not form part the Terms of Reference.

Administrative and operational support

Administrative and operational support to the Committee will be provided by Elissa Bell, Senior Project Manager, Planning Panels Victoria on elissa.bell@delwp.vic.gov.au or 8392 6383.

The departmental contact person will be Emily Allsopp, Senior Planner, Department of Environment, Land, Water and Planning on emily.allsopp@delwp.vic.gov.au or 9223 1754