



HEPBURN SHIRE COUNCIL
ORDINARY MEETING OF COUNCIL
PUBLIC MINUTES

TUESDAY 17 MARCH 2020

DAYLESFORD TOWN HALL

76 VINCENT STREET

DAYLESFORD

6:00PM

MINUTES

TUESDAY 17 MARCH 2020

Daylesford Town Hall

76 Vincent Street, Daylesford

Commencing 6:00PM

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EVAN KING
CHIEF EXECUTIVE OFFICER
17 MARCH 2020

1. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

We would like to acknowledge we are meeting on Jaara people country, of which members and elders of the Dja Dja Wurrung community and their forebears have been custodians for many centuries.

On this land, the Jaara people have performed age old ceremonies of celebration, initiation and renewal.

We acknowledge their living culture and their unique role in the life of this region.

2. SAFETY ORIENTATION

Emergency exits and convenience facilities at the venue to be highlighted to members of the public in attendance.

3. OPENING OF MEETING

PRESENT: Cr Don Henderson, Cr Neil Newitt, Cr Licia Kokocinski, Cr John Cottrell, Cr Fiona Robson, Cr Greg May and Cr Kate Redwood AM

IN ATTENDANCE: Mr Evan King Chief Executive Officer, Mr Bradley Thomas Director Community and Corporate Services, Mr Bruce Lucas Director Infrastructure and Development Services, Ms Krysten Forte Manager Governance and Risk, Ms Bronwyn Southee Manager Development and Community Safety

STATEMENT OF COMMITMENT

“WE THE COUNCILLORS OF HEPBURN SHIRE
DECLARE THAT WE WILL UNDERTAKE ON EVERY OCCASION
TO CARRY OUT OUR DUTIES IN THE BEST INTERESTS
OF THE COMMUNITY
AND THAT OUR CONDUCT SHALL MAINTAIN THE STANDARDS
OF THE CODE OF GOOD GOVERNANCE
SO THAT WE MAY FAITHFULLY REPRESENT
AND UPHOLD THE TRUST PLACED IN THIS COUNCIL BY THE
PEOPLE OF HEPBURN SHIRE”

MOTION

3.1.1. *That Council resolves to grant Councillor Kate Redwood AM a leave of absence from Council for the period 16 March – 21 March 2020 (inclusive).*

Moved: Cr John Cottrell

Seconded: Cr Fiona Robson

Carried

4. APOLOGIES

Cr Kate Redwood AM.

5. DECLARATIONS OF CONFLICTS OF INTEREST

Nil.

6. CONFIRMATION OF MINUTES

RECOMMENDATION

6.1.1. That the Minutes of the Ordinary Meeting of Council held on 18 February 2020 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the *Local Government Act 1989*.

MOTION

6.1.1. *That the Minutes of the Ordinary Meeting of Council held on 18 February 2020 (as previously circulated to Councillors) be confirmed as required under Section 93 (2) of the Local Government Act 1989.*

Moved: Cr Don Henderson

Seconded: Cr John Cottrell

Carried

7. NOTICES OF MOTION

Nil.

8. ITEMS OF URGENT BUSINESS

Nil.

9. PRESENTATION OF COUNCILLOR REPORTS

MAYOR'S REPORT

Councillor Licia Kokocinski, Coliban Ward

Late in February, I met with the Minister for Local Government, Hon. Adem Somyurek, to discuss issue such as the ongoing Local Government Inspectorate investigation into the Rex, passage of the Local Government Bill (which has now been passed through both Houses of Parliament) and the circular economy policy. I was advised that there would no additional funds dedicated to support councils implement this new Act.

I stressed to him that small rural councils like Hepburn were facing serious pressures on its ability to implement those responsibilities passed onto it by state government, particularly in light of the circular economy policy which will radically change the way council's collect and handle waste. The other matter that I brought up with him was that developing a comprehensive, contemporary planning scheme for this shire would necessitate undertaking extensive research. This will be an expensive and lengthy process. I pointed out that community expectations are very high, but our capacity to meet these expectations was limited.

With the Fixing Country Roads funding ceasing, this will put a huge dent in our ability to fix our country roads. The Shire has in excess of 1,400 kilometres of roads to maintain. Council's contribution to this program is significant, but the support from the State government is invaluable.

I passed onto the Minister that we are concerned at the future of the Regional Jobs and Infrastructure Fund – the Trentham projects to construct community facilities that were approved last month are heavily dependent on this funding bucket continuing, as are several other projects in the shire worth millions of dollars.

I also attended, on behalf of other small rural shires, the first meeting of the Minister's Local Government Mayors Advisory Panel. It was quite insightful, in that many of the issues that we deal with as councillors, and council officers deal with, are similar in all councils, regardless of size and revenue-planning to accommodate population growth, balancing growing community expectations with relatively static resources, waste collection and

management, infrastructure, added responsibilities of implementing new local government act, to name a few areas of mutual anxiety.

Cr Newitt and I attended a meeting of the Ullina Landcare group, a very active Landcare group with numerous projects to their credit. This group is a very active group, and they left both Cr Newitt and I with several issues to take up with council, which we have.

Early in March, Mr King and I met with representatives of DELWP and three representatives of DELWP-sponsored committees of management in the Trentham area. The intent was to try to lay some foundation as to managing expectations, roles and responsibilities and processes between the groups and the levels of government. I have to say that I came away from that meeting very disappointed and I have expressed this to the DELWP officers. In brief, and not to mince words, the message that was given to us was that if the community valued its parks, creeks and reserves, we would have to pay for their upkeep. I am now in the process of keeping up a dialogue with these officers in order to work through the inadequacy of these sentiments.

I am pleased to advise council that there was the first real working meeting of the Trentham Community Hub/Centre Project Advisory Group where we met with the architect, Mr Ian Perkins of Perkins Architects. It was a very good meeting, but it is clear that we will need to meet monthly, and that there is a need for extensive research into many issues that have arisen.

COVID19 Virus

The senior staff at Council are meeting daily on this issue. The Premier has declared a State of Emergency for four weeks, reserving the right to extending this period further. There were several measures publicised including increased hygiene, self-isolation, reducing human contact, etc. As far as I have been advised, there has not been a reported case in this Shire, but no doubt this will change over time. Part of the declaration is that all public gatherings where over 500 people are expected should be cancelled or postponed. Many organisers of community events in this shire have already chosen to do so, and several others are considering their positions. This period is normally a hugely busy time in this region because we are a tourist destination and there are numerous cultural festivals and events. We expect many sectors that rely on the summer and autumn trading to be hit pretty hard. We ask all residents to support each other during this very difficult time. I also ask that residents stop and think about their priorities at this time – we need to grasp how quickly social order and cohesiveness can disintegrate during times of crisis. It is very uncertain, with information changing daily, even by the hour in some instances. As during the bush fire season, we ask that all residents pay particular attention to quality, reputable news outlets for updates. We will pass on any information to resident as soon as it becomes available. As it says on my passport cover – stay calm and carry on.

COUNCILLOR REPORTS

Councillor Don Henderson, Creswick Ward

Over the last period of time I have attended some very important events.

Council in partnership with a low-income housing group and the Clunes community have developed four housing units in Clunes. This adds to existing stock in Daylesford and Clunes.

Over many years a committee of Clunes residents have managed housing in Clunes on behalf of Council and due to their diligence hundreds of thousands of dollars was able to go towards these new units. They are not just any old cheap build but are of a high standard and cater for people with disabilities. This is a fine example of Council working with providers and community.

The Mayor and I recently attended the 162nd annual Trades and Labour Council dinner. The Ballarat Trades and Labour Council encompasses the whole of our shire. The Ballarat Hall is the second oldest in the world and is now the largest regional trades and labour council in Victoria. They have produced a fine calendar this year which heavily features the wonderful built and cultural history of Creswick and Clunes.

International Women's Day was once again something not to miss with four very deserving women being inducted on to the Heather Mutimer Womens Honour Roll. I attended along with Crs Robson, Redwood and our Mayor as well as CEO Mr King and a number of staff. The committee and staff are to be commended for making this event so special. The event was held at Wesley in Clunes and what a fine building it is.

Due to time constraints I conclude there.

Councillor Greg May, Creswick Ward

No written report provided.

Councillor Fiona Robson, Birch Ward

Firstly, I would like to acknowledge that there are many people in our community feeling scared and uncertain. We have a large number of vulnerable people in our shire. Health concerns are valid and understandable. I acknowledge and appreciate the many people that have made a concerted effort to reach out to others and to offer support. This is an uncertain time. I thank everyone who is being more diligent with hygiene and caring for others as well as themselves. I particularly thank our council officers who have been working hard behind the scenes to ensure our pandemic planning is appropriate and to implement the required interventions.

Community members continue to demonstrate enormous care and commitment. The Chillout Festival was an exciting display of celebration,

inclusion and diversity. I am pleased that our council continues to support such a well-loved event and I enjoyed attending the fund-raiser lunch for Raising Rainbows, the author talk by Nevo Zisin at Daylesford Library, the parade and carnival. Huge thanks to everyone involved.

International Women's Day was a heart-warming event with four women being added to the Heather Mutimer Women's Honour Roll, Arlene Geoffrey, Dallas Kinnear, Loretta Little and Sarah Glenny (posthumous). I was sorry to miss the announcement of state government funds to support LGBTIQ+ young people via the Daylesford College Pride Brigayde program as well as the launch of the new accessible units in Clunes. These are positive examples of encouraging respect, diversity and inclusion across our Shire.

I was fortunate to attend the VLGA Councillor Development Workshop. There were representatives from across the state and topics included the new Local Government Act, use of social media and circular economy opportunities.

There continues to be enormous input and communication with community members on a range of issues and opportunities. I very much appreciate the interest, time and energy that many people put into assisting council and community to work well together for the benefit of all. I would love for us to do this even better and in a effective, systematic and fair way. There are many options available and, given the new local government act will require all councils to develop a 'comprehensive engagement plan', I believe we will see more focus on this on the future.

Again, my thoughts are with the people that are adversely impacted by the current challenges that are being highlighted by Covid-19 (Coronavirus). I encourage people to keep informed via official channels, make decisions based on expert advice, practice good hygiene and support each other.

Councillor John Cottrell, Holcombe Ward

No written report provided.

Councillor Neil Newitt, Cameron Ward

We have already seen many disruptions as a result of the Coronaviris.

On top of the impact to health, we are seeing the results of panic and fear encroaching into our daily lives. We are now hearing of the cancellations of the events and gatherings that take place in our communities.

The announcement of the cancellation of the Booktown Festival in Clunes resulted in a very sombre mood descending on the Clunes community over the weekend. Its cancellation will not only have an impact on the businesses of the town (as was reported over the weekend) but impacts on all of the community.

Many local groups such as Landcare, the primary school, and others rely on this event for the fundraising that helps these groups for the rest of the year.

Booktown is supported (and relies on) a great number of volunteers for its success, so the wider impact of the cancellation starts to be seen.

Although Booktown is one of our Major Events, these impacts will also be felt by our communities as more events are cancelled.

As a consequence, we are also seeing our small businesses assessing how they will keep their doors open.

Already, they have weathered the downturn in the economy of the past couple of years. Many of our shopfront businesses will not last through this crisis.

As a council I know we will assist our residents and ratepayers and businesses however we can. But we will also need to focus on how to assist our community and business groups in exploring ways to rebuild our events and economy after this crisis has run its course.

Councillor Kate Redwood AM, Birch Ward

No written report provided.

RECOMMENDATION

9.1.1. That Council receives and notes the Mayor's and Councillors' reports.

MOTION

9.1.1. That Council receives and notes the Mayor's and Councillors' reports.

Moved: Cr Don Henderson

Seconded: Cr Neil Newitt

Carried

10. PUBLIC PARTICIPATION TIME

This part of the Ordinary Meeting of Council allows for the tabling of petitions by Councillors and Officers and 30 minutes for the purposes of:

- Tabling petitions
- Responding to questions from members of our community
- Allowing members of the community to address Council

Community members are invited to be involved in public participation time in accordance with *Local Law No. 1 Meeting Procedures*.

Individuals may submit written questions or requests to address Council to the Chief Executive Officer by 12 noon on the day of the Council Meeting.

Some questions of an operational nature may be responded to through usual administrative procedure. Separate forums and Council processes are provided for deputations or for making submissions to Council.

Questions received may be taken on notice but formal responses will be provided to the questioners directly. These responses will also be read out and included within the minutes of the next Ordinary Meeting of Council to make them publicly available to all.

BEHAVIOUR AT COUNCIL MEETINGS

Council supports a welcoming, respectful and safe environment for members of the community to participate at Council Meetings regarding issues that are important to them. *Local Law No. 1* sets out guidelines for the Mayor, Councillors, and community members on public participation in meetings. It reinforces the value of diversity in thinking, while being respectful of differing views, and the rights and reputation of others.

Under the Local Law, members of the public present at a Council Meeting must not be disruptive during the meeting.

Respectful behaviour includes:

- Being courteous when addressing Council during public participation time and directing all comments through the Chair
- Being quiet during proceedings
- Being respectful towards others present and respecting their right to their own views

Inappropriate behaviour includes:

- Interjecting or taking part in the debate
- Verbal abuse or harassment of a Councillor, member of staff, ratepayer or member of the public
- Threats of violence

10.1. PETITIONS

No petitions have been received this month in accordance with Local Law No. 1.

10.2. QUESTIONS

The following questions were put to Council in accordance with Local Law No 1 Meeting Procedures.

Question 1: Mr Jeremy Whitehead

How is it that the proposal for a 53 lot subdivision at 17 Smith Street is on the agenda for voting at the council meeting of 17 March 2020, when it failed the last meeting, and there was no notification to me as an objector of the original?

Response: Mayor Licia Kokocinski

Council did not make a determination on the item at its Ordinary Meeting of Council on 17 February 2020 and as a result the item was considered lapsed.

Council as the Responsible Authority must make a decision under Section 61 of the Planning and Environment Act 1987 (Act). The only discretion is whether Council's decision is to grant a permit, grant a permit subject to conditions or refuse to grant a permit. As Council did not make one of the determinations above it is required to consider and determine on this item.

Following formalisation of the Council agenda, notification was sent to all submitters to the application, via email to those who provided email addresses and via letter to those who did not. Due to the short time frames Council Officers also posted an update of the item on Facebook and the webpage to attempt to ensure all community members were effectively notified to the best of our ability within a short timeframe.

An investigation of our records shows that you were mailed written correspondence for both Council meetings.

Question 2: Mr Jeremy Whitehead

Why do you not do a traffic study of the impact on Smith Street and Hospital Street, Daylesford, of the proposed subdivision of 17 Smith Street, as I previously highlighted in a letter to you in 2019, and in front of the last council meeting in February 2020? Why is this not a prerequisite to approving the proposed subdivision?

Response: Mayor Licia Kokocinski

As part of the application assessment the application was referred to our engineering/infrastructure team to provide comment. Conditions are proposed

to be imposed onto the application requiring a traffic and pedestrian study confirming how traffic impacts will be best addressed. This will be required prior to any final certification of the subdivision.

Technical reports can either make part of a planning application or can make a condition of a permit if required for a proposal to be supported. An application would not be recommended for approval if it was considered unsuitable.

10.3. REQUESTS TO ADDRESS COUNCIL

Members of our community who submitted a request in accordance with *Local Law No. 1* were heard.

Mr Don Harvey addressed Council regarding the Daylesford Show.

11. STATUTORY PLANNING REPORTS

11.1. PA 2504 – MULTI LOT SUBDIVISION AND THE REMOVAL OF NATIVE VEGETATION AT 17 SMITH STREET, DAYLESFORD DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES

In providing this advice to Council as the Coordinator Planning, I Nathan Aikman have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to consider an application for the subdivision of the land at 17 Smith Street, Daylesford into 53 lots.

BACKGROUND

This item was presented to Council for consideration at its February Ordinary Council meeting. At this meeting Council failed to make a determination there by allowing the item to lapse. Since the February Ordinary Council meeting the developer has provided written clarification regarding a number of the changes discussed at the Ordinary Council meeting including; the inclusion of three super lots which would be designated for the purpose of eco-villages (the eco-villages would be subject to a separate permit and planning process), amended road alignments to allow for improved vehicle manoeuvrability, confirmation that a S173 will be entered into agreeing that 10% of the housing lots which equates to four lots will be designated to a registered Housing Agency for the provision and incorporation of affordable housing and the lots within the estate will be developed to a minimum seven star energy rating with the intent that the eco-village super lots be developed to a 7.5 star rating. The applicant has also confirmed that it has formally entered into a conditional sale on the adjoining lot which would provide a secondary road access to the subject site. On this basis the report, with a number of additional conditions, is being represented to Council for its consideration and determination.

Site and Surrounds

The site is a 4.8ha parcel of land located within the eastern most portion of the township of Daylesford.

The site is irregular in shape with a 15.24m wide access to Smith Street to west of the site that then opens to the widest portion of the site being a 380m x 300m section that slopes primarily from north to south.

The remaining portion of the site is approximately 100m x 200m and slopes from west to east.

The site contains an existing dwelling and several trees, both native and exotic.

Proposal

The application proposes to subdivide the land into 53 lots and remove vegetation from the site.

The 53 lots range from 512m² through to 979m², with an average lot size of 671 m². There are three super lots proposed as part of this subdivision – 3154m², 2231m² and 1739m² in size. This would result in the creation of a separate lot over the heritage lot and the inclusion of 774m² of public open space. The intention of the super lots would be to be for them to be developed as eco-villages as this would change the land use and development it would require a permit to be developed in the future.

A drainage basin is located within the north eastern corner of the site being the lowest portion of the site.

The subdivision proposes a single access from Smith Street but has included provision for a future connection through a separate parcel of land that gains access from Raglan Street. Sixteen metre road reserves are provided throughout the majority of the development with some smaller accesses proposed to cul de sac streets.

Vegetation in the form of some remnant native vegetation and other dispersed exotic vegetation is proposed/required to be removed as part of the application.

ISSUE/DISCUSSION

Relevant Planning Provisions

Zoning:	General Residential Zone
Overlays:	Environmental Significance Overlay Schedule 1 and 2
Provisions	Clause 53.01 – Public Open Space Contribution and Subdivision Clause 56 – Residential Subdivision
Relevant Provisions of the PPF	Clause 11.01-1S Settlement Clause 11.02-1S Supply of urban land Clause 14.02-1S Catchment planning and management Clause 14.02-2S Water quality Clause 15.01-3S Subdivision design Clause 15.01-5S Neighbourhood character Clause 15.03-1S Heritage conservation Clause 16.01-01S Integrated housing Clause 16.01-2S Location of residential development Clause 16.01-4S Housing affordability Clause 21.05 Settlement and Housing

	Clause 21.09 Environment and Heritage Clause 22.01 Catchment and Land Protection Clause 22.02 Mineral Springs Protection Clause 22.08 Daylesford Neighbourhood Character	
Under what clause(s) is a permit required?	Clause 32.08-3 (GRZ)	Subdivision
	Clause 42.01-2 (ESO2)	Subdivision
Objections?	102	

Zoning and response to policy direction

The relevant policies of the State and Local Planning Policy Frameworks seek to ensure land that is suitable for urban development is appropriately utilised for such a purpose. These policies also seek to ensure that such development, including subdivisions, are designed having regard to the natural features of a site and the existing character of an area, and that new subdivisions can be appropriately serviced with infrastructure.

The site is located within the urban growth boundary of the township of Daylesford and relevant state and local policy in relation to residential development is to create and reinforce settlement boundaries (11.01-1S) and specifically to Daylesford, ‘...limit outward growth of Daylesford to minimise environmental impacts and exposure to natural hazards.’ (11.01-1R) where there is access to relevant services and transport options.

The proposed subdivision will provide a lot layout that matches the surrounding subdivision pattern in an established residential area that has proximity to the services and facilities available in Daylesford. Subject to conditions imposed, it is considered the subdivision will not adversely affect the amenity of the area. The proposed subdivision layout will provide an appropriate balance between providing an increase in available residential land within the township and allowing for development to occur that will be in-keeping with the existing and preferred character of the neighbourhood.

While no development is proposed as part of this application it is considered that the proposed subdivision will allow for any future development on the site to occur in line with the above objectives. Lots immediately to the west of the site that front Smith Street are effectively the same as the lots proposed as part of this subdivision (560m² to 722m²) and it is expected these proposed lots will develop in a similar fashion with single dwellings and ample landscaping.

Subdivision design and site response

The site is an irregular shaped block that is also complete with significant undulations across the breadth of the site that creates challenges in efficiently developing the site for its intended purpose.

From an access perspective, there is only a single entry and exit point to the site. This is a result of the subdivision that created the lot in 1971 along with

the properties known as 7-27 Smith Street. As noted earlier, the subdivision has been designed with a provision for a future connection to Raglan Street through an adjoining lot within the south eastern portion of the site.

To enable the efficient use of the site for residential purposes as is expected for the site, a road connection through the east-west spine of the site is the only efficient way to provide access to future lots and with the portion of the site to the south west being too wide for a single cul de sac road, a loop road must be provided. It is on this basis that the subdivision design is considered one of the more logical arrangements for the site. This is coupled with the standard of Clause 56 that seeks to ensure that lots are predominantly arranged in a largely north-south direction or east west direction (see Standard C9 of attached Clause 56 Assessment) to enable maximum solar capture for future dwellings.

The road network however does propose a small north-south walking path as opposed to a road reserve. The applicant has suggested that this is proposed to increase walkability and amenity for future residents. The result however would not allow service vehicles (eg waste disposal vehicles) to traverse in a forward direction within this area. It is considered that residential amenity will be vastly improved with a road connection through this area that is coupled with appropriate street tree planting. Footpath connections will continue through the road reserve and waste disposal vehicles will then be able to efficiently traverse through this area which is a vastly improved design outcome. A condition is recommended for any permit issued to require this change.

It is noted that land to the south east of the site that is bounded by Raglan Street and the Midland Highway is also zoned General Residential and is expected to be developed in the future.

The site also slopes from a central location on the site to the eastern boundary of the site and also to the southern boundary of the site. Lots have been arranged to enable as many lots as possible to be arranged perpendicular to these slopes which will ensure that the future development of these lots will be able to occur with less site disruption through the cut and fill required to provide a developable block. Concern is raised however with a number of lots (especially lots 41 through 46) where significant fall occurs in parallel with the long axis of the lots. A condition is recommended to be included on any permit issued to require plans be submitted to determine the design and require the future construction of retaining walls prior to the lots being titled.

The slopes throughout the site also pose difficulties to drain stormwater due to the land sloping in 3 directions from the centre of the site. The application was submitted with a stormwater strategy report that provided some initial plans for how stormwater can be appropriately discharged from the site once developed however a more detailed plan will be required to be formulated,

especially to determine how stormwater from the southern portion of the site can be directed to the low point of the site being the north eastern corner of the site.

Vegetation Removal

A permit is required to remove vegetation unless exempt by the planning scheme. Several exemptions exist including the removal of planted vegetation and the removal of vegetation within 10m of an existing dwelling and any vegetation for a combined maximum width of 4 metres either side of an existing fence on a boundary between properties in different ownership that was constructed before 10 September 2009.

Most of the vegetation to be removed meet one of these exemptions and therefore doesn't require planning approval for its removal.

The application was submitted with an arborist report that surveyed every tree on the site, noted its species, health and attributed a retention value. The trees on the site are predominantly located along the driveway that traverses to the existing dwelling on the site and also surrounding the dwelling. The trees along the driveway are all planted in a straight line suggesting that they are planted and not remnant examples and the trees surrounding the dwelling would also appear to be planted and associated with the existing dwelling on the site.

Other trees on the site are located along the boundaries of the site and would therefore also be exempt. 2 significant Manna Gums are located within an area approximately 100m to the east of the existing dwelling.

Clause 52.17 of the Scheme seeks to ensure that there will be no net loss to biodiversity as a result of the removal of native vegetation through avoiding, minimising or offsetting native vegetation. The 2 Manna Gums have been identified as having poor and hazardous structures, fair health but have had numerous previous limb failures and are not worthy of retention within a residential setting as proposed as a consequence of the significant tree protection zones the trees possess, the expected excavations that will be required surrounding the trees and in the case of one of the trees, a relatively limited safe usable life expectancy.

In this instance it is agreed that the most appropriate outcome for the trees would be for the Manna Gums to be removed. A permit is required for the removal of these trees and the trees would be required to be offset in accordance with the requirements of Clause 52.17 of the Scheme. A condition will be included on any permit issued to require such offset.

Despite a permit not being required to remove any other vegetation it is noted that a significant Oak tree is located at the entrance to the site. The tree has significant residential amenity and the applicant has identified their desire to retain the tree if possible. This would require a detailed engineering design to be developed that would be coupled with the input of an arborist to determine

how an appropriate access can be provided to the site. Such access would need to be satisfactory with regards to road safety and emergency access in addition to the access being designed to enable the continued health of the tree that has had a largely uninterrupted life since the land was subdivided to the north and south in the 1970s. It is recommended that a condition be included on any permit issued to require such a design be provided to the satisfaction of Council.

Adherence to ResCode – Clause 56

The development complies with all the objectives and the standards of Clause 56 of the Hepburn Planning Scheme.

A copy of this assessment is included as an attachment to this report.

Environmental Impact

The development has been designed to follow the contours of the land in order to minimise the impact on soil disturbance and the impact on waterway health.

There is not considered to be any impact as a consequence of the development that cannot be controlled through the building process.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

This application meets Council's obligations as Responsible Authority under the Planning and Environment Act 1987.

FINANCIAL IMPLICATIONS

Any application determined by Council or under delegation of Council is subject to appeal rights and may incur costs at VCAT if appealed.

RISK IMPLICATIONS

Nil

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Nil

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The application has been advertised by sending notification of the proposal to adjoining and adjacent owners and occupiers and a notice on the land. As a result, 102 objections have been received. The issues raised in the objections are addressed individually as follows:

- Too many lots
- Block sizes are too small
- Change in overall character of the township of Daylesford
- Traffic increases/congestion

- Single entrance and exit.
- Removal of oak tree at Smith Street entrance
- Existing dwelling has heritage significance and should be retained
- Removal of native vegetation
- Not supporting low cost housing
- Lack of small lots/small housing
- No proposed restrictions on future dwelling design
- Lack of public open space
- Emergency Access and Fire Emergency Issues

In response to those matters listed above, the following comments are provided:

Too many lots/change in character of Daylesford

The site is zoned General Residential that includes the purposes ‘...to encourage development that respects the neighbourhood character of the area’ and ‘to encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.’

The site is provided with all relevant services and is located close to transport routes through the township. There will be some intersection upgrades required to ensure that access to Smith Street can be achieved in a safe and efficient manner however this is not an insurmountable exercise. The lot sizes that are proposed closely match those of the existing lots fronting Smith Street that were created as part of the original subdivision that created this ‘balance lot’ proposed to be subdivided as part of this application. These lots along Smith Street are provided with average sized dwellings located amongst established gardens that are reflective of the character of Daylesford. It is not expected that the lots proposed as part of this application will be developed differently to the lots along Smith Street have been developed. It is on this basis that the proposed subdivision has been designed and will allow development to occur in the future that will complement the existing and preferred character of Daylesford.

It is noted however, that the site is not affected by a Neighbourhood Character Overlay and is not located within an area (except of approximately 40m of the entrance to Smith Street) that is specifically referenced in Clause 22.08 (Daylesford Neighbourhood Character) of the Scheme. The more generic residential development policies such as Clauses 11 (Settlement), 15 (Built Environment and Heritage), 16 (Housing) and 21.05 (Settlement and Housing) must be relied on when considering relevant character policy.

Block sizes are too small

As above, the block sizes are commensurate to other lots present on Smith Street and have been designed to allow average sized dwellings to be established on lots with large gardens as is the existing and preferred neighbourhood character of the area.

Traffic increases/congestion/single entrance-exit

The street proposed as part of the application is designed to cater for between 2000 and 3000 vehicle movements per day. Anecdotally, a dwelling can generate on average around 10 vehicle movements per day (vim) which would equate up to 530 vmd. The proposed road can cater for the traffic generated. Smith Street provides a generous road width that can cater for any additional vehicle movement generated by the subdivision in addition to the existing traffic generated by the school and residents. The application was referred to Council's Engineering Department who provided their consent to the application subject to conditions. One such condition required a pedestrian and traffic audit that would be required to demonstrate how the intersection of the proposed road and Smith Street can be designed to provide safe vehicular and pedestrian movements in accordance with relevant safety standards.

Removal of oak tree at Smith Street entrance/removal of vegetation

There is currently no permit required to remove the oak tree however it is agreed that the tree is significant, and should an engineering outcome exist that would enable the tree to be saved and traffic able to enter and exit the site while still enabling the safe passage of traffic along Smith Street, such an outcome is appropriate. Conditions will be included on any permit to require such.

Where the subdivision of land creates lots that are less than 4000m² in area, planning regulations in relation to the removal of native vegetation identify that this vegetation must be considered lost, and consequently a permit is triggered for its removal and the vegetation must be offset. The applicant has identified that the subdivision boundaries have been placed in locations that will hopefully enable future owners to retain the trees within back or front yards and still build a dwelling. It is noted however, that through the construction phase of a new subdivision significant excavation will occur impacting severely on tree health. The arborist report submitted with the application identified that the 2 Manna Gums on the site have been identified as having poor and hazardous structures, fair health but have had numerous previous limb failures and are not worthy of retention within a residential setting. This was due to the significant tree protection zones the trees possess, the expected excavations that will be required surrounding the trees and in the case of one of the trees, a relatively limited safe usable life expectancy.

Existing dwelling has heritage value

The subdivision has been designed in such a manner that subject to several of the lots being consolidated, a lot can be created to surround the existing dwelling on the site. This is a good outcome for the site and a condition will be included on any permit issued to require this to occur.

Emergency Access and Fire Emergency Issues

The application was referred to both the Country Fire Authority and Councils Engineering Department who did not object to the application subject to conditions included on any permit issued relating to the provision of fire hydrants at appropriate intervals and roads being constructed according to the relevant standards.

Lack of small lots/affordable housing

Many objections identify that the subdivision as it is proposed does not respect the existing preferred character of the township of Daylesford. The provision of additional smaller more affordable lots will increase the density of the subdivision and create lots that will be more difficult or be unable to be developed without connected built form and only low levels of vegetation. It has been suggested that an 'eco village' type development should be proposed as a more sustainable and affordable development. While such an application may have merit, the application as proposed must be considered against relevant provisions of the Scheme.

No restrictions on future dwelling types

There are no planning controls that seek to limit or restrict the type or design of dwellings on any future lot. The establishment of such restrictions often have the ramifications on the cost of building future dwellings on the site and discourage affordable housing and add a further layer of approval where it is not considered necessary.

Lack of open space

The site is located on the eastern edge of the township of Daylesford in a location that is located approximately 500m from the Wombat Hill Botanical Gardens. The Hepburn Recreation and Open Space Strategy 2016-2021 identified that throughout consultation activities associated with the formation of the policy that improvements to walking trails and the provision addition play spaces were sought. The provision of a monetary open space contribution as required by Clause 53.01 is the best way to address and improve any open space deficiencies identified within Councils Open Space Strategy.

CONCLUSION

The application proposes the subdivision of the parcel of land that has been zoned to provide for the use of the land for residential purposes. The lots have been designed to complement the existing and preferred character of the area. Based on the above the development is considered acceptable and warrants Councils support.

OFFICER'S RECOMMENDATION

11.1.1 That Council:

That Council having caused notice of the planning application under Section 52 of the Planning and Environment Act 1987 (the Act) and having considered all the matters required under Section 60 of the Act decides to issue a Notice of Decision to Grant a Planning Permit PA 2504 for a multi lot subdivision and the removal of native vegetation in respect of the land known as 17 Smith Street, Daylesford, subject to the following conditions:

Amended Plans Required (Condition 1)

- 1) Before the Certification of the Plan of Subdivision under the Subdivision Act 1988, amended plans and documents to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the advertised plans but further modified to show:
 - a) The consolidation of lots 27 and 28 to ensure the retention of the 19th Century component of the existing dwelling 'Middleton House' on a lot with a minimum area of 1000m².
 - b) Three (3) super lots are to be identified and created from lots 17-23 for the purposes of an eco-village.
 - c) A community park – open space provided in the location of lot 26 to be maintained by an owners corporation.
 - d) Develop and supply Sustainable Housing Design Guidelines for the whole of the development to the satisfaction of the Responsible Authority to include the following;
 - i) be administered by the applicant to Council's satisfaction;
 - ii) provide for a vegetation/wildlife corridor around the site.
 - iii) promote sustainably designed housing to a target a 7+ NatHERS or equivalent rating;
 - iv) address all other necessary design considerations including façade treatments, fencing, building orientation and setbacks, rainwater tanks, solar etc to the satisfaction of the Responsible Authority.
 - e) The provision of an intersection and road design that includes the retention of the existing oak tree on the site.
 - f) The provision of a report from a suitably qualified arborist that confirms that the intersection and road design identified in item 1b) will enable the retention of and ensure the ongoing life of the existing oak tree at the entrance to the site.

- g) The provision of a cul de sac at the at the end of the proposed road within the south eastern corner of the site (adjoining lots 36-39)
- h) Identification of the provision of retaining walls along the boundaries of proposed lots 41-45.
- i) Extension to road reserve between lots 16 and 17 through to the northernmost road between lots 23 and 27.

Alternatively,

The provision of a cul de sac at the end of the road within the southern portion of the site (adjoining lots 14-17) and a waste management plan that demonstrates how waste can be adequately managed for lots where a 16m road reserve is not provided.

2) The layout of the subdivision as shown on the endorsed plans must not be altered or modified unless otherwise agreed in writing by the Responsible Authority.

3) Before the plan of subdivision is registered the owner is to enter into an Agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987 to provide the following;

- a) Unencumbered ownership of no less than four (4) lots to be transferred to a Registered Housing Agency with a minimum of one (1) lot per stage of subdivision;

The owner must comply with Clause (a) within 3 months of registration of a plan of subdivision. The obligations under this condition apply to the parent title and provide an obligation on the parent landowner. The Clauses shall end at the registration of the plan of subdivision which creates the Affordable Housing Lots and transfers them to a Registered Housing Agency. The Agreement need not be carried over and registered on the child titles of those lots being transferred to the Registered Housing Agency or retained on any stage in which the obligation to transfer the lots has been met.

The agreement must be registered on title. The owner(s) must pay the costs of all parties including the Responsible Authority in relation to the preparation, execution and registration of the agreement on title.

4) The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.

5) All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.

6) The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

7) Before the issue of a Statement of Compliance under the Subdivision Act 1988, the permit holder must pay to the Responsible Authority a cash payment equivalent to 5 per cent of the site value of all the land in the subdivision in lieu of the provision of land for Public Open Space, unless otherwise agreed in writing by the Responsible Authority.

Vegetation Offsets

8) Before works start, the permit holder must advise all persons undertaking the vegetation removal/works on land of all relevant conditions of this permit.

9) To offset the removal of 2 large trees and 0.107 hectares of native vegetation the permit holder must secure a native vegetation offset, in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017) as specified below: Select General offset, Species offset or both as detailed in the NVR report. Large tree requirement can be met across any offset type

a) A general offset of 0.041 general habitat units:

b) Be located within the North Central Catchment Management Authority boundary or Hepburn Shire Council area.

c) Have a strategic biodiversity score of at least 0.150

10) Before the issue of the Statement of Compliance, evidence that the required offset has been secured must be provided to the satisfaction of the responsible authority. This evidence is one or both of the following:

a) an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site and/or

b) credit extract(s) allocated to the permit from the Native Vegetation Credit Register. A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit.

c) Within 30 days of endorsement of the offset evidence by the responsible authority, a copy of the endorsed offset evidence must be provided to the Department of Environment, Land, Water and Planning.

11) If a security agreement is entered into as per condition 10, the applicant must provide the annual offset site report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the

landowner must provide a report at the reasonable request of a statutory authority.

Telecommunications

- 12) The owner of the land must enter into an agreement with:
 - a) telecommunications network or service provider for the provision of telecommunication services to all lots in accordance with the provider's requirements and relevant legislation at the time; and
 - b) a suitably qualified person for the provision of fibre ready telecommunication facilities to all lots in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
- 13) Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
 - a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
- 14) Construction Management
- 15) Before the development starts, a Construction Management Plan must be submitted to, and be to the satisfaction of the Responsible Authority. The Construction Management Plan will then be endorsed and form part of the planning permit. The Construction Management Plan must include details of:
 - a) traffic management,
 - b) environmental issues,
 - c) dust control,
 - d) soil erosion,
 - e) mud on roads,
 - f) warning signs,

- g) construction plant movement areas, and
- h) storage areas.

Engineering requirements

Stormwater Drainage

16) Before the issue of a statement of compliance under the Subdivision Act 1988, all underground and surface drainage works that are considered necessary by the Responsible Authority shall be constructed in accordance with professionally prepared plans and computations to be provided by the developer and approved by the Responsible Authority prior to the commencement of construction. The drainage works shall include the provision of an onsite stormwater detention system designed to ensure that the post development runoff does not exceed pre development runoff from the development. The drainage works shall be installed to transport stormwater runoff from the subject land and surrounding land and/or adjoining road(s) to an approved point of discharge. No concentrated stormwater shall drain or discharge from the land to adjoining properties. The drainage system must be constructed and completed prior to the issue of the statement of compliance.

Return period for a Detention system is to be 1 in 5 years where there is overland escape path and 1 in 100 years if the failure of the detention system will cause property damage or inundation of freehold titles.

17) All allotments shall be provided with drainage outfall (house connection) connected to the underground drainage system to the satisfaction of the Responsible Authority. House drainage connection shall be constructed in accordance with Infrastructure Design Manual Standard Drawing SD 520.

18) Stormwater shall be connected to the legal point of discharge to the satisfaction of the Responsible Authority.

19) Prior to certification, all drainage easements deemed necessary by the Responsible Authority must be provided by the Permit Holder to protect and facilitate existing and future drainage infrastructure. Easements shall also be provided through properties between the development site and the nominated legal point of discharge. Minimum width of drainage easements shall be 2.0m for stormwater.

20) Drainage easements shall be created in accordance with the existing underground drainage infrastructure to the satisfaction of Responsible Authority.

21) If the proposed stormwater drainage system includes any works to be undertaken during house construction stage, the Owner must enter into a Section 173 Agreement with the responsible Authority under section 173 and 174 of the Planning and Environment Act, requiring that such works shall be constructed and completed during house/building construction stage.

The Owner and the Responsible Authority shall agree to do all things necessary to register a memorandum of this Agreement on the title of the land pursuant Section 181 of the Planning and Environment Act 1987.

22) The Owner must pay all the costs and expenses including Responsible Authority's lawyers checking fees in relation to preparation, execution, registration, enforcement and cancellation of this Agreement including costs for obtaining necessary consents if required by the Land Titles Office before registration of this Agreement.

23) Prior to the certification of the subdivision under the Subdivision Act 1988, the permit holder must prepare a Stormwater Strategy Plan to identify and record the manner by which the quantity and quality of stormwater shall be managed for the catchment. The stormwater strategy plan must demonstrate how to avoid adverse impact on neighbouring properties and surrounding road network due to the development. Drainage design plans and legal point of discharge will not be considered until the drainage strategy has been established.

24) Where stormwater detention is proposed on public land, including road reserve, the detention system shall be designed in such a way as to minimise the ongoing maintenance costs and maximise the public benefit of the area. No area used for stormwater detention shall be considered for the purposes of public open space.

25) It is the responsibility of the developer to meet the requirements for stormwater quality as stated in the BPEM (Best Practice Environmental Management) Guidelines

Note: Additional information for requirements can be found at:

<https://www.epa.vic.gov.au/business-and-industry/guidelines/waterguidance/urban-stormwater-bpem>

New Intersection and Road Creation

26) All Roads and drainage designs and constructions shall be based on sound engineering practice following the general principles of The Planning Scheme, the Austroads Guidelines, the Co-ordination of Streetworks Code of Practice, Relevant Australian Standards, VicRoads Road Design Guidelines, Infrastructure Design Manual [IDM] and to the satisfaction of Responsible Authority.

27) Professionally prepared plans are to be submitted to the Responsible Authority for approval prior to construction.

28) Prior to the certification of the subdivision under the Subdivision Act 1988, a Traffic and Pedestrian Impact study shall be conducted for the new intersection and the corner of Smith Street and Raglan Street to the satisfaction of the Responsible Authority.

29) Prior to the issue of Statement of Compliance under the Subdivision Act 1988, any recommended works identified within the Traffic and Pedestrian Impact study must be designed, submitted and constructed to the satisfaction of the responsible authority unless otherwise agree in writing by the responsible authority.

30) New roads shall include provisions for traffic calming in accordance with section 12.6 of IDM and to the satisfaction of the responsible authority.

31) All internal roads within the development shall be in accordance with 'Table 2 - Urban Road/ Street Characteristics' of IDM.

32) Minimum width of the road reserve shall be in accordance with 'Table 2 - Urban Road/ Street Characteristics' of IDM.

The road pavement at a minimum, shall include

- a) 200mm compacted depth class 3, 20mm FCR sub base and 100mm compacted depth class 2, 20mm FCR base pavement.
- b) 2 coat spray seal, 10mm primer seal/7mm rubberised final seal, or 40mm Type H, 10mm asphalt
- c) Kerb and channel
- d) 1.5m wide concrete footpaths
- e) Court Bowls must have a minimum radius of 12.5m

33) All no through traffic roads must terminate with a court bowl

34) The Supervising Consulting Engineer shall provide to Council a report of hold points and inspections for the construction and verification that the roads and drains have been designed and constructed in compliance with the above standards, by providing a list verifying the results of all tests undertaken and corresponding results. The minimum tests required to be provided to the Responsible Authority are:

- a) Road Sub-grade (Proof Roll)
- b) Pavement sub-base and base (density test and proof roll)
- c) Pavement prior to sealing or asphalt application
- d) Drainage trench and bedding
- e) Drainage infrastructure prior to backfill
- f) Drainage pits

Access

35) Vehicle access/crossing to the land is to be located, constructed and maintained to the satisfaction of the Responsible Authority.

36) Prior to statement of compliance the following will be constructed for approval.

- a) Vehicle access/crossing to all lots is to be constructed in accordance with Infrastructure Design Manual Standard Drawing SD 240 or to approval of Responsible Authority.
- b) Vehicle access/crossing to the land shall be located so that adequate sight distance is achieved to comply with Australian Standard AS2890.1 :2004 Section 3.2.4 and as specified in Ausroad's Guide to Road Design Part 4A Section 3.4 - 'Sight Distance at Property Entrance'.
- c) Minimum 10.0m and 9.0m clearance shall be maintained from any road intersection and between adjacent crossovers respectively.
- d) Any proposed vehicular crossing shall have satisfactory clearance to any side• entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense.

37) The final location and construction of the vehicle crossing is to be approved by the Responsible Authority via a "Consent to Work within the Road Reserve", prior to the undertaking of works.

Access and Mobility

38) All footpaths shall be designed and constructed in accordance with the relevant Australian Standards, Infrastructure Design Manual [IDM] and to the satisfaction of the Responsible Authority.

39) Minimum width of the footpaths shall be 1.5m and are to be constructed in accordance with IDM Standard Drawings SD 205- Typical Footpath Detail.

40) Footpaths shall be provided along one side of newly created roads within the development site and connect to the existing Council footpath network to the satisfaction of Responsible Authority.

41) Before the issue of a Statement of Compliance under the Subdivision Act 1988, vehicle access/crossings to all lots are to be located and constructed and maintained to the satisfaction of the Responsible Authority.

Landscaping and Road Reserves

42) Before the plan of subdivision is certified under the Subdivision Act 1988, a landscaping plan for road reserves must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. This plans must comply with the Code of Practice for Management of Infrastructure in Road Reserves and shall provide following information:

- a) Plant selection, layout and planting density
- b) Landscaping design intent

- 43) Street tree planting shall be designed to meet approximately 40% canopy coverage of new roads and must be selected and planted by a qualified horticulturist / arborist.
- 44) Any existing significant trees intended to remain must be bonded for a period of 24 months.
- 45) Before the issue of a Statement of Compliance under the Subdivision Act 1988, or by any later date that is approved in writing by the Responsible Authority, the landscape works shown on the endorsed landscape plans must be carried out and completed to the satisfaction of the Responsible Authority.
- 46) The landscaping is to be maintained for a period of 24 months from practical completion of the landscaping. During this period, any dead, diseased or damaged plants or landscaped areas are to be replaced to the satisfaction of the Responsible Authority.

Boundary Lines

- 47) Where a lot has significant cross fall (e.g. lots 41-45), retaining walls and associated cut and fill shall be constructed along the lot boundary line including provisions for boundary fencing to the satisfaction of the responsible authority prior to the issue of a statement of compliance under the Subdivision Act 1988.
- 48) All structural retaining walls shall have an engineering design and approval
- 49) Existing adjacent property boundaries that will adjoin new road reserves shall have fences replaced with a quality sound reduction product with a minimum height of 2.1m to the satisfaction of the Responsible Authority.

Linemarking and Signage

- 50) Before the issue of a Statement of Compliance under the Subdivision Act 1988, appropriate signage and linemarking throughout the development shall be provided to the satisfaction of the responsible authority

Street lighting

- 51) Before the issue of a Statement of Compliance under the Subdivision Act 1988, energy efficient LED street lighting shall be provided in accordance with the current issue of Australian standard AS/ANZ 1158 – Lighting for Roads and Public Spaces and to the satisfaction of the Responsible Authority.
- 52) New lighting must be located outside the clear zones and meet the standards for category P lighting.

Development Standard

- 53) Prior to Statement of Compliance it is the responsibility of the development to meet the relevant requirements and standards as set out in

the IDM (Infrastructure Design Manual, version 5.20) to the satisfaction of the responsible authority.

Prior to Construction

54) Before the plan of subdivision is certified under the Subdivision Act 1988 or any works start, the following items must be satisfied.

- a) Approval of the constructions plans by the Responsible Authority
- b) a pre-construction meeting shall be held with the Responsible Authority, the Contractor and the Developer/Developer's Consultant Engineer to discuss and agree on hold point inspections, roadside management, traffic management and any other construction related matters.

Completion of Construction Works

55) Before the issue of a Statement of Compliance under the Subdivision Act 1988, the developer must construct and complete road works, drainage and other civil works in accordance with endorsed plans and specifications approved by the Responsible Authority and in accordance with Infrastructure Design Manual. Road works, drainage and other civil works to be constructed must include:

- i) street and drainage in accordance with the approved construction drawings
- ii) road reserve landscaping in accordance with the approved landscape plans
- iii) construction of footpaths
- iv) underground drainage
- v) intersection and traffic control/mitigation measures
- vi) street lighting
- vii) signage and linemarking; and
- viii) high stability permanent survey marks
- ix) Lot access As Constructed Plans

56) Before the issue of a Statement of Compliance under the Subdivision Act

1988 the Developer must provide as-constructed plans for all infrastructure created by this development and vested to the ownership and control of the Responsible Authority. Such plans shall be prepared by a registered surveyor and/or qualified Engineer and endorsed by the Developer's Consultant Engineer and the Contractor.

57) As-Constructed plans shall include:

- a) An asset statement of each street including costs

- b) 'as constructed' information for the entire work in each development stage detailing information as listed in the Infrastructure Design Manual

Information must be presented in pdf. and dwg. formats, unless otherwise agreed in writing by the Responsible Authority.

Defects Maintenance and Bond

58) Before the issue of a Statement of Compliance under the Subdivision Act 1988, the developer must enter into an agreement with the Responsible Authority regarding responsibilities for maintenance and correction of defects of all infrastructure works. Agreement must include the defects liability period, the amount of bond and on how the date of practical completion occurs.

59) Before the issue of a Statement of Compliance under the Subdivision Act 1988, the developer must provide the Responsible Authority with a maintenance bond(s) of \$5,000 or 5% of the total cost of infrastructure, whichever is greater.

The bond(s) shall be an unconditional bank guarantee or cash for the predetermined amount. The Responsible Authority will hold the bond(s) until any and all defects notified to the developer before and/or during the liability period have been made good to the satisfaction of the Responsible Authority. A request must be made to the Responsible Authority for the release of maintenance bond(s) after the defects maintenance period.

60) The Defects Liability Period for civil works shall be 12 months from the date of practical completion.

61) The Defects Liability Period for landscaping shall be 24 months from the date of acceptance at a minimum bond of \$400 per tree.

62) In accordance with the Subdivision Act 1989, Responsible Authority requires the following fees for works undertaken on this Subdivision.

- a) Plan checking fee of 0.75% of the value of works
- b) Supervision fee of 2.50% of the value of works

63) All costs incurred in complying with the above conditions shall be borne by the permit holder.

Central Highlands Water Conditions

64) Any plan lodged for certification will be referred to the Central Highlands Region Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.

65) Reticulated sewerage facilities must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.

66) A reticulated water supply must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.

67) The owner will provide easements to the satisfaction of the Central Highlands Region Water Corporation, which will include easements for pipelines or ancillary purposes in favour of the Central Highlands Region Water Corporation, over all existing and proposed sewerage facilities within the proposal.

68) If required the owner will provide easements to the satisfaction of Central Highlands Region Water Corporation for pipeline or ancillary purposes through other land in the vicinity, as it is considered by the Authority that such easements may be required for the economical and efficient subdivision or servicing of or access to land covered by the subdivision.

69) If the land is developed in stages, the above conditions will apply to any subsequent stage of the subdivision.

Goulburn Murray Water Conditions

70) All works within the subdivision must be done in accordance with EPA Publication 960 "Doing It Right on Subdivisions, Temporary Environmental Protection Measures for Subdivision Construction Sites", September 2004.

71) Each lot must be provided with connection to the reticulated sewerage system in accordance with the requirements of the relevant urban water authority.

72) All stormwater discharged from the site must meet the urban run-off objectives and Standard C25 as specified in Clause 56.07-4 of the Victorian Planning Provisions. All infrastructure and works to manage stormwater must be in accordance with the requirements of the Responsible Authority

Country Fire Authority Conditions

Hydrants

73) Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 the following requirements must be met to the satisfaction of the CFA:

a) Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building

Envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.

- b) The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

Roads

74) Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.

- a) The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
- b) Curves must have a minimum inner radius of 10 metres.
- c) Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.
- d) Roads more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used as alternatives.

Powercor Conditions

75) The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to Powercor Australia Ltd in accordance with Section 8 of that Act.

76) The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards

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

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

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

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

Permit expiry

81) This permit will expire if one of the following circumstances applies:

- The plan of subdivision is not certified within 2 years of the date of this permit;
- The registration of the relevant stage of subdivision is not completed within five years from the date of certification of the plan of subdivision.

The Responsible Authority may extend the permit if a request is made in writing in accordance with Section 69 of *Planning and Environment Act 1987*.

NOTES

CFA's requirements for identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' available under publications on the CFA web site (www.cfa.vic.gov.au)

Mr Joseph van Dyk, the applicant, addressed Council in support of the application.

Mr Jeremy Whitehead addressed Council in objection to the application.

Mr Benny Pettersson addressed Council in objection to the application.

Ms Jen Bray addressed Council in objection to the application.

MOTION

11.1.1. That the Ordinary meeting be adjourned

Moved: Cr Don Henderson

Seconded: Cr Greg May

Carried

The Ordinary Council Meeting was adjourned at 7:03pm.

MOTION

11.1.2. *That the Ordinary meeting be resumed*

Moved: Cr Don Henderson

Seconded: Cr Neil Newitt

Carried

The Ordinary Council Meeting resumed at 7:05pm with all Councillors present less Cr Redwood AM.

Ms Debora Semple addressed Council in objection to the application.

MOTION

11.1.3. *That Council having caused notice of the planning application under Section 52 of The Planning and Environment Act 1987, and having considered all the matters required under Section 60 of the Act decides to issue a Notice of Decision to Grant a Planning Permit PA 2504 for a multi lot subdivision and the removal of native vegetation in respect of the land known as 17 Smith Street, Daylesford, subject to the following conditions:*

Amended Plans Required (Condition 1)

- 1) Before the Certification of the Plan of Subdivision under the *Subdivision Act 1988*, amended plans and documents to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the advertised plans but further modified to show:
 - a) The consolidation of lots 27 and 28 to ensure the retention of the 19th Century component of the existing dwelling 'Middleton House' on a lot with a minimum area of 1000m².
 - b) Three (3) super lots are to be identified and created from lots 17-23 for the purposes of an eco-village.

- c) A community park – open space provided in the location of lot 26 to be maintained by an owners corporation.
- d) Develop and supply Sustainable Housing Design Guidelines for the whole of the development to the satisfaction of the Responsible Authority to include the following;
 - i) be administered by the applicant to Council’s satisfaction;
 - ii) provide for a vegetation/wildlife corridor around the site.
 - iii) promote sustainably designed housing to a target a 7+ NatHERS or equivalent rating;
 - iv) address all other necessary design considerations including façade treatments, fencing, building orientation and setbacks, rainwater tanks, solar etc to the satisfaction of the Responsible Authority.
- e) The provision of an intersection and road design that includes the retention of the existing oak tree on the site.
- f) The provision of a report from a suitably qualified arborist that confirms that the intersection and road design identified in item 1b) will enable the retention of and ensure the ongoing life of the existing oak tree at the entrance to the site.
- g) The provision of a cul de sac at the at the end of the proposed road within the south eastern corner of the site (adjoining lots 36-39)
- h) Identification of the provision of retaining walls along the boundaries of proposed lots 41-45.
- i) Extension to road reserve between lots 16 and 17 through to the northernmost road between lots 23 and 27.

Alternatively,

The provision of a cul de sac at the end of the road within the southern portion of the site (adjoining lots 14-17) and a waste management plan that demonstrates how waste can be adequately managed for lots where a 16m road reserve is not provided.

- 2) The layout of the subdivision as shown on the endorsed plans must not be altered or modified unless otherwise agreed in writing by the Responsible Authority.
- 3) Before the plan of subdivision is registered the owner is to enter into an Agreement with the Responsible Authority pursuant to Section 173 of the Planning and Environment Act 1987 to provide the following;

- a) Unencumbered ownership of no less than four (4) lots to be transferred to a Registered Housing Agency with a minimum of one (1) lot per stage of subdivision;

The owner must comply with Clause (a) within 3 months of registration of a plan of subdivision. The obligations under this condition apply to the parent title and provide an obligation on the parent landowner. The Clauses shall end at the registration of the plan of subdivision which creates the Affordable Housing Lots and transfers them to a Registered Housing Agency. The Agreement need not be carried over and registered on the child titles of those lots being transferred to the Registered Housing Agency or retained on any stage in which the obligation to transfer the lots has been met.

The agreement must be registered on title. The owner(s) must pay the costs of all parties including the Responsible Authority in relation to the preparation, execution and registration of the agreement on title.

- 4) The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
- 5) All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
- 6) The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.
- 7) Before the issue of a Statement of Compliance under the Subdivision Act 1988, the permit holder must pay to the Responsible Authority a cash payment equivalent to 5 per cent of the site value of all the land in the subdivision in lieu of the provision of land for Public Open Space, unless otherwise agreed in writing by the Responsible Authority.

Vegetation Offsets

- 8) Before works start, the permit holder must advise all persons undertaking the vegetation removal/works on land of all relevant conditions of this permit.
- 9) To offset the removal of 2 large trees and 0.107 hectares of native vegetation the permit holder must secure a native vegetation offset, in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017) as specified below: Select General offset, Species offset or both as detailed in the NVR report. Large tree requirement can be met across any offset type
 - a) A general offset of 0.041 general habitat units:
 - b) Be located within the North Central Catchment Management Authority boundary or Hepburn Shire Council area.
 - c) Have a strategic biodiversity score of at least 0.150
- 10) Before the issue of the Statement of Compliance, evidence that the required offset has been secured must be provided to the satisfaction of the responsible authority. This evidence is one or both of the following:
 - a) an established first party offset site including a security agreement signed by both parties, and a management plan detailing the 10-year management actions and ongoing management of the site and/or
 - b) credit extract(s) allocated to the permit from the Native Vegetation Credit Register. A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit.
 - c) Within 30 days of endorsement of the offset evidence by the responsible authority, a copy of the endorsed offset evidence must be provided to the Department of Environment, Land, Water and Planning.
- 11) If a security agreement is entered into as per condition 10, the applicant must provide the annual offset site report to the responsible authority by the anniversary date of the execution of the offset security agreement, for a period of 10 consecutive years. After the tenth year, the landowner must provide a report at the reasonable request of a statutory authority.

Telecommunications

- 12) The owner of the land must enter into an agreement with:
 - a) telecommunications network or service provider for the provision of telecommunication services to all lots in accordance with the provider's requirements and relevant legislation at the time; and

b) a suitably qualified person for the provision of fibre ready telecommunication facilities to all lots in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

13) Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act* 1988, the owner of the land must provide written confirmation from:

a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and

b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

14) Construction Management

15) Before the development starts, a Construction Management Plan must be submitted to, and be to the satisfaction of the Responsible Authority. The Construction Management Plan will then be endorsed and form part of the planning permit. The Construction Management Plan must include details of:

- a) traffic management,
- b) environmental issues,
- c) dust control,
- d) soil erosion,
- e) mud on roads,
- f) warning signs,
- g) construction plant movement areas, and
- h) storage areas.

Engineering requirements

Stormwater Drainage

16) Before the issue of a statement of compliance under the *Subdivision Act* 1988, all underground and surface drainage works that are considered necessary by the Responsible Authority shall be constructed in accordance

with professionally prepared plans and computations to be provided by the developer and approved by the Responsible Authority prior to the commencement of construction. The drainage works shall include the provision of an onsite stormwater detention system designed to ensure that the post development runoff does not exceed pre development runoff from the development. The drainage works shall be installed to transport stormwater runoff from the subject land and surrounding land and/or adjoining road(s) to an approved point of discharge. No concentrated stormwater shall drain or discharge from the land to adjoining properties. The drainage system must be constructed and completed prior to the issue of the statement of compliance.

Return period for a Detention system is to be 1 in 5 years where there is overland escape path and 1 in 100 years if the failure of the detention system will cause property damage or inundation of freehold titles.

- 17) All allotments shall be provided with drainage outfall (house connection) connected to the underground drainage system to the satisfaction of the Responsible Authority. House drainage connection shall be constructed in accordance with Infrastructure Design Manual Standard Drawing SD 520.
- 18) Stormwater shall be connected to the legal point of discharge to the satisfaction of the Responsible Authority.
- 19) Prior to certification, all drainage easements deemed necessary by the Responsible Authority must be provided by the Permit Holder to protect and facilitate existing and future drainage infrastructure. Easements shall also be provided through properties between the development site and the nominated legal point of discharge. Minimum width of drainage easements shall be 2.0m for stormwater.
- 20) Drainage easements shall be created in accordance with the existing underground drainage infrastructure to the satisfaction of Responsible Authority.
- 21) If the proposed stormwater drainage system includes any works to be undertaken during house construction stage, the Owner must enter into a Section 173 Agreement with the responsible Authority under section 173 and 174 of the Planning and Environment Act, requiring that such works shall be constructed and completed during house/building construction stage.

The Owner and the Responsible Authority shall agree to do all things necessary to register a memorandum of this Agreement on the title of the land pursuant Section 181 of the Planning and Environment Act 1987.

- 22) The Owner must pay all the costs and expenses including Responsible Authority's lawyers checking fees in relation to preparation, execution, registration, enforcement and cancellation of this Agreement including costs for obtaining necessary consents if required by the Land Titles Office before registration of this Agreement.
- 23) Prior to the certification of the subdivision under the *Subdivision Act 1988*, the permit holder must prepare a Stormwater Strategy Plan to identify and record the manner by which the quantity and quality of stormwater shall be managed for the catchment. The stormwater strategy plan must demonstrate how to avoid adverse impact on neighbouring properties and surrounding road network due to the development. Drainage design plans and legal point of discharge will not be considered until the drainage strategy has been established.
- 24) Where stormwater detention is proposed on public land, including road reserve, the detention system shall be designed in such a way as to minimise the ongoing maintenance costs and maximise the public benefit of the area. No area used for stormwater detention shall be considered for the purposes of public open space.
- 25) It is the responsibility of the developer to meet the requirements for stormwater quality as stated in the BPEM (Best Practice Environmental Management) Guidelines

Note: Additional information for requirements can be found at <https://www.epa.vic.gov.au/business-and-industry/guidelines/water-guidance/urban-stormwater-bpem>

New Intersection and Road Creation

- 26) All Roads and drainage designs and constructions shall be based on sound engineering practice following the general principles of The Planning Scheme, the Austroads Guidelines, the Co-ordination of Streetworks Code of Practice, Relevant Australian Standards, VicRoads Road Design Guidelines, Infrastructure Design Manual [IDM] and to the satisfaction of Responsible Authority.
- 27) Professionally prepared plans are to be submitted to the Responsible Authority for approval prior to construction.
- 28) Prior to the certification of the subdivision under the *Subdivision Act 1988*, a Traffic and Pedestrian Impact study shall be conducted for the new intersection and the corner of Smith Street and Raglan Street to the satisfaction of the Responsible Authority.

- 29) Prior to the issue of Statement of Compliance under the *Subdivision Act 1988*, any recommended works identified within the Traffic and Pedestrian Impact study must be designed, submitted and constructed to the satisfaction of the responsible authority unless otherwise agree in writing by the responsible authority.
- 30) New roads shall include provisions for traffic calming in accordance with section 12.6 of IDM and to the satisfaction of the responsible authority.
- 31) All internal roads within the development shall be in accordance with 'Table 2 - Urban Road/ Street Characteristics' of IDM.
- 32) Minimum width of the road reserve shall be in accordance with 'Table 2 - Urban Road/ Street Characteristics' of IDM.
- 33) The road pavement at a minimum, shall include
- a) 200mm compacted depth class 3, 20mm FCR sub base and 100mm compacted depth class 2, 20mm FCR base pavement.
 - b) 2 coat spray seal, 10mm primer seal/7mm rubberised final seal, or 40mm Type H, 10mm asphalt
 - c) Kerb and channel
 - d) 1.5m wide concrete footpaths
 - e) Court Bowls must have a minimum radius of 12.5m
- 34) All no through traffic roads must terminate with a court bowl
- 35) The Supervising Consulting Engineer shall provide to Council a report of hold points and inspections for the construction and verification that the roads and drains have been designed and constructed in compliance with the above standards, by providing a list verifying the results of all tests undertaken and corresponding results. The minimum tests required to be provided to the Responsible Authority are:
- a) Road Sub-grade (Proof Roll)
 - b) Pavement sub-base and base (density test and proof roll)
 - c) Pavement prior to sealing or asphalt application
 - d) Drainage trench and bedding
 - e) Drainage infrastructure prior to backfill
 - f) Drainage pits

Access

- 36) Vehicle access/crossing to the land is to be located, constructed and maintained to the satisfaction of the Responsible Authority.
- 37) Prior to statement of compliance the following will be constructed for

approval.

- a) Vehicle access/crossing to all lots is to be constructed in accordance with Infrastructure Design Manual Standard Drawing SD 240 or to approval of Responsible Authority.
- b) Vehicle access/crossing to the land shall be located so that adequate sight distance is achieved to comply with Australian Standard AS2890.1 :2004 Section 3.2.4 and as specified in Ausroad's Guide to Road Design Part 4A Section 3.4 - 'Sight Distance at Property Entrance'.
- c) Minimum 10.0m and 9.0m clearance shall be maintained from any road intersection and between adjacent crossovers respectively.
- d) Any proposed vehicular crossing shall have satisfactory clearance to any side- entry pit, power or Telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense.

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- 38) The final location and construction of the vehicle crossing is to be approved by the Responsible Authority via a "Consent to Work within the Road Reserve", prior to the undertaking of works.

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- *Access and Mobility*
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- 39) All footpaths shall be designed and constructed in accordance with the relevant Australian Standards, Infrastructure Design Manual [IDM] and to the satisfaction of the Responsible Authority.

- 40) Minimum width of the footpaths shall be 1.5m and are to be constructed in accordance with IDM Standard Drawings SD 205- Typical Footpath Detail.

- 41) Footpaths shall be provided along one side of newly created roads within the development site and connect to the existing Council footpath network to the satisfaction of Responsible Authority.

- 42) Before the issue of a Statement of Compliance under the *Subdivision Act* 1988, vehicle access/crossings to all lots are to be located and constructed and maintained to the satisfaction of the Responsible Authority.

Landscaping and Road Reserves

- 43) Before the plan of subdivision is certified under the *Subdivision Act 1988*, a landscaping plan for road reserves must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. This plans must comply with the Code of Practice for Management of Infrastructure in Road Reserves and shall provide following information:
- a) Plant selection, layout and planting density
 - b) Landscaping design intent
- 44) Street tree planting shall be designed to meet approximately 40% canopy coverage of new roads and must be selected and planted by a qualified horticulturist / arborist.
- 45) Any existing significant trees intended to remain must be bonded for a period of 24 months.
- 46) Before the issue of a Statement of Compliance under the *Subdivision Act 1988*, or by any later date that is approved in writing by the Responsible Authority, the landscape works shown on the endorsed landscape plans must be carried out and completed to the satisfaction of the Responsible Authority.
- 47) The landscaping is to be maintained for a period of 24 months from practical completion of the landscaping. During this period, any dead, diseased or damaged plants or landscaped areas are to be replaced to the satisfaction of the Responsible Authority.

Boundary Lines

- 48) Where a lot has significant cross fall (e.g. lots 41-45), retaining walls and associated cut and fill shall be constructed along the lot boundary line including provisions for boundary fencing to the satisfaction of the responsible authority prior to the issue of a statement of compliance under the *Subdivision Act 1988*.
- 49) All structural retaining walls shall have an engineering design and approval
- 50) Existing adjacent property boundaries that will adjoin new road reserves shall have fences replaced with a quality sound reduction product with a minimum height of 2.1m to the satisfaction of the Responsible Authority.

Linemarking and Signage

51) Before the issue of a Statement of Compliance under the *Subdivision Act 1988*, appropriate signage and linemarking throughout the development shall be provided to the satisfaction of the responsible authority

Street lighting

52) Before the issue of a Statement of Compliance under the *Subdivision Act 1988*, energy efficient LED street lighting shall be provided in accordance with the current issue of Australian standard AS/ANZ 1158 – Lighting for Roads and Public Spaces and to the satisfaction of the Responsible Authority.

53) New lighting must be located outside the clear zones and meet the standards for category P lighting.

Development Standard

54) Prior to Statement of Compliance it is the responsibility of the development to meet the relevant requirements and standards as set out in the IDM (Infrastructure Design Manual, version 5.20) to the satisfaction of the responsible authority.

Prior to Construction

55) Before the plan of subdivision is certified under the *Subdivision Act 1988* or any works start, the following items must be satisfied.

- a) Approval of the constructions plans by the Responsible Authority
- b) a pre-construction meeting shall be held with the Responsible Authority, the Contractor and the Developer/Developer's Consultant Engineer to discuss and agree on hold point inspections, roadside management, traffic management and any other construction related matters.

Completion of Construction Works

56) Before the issue of a Statement of Compliance under the *Subdivision Act 1988*, the developer must construct and complete road works, drainage and other civil works in accordance with endorsed plans and specifications approved by the Responsible Authority and in accordance with Infrastructure Design Manual. Road works, drainage and other civil works to be constructed must include:

- i) street and drainage in accordance with the approved construction drawings
- ii) road reserve landscaping in accordance with the approved landscape plans
- iii) construction of footpaths

- iv) underground drainage
- v) intersection and traffic control/mitigation measures
- vi) street lighting
- vii) signage and linemarking; and
- viii) high stability permanent survey marks
- ix) Lot access

As Constructed Plans

57) Before the issue of a Statement of Compliance under the *Subdivision Act* 1988 the Developer must provide as-constructed plans for all infrastructure created by this development and vested to the ownership and control of the Responsible Authority. Such plans shall be prepared by a registered surveyor and/or qualified Engineer and endorsed by the Developer's Consultant Engineer and the Contractor.

58) As-Constructed plans shall include:

- a) An asset statement of each street including costs
 - b) as constructed' information for the entire work in each development stage detailing information as listed in the Infrastructure Design Manual
- Information must be presented in pdf. and dwg. formats, unless otherwise agreed in writing by the Responsible Authority.

Defects Maintenance and Bond

59) Before the issue of a Statement of Compliance under the *Subdivision Act* 1988, the developer must enter into an agreement with the Responsible Authority regarding responsibilities for maintenance and correction of defects of all infrastructure works. Agreement must include the defects liability period, the amount of bond and on how the date of practical completion occurs.

60) Before the issue of a Statement of Compliance under the *Subdivision Act* 1988, the developer must provide the Responsible Authority with a maintenance bond(s) of \$5,000 or 5% of the total cost of infrastructure, whichever is greater.

The bond(s) shall be an unconditional bank guarantee or cash for the predetermined amount. The Responsible Authority will hold the bond(s) until any and all defects notified to the developer before and/or during the liability period have been made good to the satisfaction of the Responsible Authority. A request must be made to the Responsible Authority for the release of maintenance bond(s) after the defects maintenance period.

- 61) The Defects Liability Period for civil works shall be 12 months from the date of practical completion.
- 62) The Defects Liability Period for landscaping shall be 24 months from the date of acceptance at a minimum bond of \$400 per tree.
- 63) In accordance with the Subdivision Act 1989, Responsible Authority requires the following fees for works undertaken on this Subdivision.
- a) Plan checking fee of 0.75% of the value of works
 - b) Supervision fee of 2.50% of the value of works
- 64) All costs incurred in complying with the above conditions shall be borne by the permit holder.

Central Highlands Water Conditions

- 65) Any plan lodged for certification will be referred to the Central Highlands Region Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.
- 66) Reticulated sewerage facilities must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.
- 67) A reticulated water supply must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.
- 68) The owner will provide easements to the satisfaction of the Central Highlands Region Water Corporation, which will include easements for pipelines or ancillary purposes in favour of the Central Highlands Region Water Corporation, over all existing and proposed sewerage facilities within the proposal.
- 69) If required the owner will provide easements to the satisfaction of Central Highlands Region Water Corporation for pipeline or ancillary purposes through other land in the vicinity, as it is considered by the Authority that such easements may be required for the economical and efficient subdivision or servicing of or access to land covered by the subdivision.
- 70) If the land is developed in stages, the above conditions will apply to any subsequent stage of the subdivision.

Goulburn Murray Water Conditions

- 71) All works within the subdivision must be done in accordance with EPA Publication 960 "*Doing It Right on Subdivisions, Temporary Environmental Protection Measures for Subdivision Construction Sites*", September 2004.
- 72) Each lot must be provided with connection to the reticulated sewerage system in accordance with the requirements of the relevant urban water authority.
- 73) All stormwater discharged from the site must meet the urban run-off objectives and Standard C25 as specified in Clause 56.07-4 of the Victorian Planning Provisions. All infrastructure and works to manage stormwater must be in accordance with the requirements of the Responsible Authority

Country Fire Authority Conditions

Hydrants

- 74) Prior to the issue of a Statement of Compliance under the *Subdivision Act 1988* the following requirements must be met to the satisfaction of the CFA:
- a) Above or below ground operable hydrants must be provided. The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of building envelopes, the rear of the lots) must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured around lot boundaries.
 - b) The hydrants must be identified with marker posts and road reflectors as applicable to the satisfaction of the Country Fire Authority.

Roads

- 75) Roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.
- a) The average grade must be no more than 1 in 7 (14.4%) (8.1 degrees) with a maximum of no more than 1 in 5 (20%) (11.3 degrees) for no more than 50 meters. Dips must have no more than a 1 in 8 (12%) (7.1 degree) entry and exit angle.
 - b) Curves must have a minimum inner radius of 10 metres.
 - c) Have a minimum trafficable width of 3.5 metres and be clear of encroachments for at least 0.5 metres on each side and 4 metres above the access way.
 - d) Roads more than 60m in length from the nearest intersection must have a turning circle with a minimum radius of 8m (including roll-over kerbs if they are provided) T or Y heads of dimensions specified by the CFA may be used as alternatives.

Powercor Conditions

- 76) The plan of subdivision submitted for certification under the *Subdivision Act 1988* shall be referred to Powercor Australia Ltd in accordance with Section 8 of that Act.
- 77) The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards

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

79) The application shall, when required by the Distributor, set aside areas within the subdivision for the purposes of establishing a substation or substations.

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

Permit expiry

81) This permit will expire if one of the following circumstances applies:

- a) The plan of subdivision is not certified within 2 years of the date of this permit;
- b) The registration of the relevant stage of subdivision is not completed within five years from the date of certification of the plan of subdivision.

The Responsible Authority may extend the permit if a request is made in writing in accordance with Section 69 of *Planning and Environment Act 1987*.

NOTES

CFA's requirements for identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' available under publications on the CFA web site (www.cfa.vic.gov.au)

Moved: Cr John Cottrell

Seconded: Cr Greg May

Carried

ATTACHMENT 1 - RESCODE ASSESSMENT

Assessment Table – 16-59 Lot Subdivision (Clause 56)

Refer to Clause 56 of the Planning Scheme for objectives, decision guidelines and a full description of standards.

Neighbourhood Site Description Clause 56.01

Title & Objective	
<p>Subdivision site and context description</p> <p>The site and context description may use a site plan, photographs or other techniques and must accurately describe:</p>	<ul style="list-style-type: none"> • In relation to the site: <ul style="list-style-type: none"> ○ Site shape, size, dimensions and orientation. ○ Levels and contours of the site. ○ Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops. ○ The siting and use of existing buildings and structures. ○ Street frontage features such as poles, street trees and kerb crossovers. ○ Access points. ○ Location of drainage and other utilities. ○ Easements. ○ Any identified natural or cultural features of the site. ○ Significant views to and from the site. ○ Noise and odour sources or other external influences. ○ Soil conditions, including any land affected by contamination, erosion, salinity, acid sulphate soils or fill. ○ Any other notable features or characteristics of the site. ○ Adjacent uses. ○ Any other factor affecting the capacity to develop the site including whether the site is affected by inundation. • An application for subdivision of 3 or more lots must also describe in relation to the surrounding area: <ul style="list-style-type: none"> ○ The pattern of subdivision. ○ Existing land uses. ○ The location and use of existing buildings on adjacent land. ○ Abutting street and path widths, materials and detailing. ○ The location and type of significant vegetation.
	<p style="text-align: center;">✓ Complies</p> <p>Comments: - The applicant has supplied a NSD that accurately describes the surrounding area.</p>
<p>Subdivision design response</p> <p>The design response must explain how the proposed design:</p>	<p>Derives from and responds to the site and context description.</p> <ul style="list-style-type: none"> • Responds to any site and context features for the area identified in a local planning policy or a Neighbourhood Character Overlay. • Responds to any relevant objective, policy, strategy or plan set out for the area in this scheme. • Meets the relevant objectives of Clause 56. <p>The design response must include a dimensioned plan to scale showing the layout of the subdivision in context with the surrounding area.</p> <p>If in the opinion of the responsible authority this requirement is not relevant to the assessment of an application, it may waive or reduce the requirement.</p>

Title & Objective	
	<p>✓ Complies</p> <p>Comments:</p> <p>The design response appropriately responds to the surrounding area.</p>

Policy Implementation

Clause 56.02

Title & Objective	
<p>C1</p> <p>Strategic implementation objective</p>	<p>Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme.</p> <p>✓ Complies</p> <p>Comment:</p> <p>The character of the area is made up of a mix of single dwellings on large allotments and some infill residential development on small lots.</p> <p>This application proposes to create lots of a size that on balance provide a for the development of future dwellings that will fit comfortably within the context of the character of the surrounding area.</p>

Livable and Sustainable Communities

Clause 56.03

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>C5</p> <p>Built environment objective</p> <p>To create urban places with identity and character.</p>	<p>The built environment should:</p> <ul style="list-style-type: none"> • Implement any relevant urban design strategy, plan or policy for the area set out in this scheme. • Provide living and working environments that are functional, safe and attractive. • Provide an integrated layout, built form and urban landscape. • Contribute to a sense of place and cultural identity. <p>An application should describe the identity and character to be achieved and the elements that contribute to that identity and character.</p>	<p>✓ Complies</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
	<p>Comments:</p> <p>The application has been supplied with a description of how the application responds to the surrounding area.</p>	

Lot Design

Clause 56.04

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>C7</p> <p>Lot diversity and distribution objectives</p> <p>To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.</p> <p>To provide higher housing densities within walking distance of activity centres.</p> <p>To achieve increased housing densities in designated growth areas.</p> <p>To provide a range of lot sizes to suit a variety of dwelling and household types.</p>	<p>A subdivision should implement any relevant housing strategy, plan or policy for the area set out in this scheme.</p> <p>Lot sizes and mix should achieve the average net residential density specified in any zone or overlay that applies to the land or in any relevant policy for the area set out in this scheme.</p> <p>A range and mix of lot sizes should be provided including lots suitable for the development of:</p> <ul style="list-style-type: none"> • Single dwellings. • Two dwellings or more. • Higher density housing. • Residential buildings and Retirement villages. <p>Unless the site is constrained by topography or other site conditions, lot distribution should provide for 95 per cent of dwellings to be located no more than 400 metre street walking distance from the nearest existing or proposed bus stop, 600 metres street walking distance from the nearest existing or proposed tram stop and 800 metres street walking distance from the nearest existing or proposed railway station.</p> <p>Lots of 300 square metres or less in area, lots suitable for the development of two dwellings or more, lots suitable for higher density housing and lots suitable for Residential buildings and Retirement villages should be located in and within 400 metres street walking distance of an activity centre.</p>	<p>✓ Complies</p> <p>Comment: A variety of lot sizes are proposed as part of the subdivision that will allow for a diversity in housing form.</p>
<p>C8</p>	<p>An application to subdivide land that creates lots of less than 300 square metres should be accompanied by information that shows:</p>	

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>Lot area and building envelopes objective</p> <p>To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features. infrastructure and services.</p>	<ul style="list-style-type: none"> That the lots are consistent or contain building envelope that is consistent with a development approved under this scheme, or That a dwelling may be constructed on each lot in accordance with the requirements of this scheme of this standard. 	
	<p>Lots of between 300 square metres and 500 square metres should:</p> <ul style="list-style-type: none"> Contain a building envelope that is consistent with a development of the lot approved under this scheme, or If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope. <p>If lots of between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve.</p>	<p>✓ Complies</p>
	<p>Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope.</p>	<p>✓ Complies</p>
	<p>Comment: All lots are proposed to be greater than 400m² and therefore meet Garden Area requirements.</p>	
<p>C9 Solar orientation of lots objective</p>	<p>Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.</p> <p>Lots have appropriate solar orientation when:</p>	

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>To provide good solar orientation of lots and solar access for future dwellings.</p>	<p>1. The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south.</p>	<p>✓ Complies</p>
	<p>2. Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north</p>	<p>✓ Complies</p>
	<p>3. Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.</p>	<p>✓ Complies</p>
	<p>Comment:</p> <p>Lots are appropriately orientated to provide access to solar.</p>	
<p>C10 Street orientation objective</p> <p>To provide a lot layout that contributes to community social interaction, personal safety and property security.</p>	<p>Subdivision should increase visibility and surveillance by:</p>	
	<ul style="list-style-type: none"> Ensuring lots front all roads and streets and avoid the side or rear of lots being oriented to connector streets and arterial roads. 	<p>✓ Complies</p>
	<ul style="list-style-type: none"> Providing lots of 300 square metres or less in area and lots for 2 or more dwellings around activity centres and public open space. 	<p>N/A</p>
	<ul style="list-style-type: none"> Ensuring streets and houses look onto public open space and avoiding sides and rears of lots along public open space boundaries. 	<p>✓ Complies</p>
	<ul style="list-style-type: none"> Providing roads and streets along public open space boundaries. 	<p>✓ Complies</p>
	<p>Comment:</p> <p>Dwellings are proposed to front streets.</p>	

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>C11 Common area objectives</p> <p>To identify common areas and the purpose for which the area is commonly held.</p> <p>To ensure the provision of common area is appropriate and that necessary management arrangements are in place.</p> <p>To maintain direct public access throughout the neighbourhood street network.</p>	<p>An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:</p> <ul style="list-style-type: none"> The common area to be owned by the body corporate, including any streets and open space. The reasons why the area should be commonly held. Lots participating in the body corporate. The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held. 	<p>✓ Complies</p> <p>Comments:</p> <p>No common area is proposed.</p>

Urban Landscape

Clause 56.05

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>C12 Lot access objective</p> <p>To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.</p> <p>To incorporate natural and cultural features in the design of streets and public open space where appropriate.</p> <p>To protect and enhance native habitat and discourage the planting and spread of noxious weeds.</p> <p>To provide for integrated water management systems and contribute to drinking water conservation.</p>	<p>An application for subdivision that creates streets or public open space should be accompanied by a landscape design.</p> <p>The landscape design should:</p> <ul style="list-style-type: none"> Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area set out in this scheme. Create attractive landscapes that visually emphasise streets and public open spaces. Respond to the site and context description for the site and surrounding area. Maintain significant vegetation where possible within an urban context. Take account of the physical features of the land including landform, soil and climate. Protect and enhance any significant natural and cultural features. Protect and link areas of significant local habitat where appropriate. Support integrated water management systems with appropriate landscape design techniques for managing urban run-off including wetlands and other water sensitive urban design features in streets and public open space. Promote the use of drought tolerant and low maintenance plants and avoid species that are likely to spread into the surrounding environment. Ensure landscaping supports surveillance and provides shade in streets, parks and public open space. Develop appropriate landscapes for the intended use of public open space including areas for passive and active recreation, the exercising of pets, playgrounds and shaded areas. Provide for walking and cycling networks that link with community facilities. Provide appropriate pathways, signage, fencing, public lighting and street furniture. Create low maintenance, durable landscapes that are capable of a long life. <p>The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs.</p>	

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
	<p>✓ Complies</p> <p>Comment: A streetscape plan is required to be submitted to the satisfaction of the responsible authority</p>	

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>C13 Public open space provision objectives</p> <ul style="list-style-type: none"> · To provide a network of quality, well-distributed, multi-functional and cost-effective public open space that includes local parks, active open space, linear parks and trails, and links to regional open space. · To provide a network of public open space that caters for a broad range of users. · To encourage healthy and active communities. · To provide adequate unencumbered land for public open space and integrate any encumbered land with the open space network. · To ensure land provided for public open space can be managed in an environmentally sustainable way and contributes to the development of sustainable neighbourhoods. 	<p>The provision of public open space should:</p> <ul style="list-style-type: none"> · Implement any relevant objective, policy, strategy or plan (including any growth area precinct structure plan) for open space set out in this scheme. · Provide a network of well-distributed neighbourhood public open space that includes: <ul style="list-style-type: none"> · Local parks within 400 metres safe walking distance of at least 95 percent of all dwellings. Where not designed to include active open space, local parks should be generally 1 hectare in area and suitably dimensioned and designed to provide for their intended use and to allow easy adaptation in response to changing community preferences. · Additional small local parks or public squares in activity centres and higher density residential areas. · Active open space of a least 8 hectares in area within 1 kilometre of 95 percent of all dwellings that is: <ul style="list-style-type: none"> · Suitably dimensioned and designed to provide for the intended use, buffer areas around sporting fields and passive open space · Sufficient to incorporate two football/cricket ovals · Appropriate for the intended use in terms of quality and orientation · Located on flat land (which can be cost effectively graded) · Located with access to, or making provision for, a recycled or sustainable water supply · Adjoin schools and other community facilities where practical · Designed to achieve sharing of space between sports. · Linear parks and trails along waterways, vegetation corridors and road reserves within 1 kilometre of 95 percent of all dwellings. 	<p>✓ Complies</p> <p>Comment:</p> <p>Due to the relatively small nature of the subdivision, the limited catchment of residents to the subdivision and the limited connectivity an area of open space is not appropriate. A condition will therefore be included on any permit issued to require a 5% cash contribution be made</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
	<p>Public open space should:</p> <ul style="list-style-type: none"> · Be provided along foreshores, streams and permanent water bodies. · Be linked to existing or proposed future public open spaces where appropriate. · Be integrated with floodways and encumbered land that is accessible for public recreation. · Be suitable for the intended use. · Be of an area and dimensions to allow easy adaptation to different uses in response to changing community active and passive recreational preferences. · Maximise passive surveillance. · Be integrated with urban water management systems, waterways and other water bodies. · Incorporate natural and cultural features where appropriate. 	<p>✓ Complies</p> <p>Comment:</p> <p>Due to the relatively small nature of the subdivision, the limited catchment of residents to the subdivision and the limited connectivity an area of open space is not appropriate. A condition will therefore be included on any permit issued to require a 5% cash contribution be made.</p>

Access and Mobility Management

Clause 56.06

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>C15 Walking and cycling network objectives</p> <p>To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors.</p> <p>To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.</p> <p>To reduce car use, greenhouse gas emissions and air pollution.</p>	<p>The walking and cycling network should be designed to:</p> <ul style="list-style-type: none"> • Implement any relevant regional and local walking and cycling strategy, plan or policy for the area set out in this scheme. • Link to any existing pedestrian and cycling networks. • Provide safe walkable distances to activity centres, community facilities, public transport stops and public open spaces. • Provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood streets and regional public open spaces. • Provide direct cycling routes for regional journeys to major activity centres, community facilities, public transport and other regional activities and for regional recreational cycling. • Ensure safe street and road crossings including the provision of traffic controls where required. • Provide an appropriate level of priority for pedestrians and • Have natural surveillance along streets and from abutting dwellings and be designed for personal safety and security particularly at night. • Be accessible to people with disabilities. 	<p>✓ Complies</p> <p>Comment: A condition will be included on any permit issued to require a plan to be submitted to the satisfaction of the responsible authority</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>C17</p> <p>Neighbourhood street network objective</p> <p>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.</p>	<p>The neighbourhood street network must:</p> <ul style="list-style-type: none"> • 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. <p>The neighbourhood street network should be designed to:</p> <ul style="list-style-type: none"> • 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. 	<p>✓ Complies</p> <p>Comment: A condition will be included on any permit issued to require a plan to be submitted to the satisfaction of the responsible authority</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>C18</p> <p>Walking and cycling network detail objectives</p> <p>To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible for people with disabilities.</p> <p>To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.</p>	<p>Footpaths, shared paths, cycle paths and cycle lanes should be designed to:</p> <ul style="list-style-type: none"> • Be part of a comprehensive design of the road or street reservation. • Be continuous and connect. • Provide for public transport stops, street crossings for pedestrians and cyclists and kerb crossovers for access to lots. <p>Accommodate projected user volumes and mix.</p> <ul style="list-style-type: none"> • Meet the requirements of Table C1. • Provide pavement edge, kerb, channel and crossover details that support safe travel for pedestrians, footpath bound vehicles and cyclists, perform required drainage functions and are structurally sound. • Provide appropriate signage. • Be constructed to allow access to lots without damage to the footpath or shared path surfaces. • Be constructed with a durable, non-skid surface. • Be of a quality and durability to ensure: • Safe passage for pedestrians, cyclists, footpath bound vehicles and vehicles. • Discharge of urban run-off. • Preservation of all-weather access. • Maintenance of a reasonable, comfortable riding quality. • A minimum 20 year life span. • Be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with disabilities. 	<p>✓ Complies</p> <p>Comment: A condition will be included on any permit issued to require a plan to be submitted to the satisfaction of the responsible authority</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>C19</p> <p>Public transport network detail objectives</p> <p>To provide for the safe, efficient operation of public transport and the comfort and convenience of public transport users.</p> <p>To provide public transport stops that are accessible to people with disabilities.</p>	<p>Bus priority measures must be provided along arterial roads forming part of the existing or proposed Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne to the requirements of the relevant roads authority.</p> <p>Road alignment and geometry along bus routes should provide for the efficient, unimpeded movement of buses and the safety and comfort of passengers.</p> <p>The design of public transport stops should not impede the movement of pedestrians.</p> <p>Bus and tram stops should have:</p> <ul style="list-style-type: none"> · Surveillance from streets and adjacent lots. · Safe street crossing conditions for pedestrians and cyclists. · Safe pedestrian crossings on arterial roads and at schools including the provision of traffic controls as required by the roads authority. · Continuous hard pavement from the footpath to the kerb. · Sufficient lighting and paved, sheltered waiting areas for forecast user volume at neighbourhood centres, schools and other locations with expected high patronage. · Appropriate signage. <p>Public transport stops and associated waiting areas should be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with physical disabilities.</p>	<p>N/A</p> <p>Comment: The need for public transport is not triggered as a consequence of this subdivision.</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>C20</p> <p>Neighbourhood street network detail objective</p> <p>To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.</p>	<p>The design of streets and roads should:</p> <ul style="list-style-type: none"> • Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met. • Provide street blocks that are generally between 120 metres and 240 metres in length and generally between 60 metres to 120 metres in width to facilitate pedestrian movement and control traffic speed. • Have verges of sufficient width to accommodate footpaths, shared paths, cycle paths, integrated water management, street tree planting, lighting and utility needs. • Have street geometry appropriate to the street type and function, the physical land characteristics and achieve a safe environment for all users. • Provide a low-speed environment while allowing all road users to proceed without unreasonable inconvenience or delay. • Provide a safe environment for all street users applying speed control measures where appropriate. • Ensure intersection layouts clearly indicate the travel path and priority of movement for pedestrians, cyclists and vehicles. • Provide a minimum 5 metre by 5 metre corner splay at junctions with arterial roads and a minimum 3 metre by 3 metre corner splay at other junctions unless site conditions justify a variation to achieve safe sight lines across corners. • Ensure streets are of sufficient strength to: <ul style="list-style-type: none"> ○ Enable the carriage of vehicles. ○ Avoid damage by construction vehicles and equipment. • Ensure street pavements are of sufficient quality and durability for the: <ul style="list-style-type: none"> ○ Safe passage of pedestrians, cyclists and vehicles. ○ Discharge of urban run-off. ○ Preservation of all-weather access and maintenance of a reasonable, comfortable riding quality. • Ensure carriageways of planned arterial roads are designed to the requirements of the relevant road authority. • Ensure carriageways of neighbourhood streets are designed for a minimum 20 year life span. • Provide pavement edges, kerbs, channel and crossover details designed to: <ul style="list-style-type: none"> ○ Perform the required integrated water management functions. ○ Delineate the edge of the carriageway for all street users. ○ Contribute to streetscape design. • Provide for the safe and efficient collection of waste and recycling materials from lots. • Be accessible to people with disabilities. • Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met. Where the widths of connector streets do not comply with the requirements of Table C1, the requirements of the relevant public transport authority must be met. <p>A street detail plan should be prepared that shows, as appropriate:</p> <ul style="list-style-type: none"> • The street hierarchy and typical cross-sections for all street types. • Location of carriageway pavement, parking, bus stops, kerbs, crossovers, footpaths, tactile surface indicators, cycle paths and speed control and traffic management devices. • Water sensitive urban design features. • Location and species of proposed street trees and other vegetation. • Location of existing vegetation to be retained and proposed treatment to ensure its health. • Any relevant details for the design and location of street furniture, lighting, seats, bus stops, telephone boxes and mailboxes. 	<p>✓ Complies</p> <p>Comment: A condition will be included on any permit issued to require a detailed road network plan to be provided to the satisfaction of Council Engineers.</p>

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
C21 Lot access objective To provide for safe vehicle access between roads and lots.	Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.	✓ Complies
	Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets.	✓ Complies
	The design and construction of a crossover should meet the requirements of the relevant road authority.	✓ Complies
	Comments: Conditions will be included on any permit issued to require that a plan clearly identifying how access will be provided to each proposed lot will be provided to the satisfaction of the responsible authority.	

Integrated Water Management

Clause 56.07

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
C22 Drinking water objective To reduce the use of drinking water. To provide an adequate, cost-effective supply of drinking water.	The supply of drinking water must be: <ul style="list-style-type: none"> • Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority. • Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority. 	✓ Complies
	Comments: Drinking water will be required to be provided to the satisfaction of Central Highlands Water.	
	Reused and recycled water supply systems must be:	

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>C23 Reused and recycled water objective To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.</p>	Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Human Services.	Not applicable
	Provided to the boundary of all lots in the subdivision where required by the relevant water authority.	Not applicable
	Comments: Recycled water is not yet available in this area	
<p>C24 Waste water management objective To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.</p>	Waste water systems must be: <ul style="list-style-type: none"> • Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority. • Consistent with any relevant approved domestic waste water management plan. Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.	✓ Complies
	Comment Waste water disposal will be to the satisfaction of the relevant water authority.	

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>C25 Urban run-off management objectives</p> <p>To minimise damage to properties and inconvenience to residents from urban run-off.</p> <p>To ensure that the street operates adequately during major storm events and provides for public safety.</p> <p>To minimise increases in stormwater run-off and protect the environmental values and physical characteristics of receiving waters from degradation by urban run-off.</p>	<p>The urban stormwater management system must be:</p> <ul style="list-style-type: none"> • Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority. <p>Comment:</p> <p>Stormwater will be designed and disposed of to the satisfaction of Council Engineers including a requirement for post development flows to not exceed pre development flows.</p>	<p>✓ Complies</p>

Site Management

Clause 56.08

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>C26 Site management objectives</p> <p>To protect drainage infrastructure and receiving waters from sedimentation and contamination.</p> <p>To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.</p> <p>To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.</p>	<p>A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:</p> <ul style="list-style-type: none"> • Erosion and sediment. • Dust. • Run-off. • Litter, concrete and other construction wastes. • Chemical contamination. • Vegetation and natural features planned for retention. <p>Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.</p> <p>Comment:</p> <p>A construction management plan will be required as part of a condition on any permit issued to the satisfaction of the responsible authority.</p>	<p>✓ Complies</p>

Utilities

Clause 56.09

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>C27</p> <p>Shared trenching objectives</p> <p>To maximise the opportunities for shared trenching.</p> <p>To minimise constraints on landscaping within street reserves.</p>	<p>Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimize construction costs and land allocation for underground services.</p>	<p>✓ Complies</p>
	<p>Comments:</p> <p>Shared trenching will be utilised were possible to the satisfaction of the relevant authority.</p>	

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>C28 Electricity, telecommunications and gas objectives</p> <p>To provide public utilities to each lot in a timely, efficient and cost effective manner.</p> <p>To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.</p>	<p>The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.</p> <p>Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.</p> <p>The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology.</p> <p>The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.</p> <p>Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant gas supply agency.</p>	<p>✓ Complies</p>
	<p>Comments: All to the satisfaction of the relevant authority and the relevant authority who have all provided their conditional consent to the application.</p>	

Title & Objective	Standard	Complies / Does Not Comply / Variation Required
<p>C29</p> <p>Fire hydrants objective</p> <p>To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.</p>	<p>Fire hydrants should be provided:</p> <ul style="list-style-type: none"> • A maximum distance of 120 metres from the rear of the each lot. • No more than 200 metres apart. • Hydrants and fire plugs must be compatible with the relevant fire service equipment. <p>Where the provision of fire hydrants and fire plugs does not comply with the requirements of standard C29, fire hydrants must be provided to the satisfaction of the relevant fire authority.</p> <p>Comments: The CFA have consented to the application subject to the inclusion of an additional hydrant in the street frontage.</p>	<p>✓ Complies</p>
<p>C30</p> <p>Public lighting objective</p> <p>To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.</p> <p>To provide pedestrians with a sense of personal safety at night.</p> <p>To contribute to reducing greenhouse gas emissions and to saving energy.</p>	<p>Public lighting should be provided to streets, footpaths, public telephones, public transport stops and to major pedestrian and cycle paths including public open spaces that are likely to be well used at night to assist in providing safe passage for pedestrians, cyclists and vehicles.</p> <p>Public lighting should be designed in accordance with the relevant Australian Standards.</p> <p>Public lighting should be consistent with any strategy, policy or plan for the use of renewable energy and energy efficient fittings.</p> <p>Comments: A condition will be included on any permit issued requiring that appropriate street lighting be provided in accordance with current best practice to the satisfaction of the responsible authority.</p>	<p>- N/A</p>

**ATTACHMENT 2 - PA 2504 - SUBDIVISION PLAN - 17 SMITH STREET
DAYLESFORD (ISSUED UNDER SEPARATE COVER)**

**ATTACHMENT 3 - CONFIDENTIAL - PA 2504 - 17 SMITH STREET
DAYLESFORD - OBJECTIONS (ISSUED TO COUNCILLORS UNDER
SEPARATE COVER)**

**ATTACHMENT 4 - PA 2504 - 17 SMITH STREET DAYLESFORD -
VEGETATION REMOVAL (ISSUED UNDER SEPARATE COVER)**

12. OFFICERS' REPORTS

MOTION

12.1.1. *That items 12.1 through to 13.1 be moved en bloc as per the officers' recommendations outlined in the agenda*

Moved: Cr Neil Newitt

Seconded: Cr Fiona Robson

Carried

12.1. INTENTION TO DECLARE SPECIAL CHARGE SCHEME FOR SOLAR SAVERS PROGRAM

DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES

In providing this advice to Council as the Sustainability Officer, I Dominic Murphy have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to endorse and give notice of its intention to declare a special charge in accordance with Section 163 of the Local Government Act 1989, for implementation of the Solar Savers program.

BACKGROUND

Solar Savers is a program which involves Council purchasing solar photovoltaics (PV) systems for homeowners which are eligible for a rates rebate, such as pension, concession and healthcare card holders. The cost of these systems is then reclaimed through a special rates charge to the property, at 0% interest over a period of eight (8) years.

ISSUE/DISCUSSION

Solar Savers has been well subscribed and, based on high levels of interest in the previous round, Council has allocated budget in the 19/20 financial year to continue the program.

Loan terms in the prior round were ten (10) years, however State Government rebates are now reducing the capital cost and making a shorter payback period of eight (8) years possible.

The contractor for this program has been appointed after an open tender process. Homeowners have received quotations, based on the recommended system size and installation specifics for their property. They have signed an agreement to proceed with the program, pending Council approval.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2017:2021:

Strategic Objective – Sustainable Environment Key Strategic Activity:

Respond to climate change through the reduction of energy use, emissions and other resource use, and helping the community to adapt to the impacts of increase floods and fires. Undertake fire and flood risk reduction works across Council managed facilities and roads, in collaboration with other agencies and landowners to reduce fire risk to our communities.

FINANCIAL IMPLICATIONS

Council has allocated budget to deliver the program in the 2019/2020 financial year. The total cost of this round is \$102,488.52 exclusive of GST. This will be recouped over a period of eight (8) years at 0% interest, through a special rates charge tied to the participating properties.

RISK IMPLICATIONS

The successful contractor has been awarded after a full tender process. Due diligence was carried out by the Solar Savers team to ensure that the provider is capable of program delivery and that workmanship and components are to an acceptably high standard. The system warranties and contract specifics ensure that Council is not liable for system performance or failures, as all installation agreements are between property owners and the retailer or manufacturer.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

The program aims to reduce reliance on fossil fuels, through providing behind-the-meter renewable energy generation technology to vulnerable households within the Hepburn Shire. Although no legal obligation is in place relating to the financial impact on participating households, it is a core project principle that only households predicted to be at least \$100 better off annually (due to energy bill savings) would be encouraged to proceed with installation.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Eligible households were contacted directly at the beginning of the program. There has been ongoing discussion between Solar Savers administration, Council and householders while gathering information and providing quotes. Householders will also be contacted throughout the Council declaration and solar energy system installation process.

CONCLUSION

The Solar Savers program has been very well received in the community and can deliver beneficial environmental, economic and social outcomes within the

Hepburn Shire. Contract specifics and reference documents are provided as an attachment to this report.

OFFICER'S RECOMMENDATION

That Council:

- 12.1.1. *Agrees to proceed with the provided list of applicants to the Solar Savers program.*
- 12.1.2. *Gives notice of its intention to declare a special charge to the impacted properties in accordance with Section 163 of the Local Government Act 1989.*

MOTION

That Council:

- 12.1.3. *Agrees to proceed with the provided list of applicants to the Solar Savers program.*
- 12.1.4. *Gives notice of its intention to declare a special charge to the impacted properties in accordance with Section 163 of the Local Government Act 1989.*

Moved: Cr Neil Newitt

Seconded: Cr Fiona Robson

CARRIED

**ATTACHMENT 5 - CONFIDENTIAL - PROPOSED SPECIAL CHARGE
SCHEME FOR SOLAR SAVER PROGRAM (ISSUED TO
COUNCILLORS UNDER SEPARATE COVER)**

12.2. DEVELOPMENT AND COMMUNITY SAFETY REPORT

DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES

In providing this advice to Council as the Manager Development and Community Safety, I Bronwyn Southee have no interests to disclose in this report.

PURPOSE

The purpose of this report is to update Council on the activities of the Building, Environmental Health, Community Safety and the Planning units of Council.

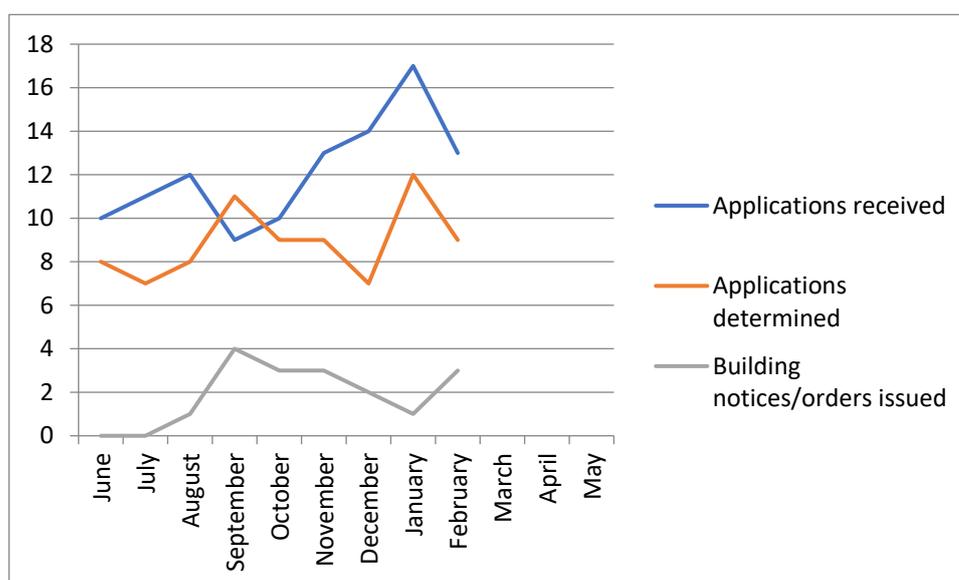
ISSUE/DISCUSSION

Building

The building activity report for February 2020 is summarised below:

Building Activity	Total
Building applications received	13
Building applications determined	9
Building notices/orders issued	3
Total development cost	\$272,108

The following graph indicates building statistics and activity for the 2019/2020 financial year. (June 2019 included):

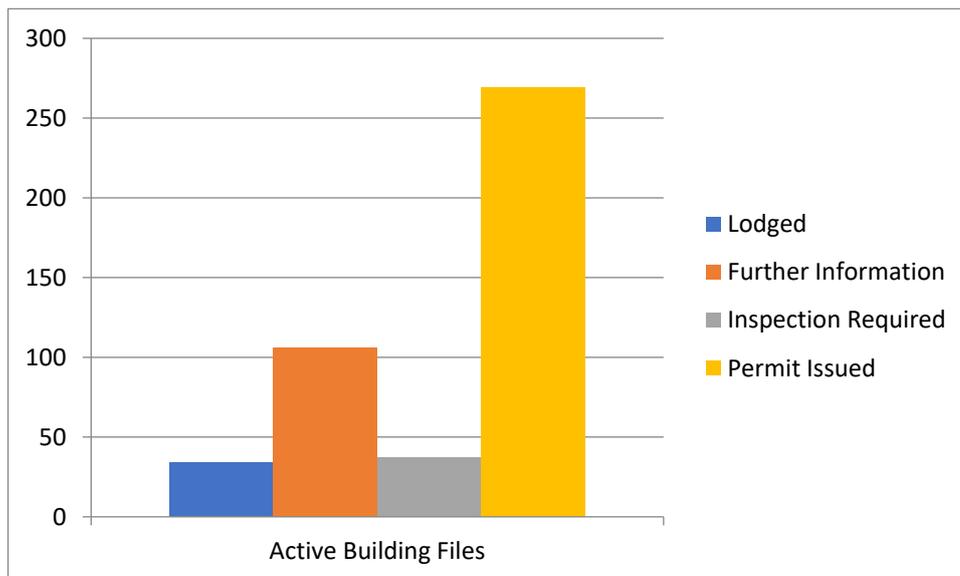


The total value of development for all Council approved building permits for the 2019/2020 financial year is \$4,684,634.00

Active Building Files

The building department has had 446 active building files over the month of February as summarised below:

Active Building Files	Total
Lodged	34
Further Information	106
Inspection Required	37
Permit Issued	269

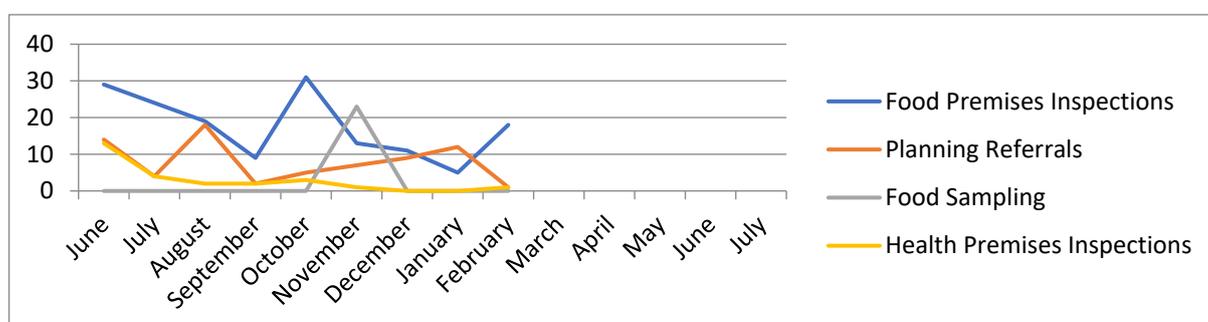


Environmental Health

The Environmental Health activity report for February 2020 is summarised below:

Environmental Health Activity	Total
Food Premises Inspections	18
Planning Referrals	1
Food Sampling	0
Health Premises Inspections	1

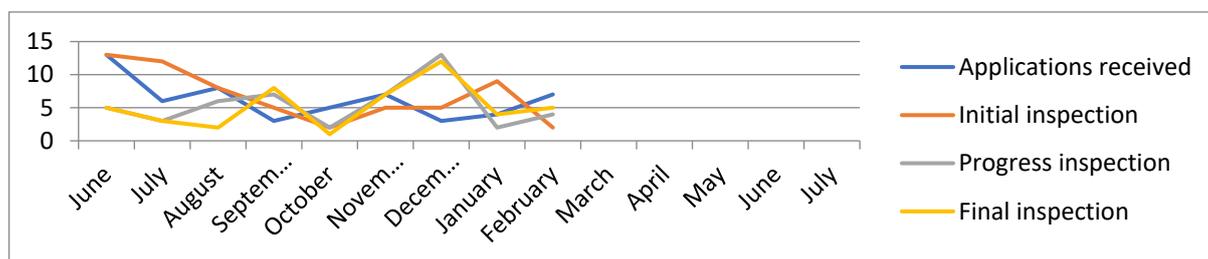
The following graph indicates environmental health statistics and activity for the 2019/2020 financial year (June 2019 included):



The Environmental Health septic tank application/inspection activity report for February 2020 is summarised below:

Septic Tank applications/inspections	Total
Applications	7
Initial inspection	2
Progress inspection	4
Final inspection	5

The following graph indicates environmental health septic tank application/inspection statistics and activity for the 2019/2020 financial year (June included):



Community Safety

The Community Safety team activity report for February 2020 is summarised below:

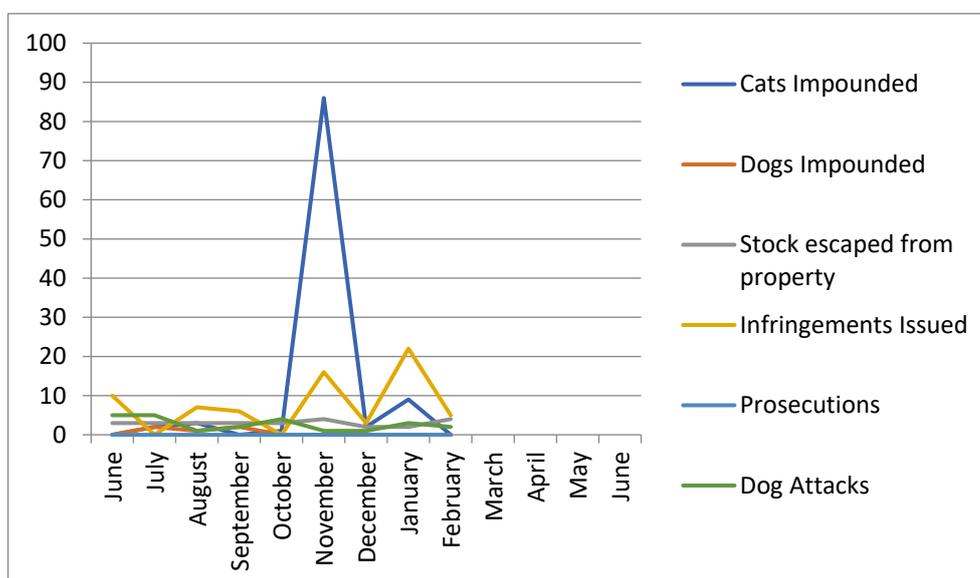
Local Laws Activity	Total
Cats Impounded	0
Dogs Impounded	0
Stock escaped from property	4
Infringements Issued	5
Prosecutions	0
Dog Attacks	2
Declarations of Menacing Dogs	0
Declarations of Dangerous Dogs	0

For the reported dog attacks, insufficient evidence was available for one of the reports and the other report was investigated. At the time of this report, the attack was not believe to be of a serious nature where prosecution or a declaration was required.

Breakdown of Infringements issued in February 2020:

Infringements	Total
Parking	0
Local Law	0
Food	1
Animal	0
Fire	4

The following graph indicates local laws statistics and activity for the 2018/2019 financial year (June 2019 included)

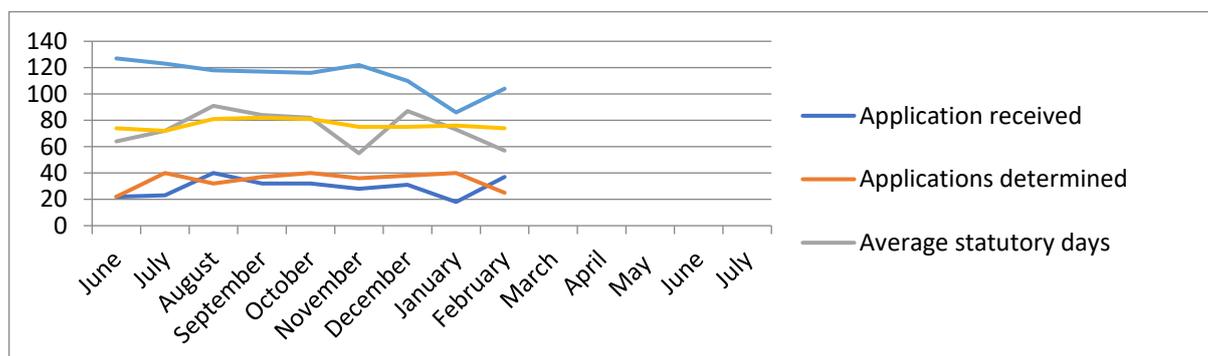


Planning

The Planning activity report for February 2020 is summarised below:

Planning Activity	Total
Applications received	37
Applications determined	25
Average statutory days for month	57
Average statutory days 19/20 financial year	74
Average statutory days 18/19 financial year	74
Outstanding applications	104

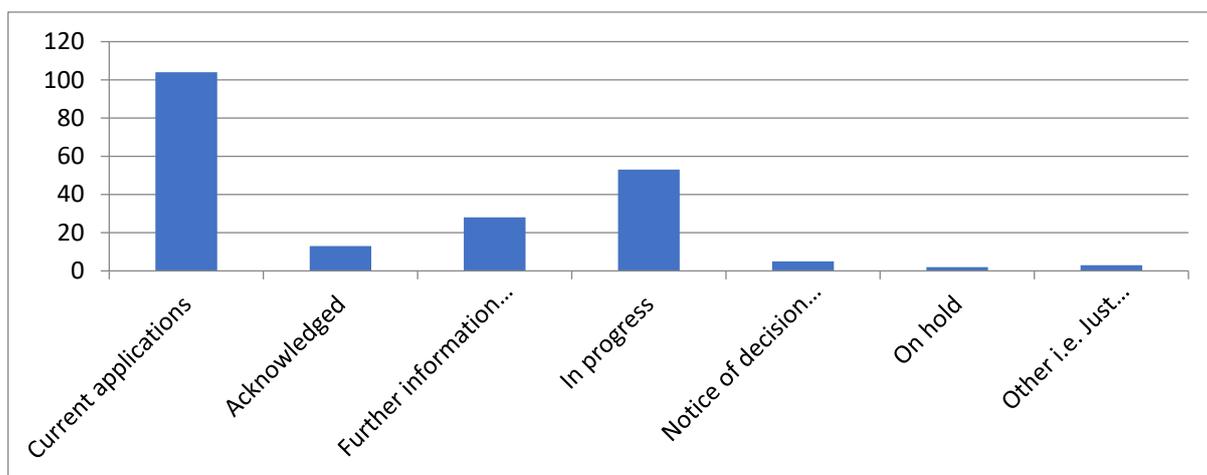
The following graph represents planning activity for the 2019/2020 financial year (June 2019 included):



A large spike in application receive coupled with a lower number of applications determined has resulting in a further increase in the number of outstanding applications

The status of all active applications as at February 2020 is summarised below:

Status of all active applications as at February 2020	
Current applications	104
Acknowledged	13
Further information request	28
In progress	53
Notice of decision pending	4
On hold	2
Other i.e. Just submitted, referred	3



Applications determined in February 2020 under delegation

A list of applications issued under delegation is included as an attachment. The breakdown of permits issued under delegation by category is listed in the table below, this includes those applications deemed as not required or withdrawn by the delegated officer.

Permits Issued by Delegated Officers	18
Notice of Decision by officer	2
Withdrawn etc.	5
Refused by Council	0

OFFICER'S RECOMMENDATION

12.2.1. That Council receives and notes the report for information.

MOTION

12.2.1. That Council receives and notes the report for information.

Moved: Cr Neil Newitt

Seconded: Cr Fiona Robson

CARRIED

**ATTACHMENT 6 - PLANNING PERMITS ISSUED UNDER DELEGATION
IN FEBRUARY 2020**

Planning Permits issued under delegation - February 2020

Application ID	Primary Property	Full Details	Decision
PlnPA002142.01	80 Lake Road, DAYLESFORD VIC 3460	Alterations and additions to an existing dwelling and associated works	Refused
PlnPA002556	22 Western Avenue, HEPBURN VIC 3461	Construction of an extension to an existing dwelling	Permit
PlnPA002549	1 Groves Street, TRENTHAM VIC 3458	Two lot subdivision	Notice of Decision
PlnPA002575	21 Table Hill Road, DAYLESFORD VIC 3460	Four lot subdivision	Permit
PlnPA002586	11 Flood Street, CLUNES VIC 3370	Construction of a single storey dwelling and shed	Permit
PlnPA002626	42 Melbourne Road, CRESWICK VIC 3363	Development of land for a two lot subdivision	Permit
PlnPA002610	80 Barhams Road, MUSK VIC 3461	Construction of an extension to an existing shed	Permit
PlnPA002608	55 Main Road, HEPBURN SPRINGS VIC 3461	Extension to existing dwelling	Permit
PlnPA002628	2 Ruthven Street, DAYLESFORD VIC 3460	Development of land for the construction of a dwelling	Permit
PlnPA002568	31 Service Street, CLUNES VIC 3370	Demolition of an ancillary outbuilding, partial demolition of the existing dwelling, construction of an ancillary outbuilding, alterations to an existir	Permit
PlnPA002442.01	1 Howe Street, DAYLESFORD VIC 3460	Lighting to external signage and mobile shelving under canopy to be turned on during store opening hours. Lighting to be located on canopy and	Withdrawn
PlnPA002623	18 Albert Street, TRENTHAM VIC 3458	4 lot subdivision	Withdrawn
PlnPA000674.02	1 Holcombe Road, GLENLYON VIC 3461	Amendment to existing permit to introduce a detached habitable building - Original Permit: Construction of Dwelling and Shed	Permit
PlnPA002643	3 Albert Street, CLUNES VIC 3370	Development of land for a three lot subdivision	Notice of Decision
PlnPA002646	19A Perrins Street, DAYLESFORD VIC 3460	Subdivision into two lots - 19A And 19B	Permit not required
PlnPA002531	1 Ajax Road, DAYLESFORD VIC 3460	Development of land for a dwelling	Permit
PlnPA002532	1 Ajax Road, DAYLESFORD VIC 3460	Development of land for a dwelling	Permit
PlnPA002592	2590 Ballan-Daylesford Road, MUSK VALE VIC 3461	Development of land for an extension to an existing shed	Permit
PlnPA001124.01	5 Heath Avenue, HEPBURN VIC 3461	Construction of a dwelling and a site cut greater than one metre. Amended Proposal - Addition of a carport, verandah and patio.	Permit not required
PlnPA002657	41 Vincent Street, DAYLESFORD VIC 3460	Display and put up advertising signage	Permit
PlnPA002315	626 Daylesford-Malmsbury Road, WHEATSHEAF VIC 3461	Use and development of a function centre, construction and display of business identification signage and the alteration of access to a Road Zone	Permit
PlnPA002649	39 Service Street, CLUNES VIC 3370	Construction of a garage	Permit
PlnPA002650	36 Golf Links Road, HEPBURN VIC 3461	Construction of an extension to an existing golf course	Permit
PlnPA002659	36 West Street, DAYLESFORD VIC 3460	Construction of a shed	Permit
PlnPA002652	25 Cemetery Road, CLUNES VIC 3370	Construction of a shed	Permit

12.3. CUSTOMER REQUESTS UPDATE – FEBRUARY 2020 DIRECTOR COMMUNITY AND CORPORATE SERVICES

In providing this advice to Council as the Director Community and Corporate Services, I Bradley Thomas have no interests to disclose in this report.

PURPOSE

The purpose of this report is to provide Council an update on customer requests received and responded to through the ‘Closing the Loop’ system, for the period ended 29 February 2020.

BACKGROUND

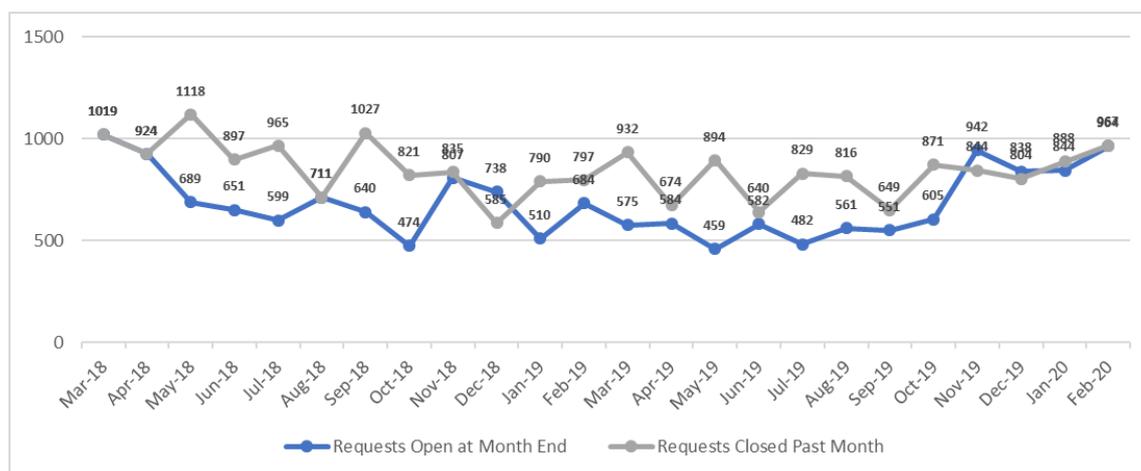
Council uses a Customer Request System *Closing the Loop* to receive and respond to a wide range of requests. The system is web-based and enables community members to directly enter requests, as well as staff to add and manage requests both in council offices as well as remotely.

In using the system, the organisation is focussed on the importance of contact with customers to close the loop on all requests and recording details of actions taken.

ISSUE/DISCUSSION

The following data provides the key indicators for the customer requests in Closing the Loop.

Total Requests Open and Closed Each Month:

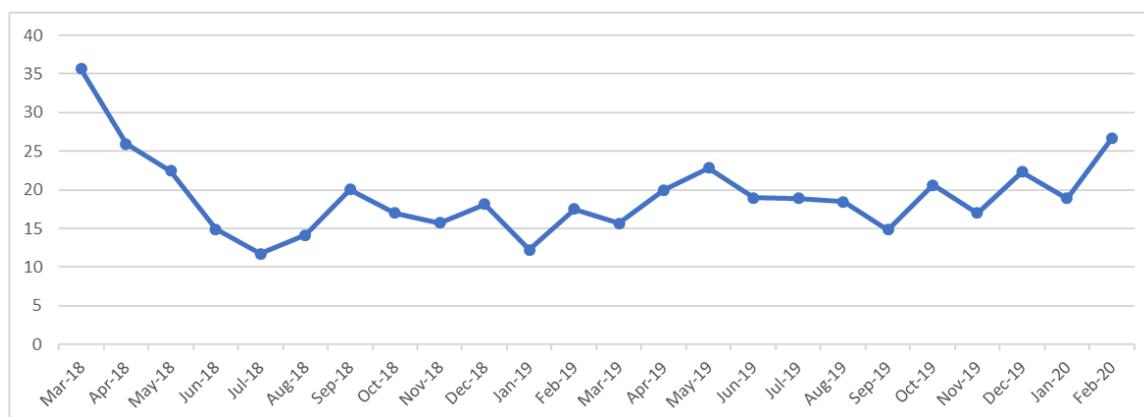


There was a spike in the number of requests in November 2019 due to requests, particularly tree repairs and roads works associated with the weather events of the 21 November 2019.

Each request is allocated a category as the type of request, with the following detailing the top categories of open requests for the last six months:

Category	Sept	Oct	Nov	Dec	Jan	Feb
Call back	216	242	334	321	404	413
Roads and Footpaths	60	64	132	93	107	84
Parks and Open Space	30	41	88	62	65	79
Information Technology (internal)	55	76	91	68	83	81
Development - Planning, Building and Septics	45	45	51	48	69	63
Other	145	137	246	246	247	244
Total	551	605	942	838	975	964

Average Days to Close Requests



Over the last 12 months the average days to closed has ranged between 14.85 and 26.63 – with an average of 19.60.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2017-2021:

Strategic Objective: High Performing Organisation Key Strategic Activity:

Enhance our processes and systems to deliver Excellent Customer Service.

To achieve this, we will focus on internal collaboration and new ways of working, combined with a continued focus on effective and timely communications, engagement and consultation. We will focus on achieving higher customer satisfaction through making it easier to work with Council and by closing the loop on requests received from our community and other customers.

Action: 12.06 Set improvement targets for timeframes for responding to customer inquiries and requests.

Key Strategic Indicator: Average Days to Close External Customer Requests

FINANCIAL IMPLICATIONS

Responding to customer requests is managed within the annual budget.

RISK IMPLICATIONS

Customer requests relate to a range of different matters and risks. Effective processes for managing and responding to requests is an important part of Council's control framework.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

No specific matters noted.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Customer requests are an important mechanism to engage on a range of matters. This report enables Council to inform the community on the volumes of received and processed requests.

CONCLUSION

Council manages and responds to customer requests using the Closing the Loop system, including a focus on actively closing the loop with contacting customers. The above summary information has been provided for Council's information.

OFFICERS RECOMMENDATION

12.3.2. That Council notes the update on customer requests for February 2020

MOTION

12.3.1. That Council notes the update on customer requests for February 2020

Moved: Cr Neil Newitt

Seconded: Cr Fiona Robson

Carried

12.4. ABORIGINAL PEOPLES MEMORIAL AVENUE DIRECTOR CORPORATE AND COMMUNITY SERVICES

In providing this advice to Council as the Arts, Culture and Reconciliation Officer, I Donna Spiller have no interests to disclose in this report.

PURPOSE

The purpose of this briefing is to respond to a Council Resolution and provide further detail, including a project scope for an Aboriginal Peoples Memorial Avenue and to seek Council's support to progress the project accordingly.

BACKGROUND

Council adopted its first Reconciliation Action Plan (RAP) in 2018. A RAP Advisory Committee has been reappointed by Council in May 2019 to provide advice on the implementation of the RAP and other reconciliation matters.

The Reconciliation Action Plan Advisory Committee (RAP AC) made a recommendation to Council at the October Council Meeting 2019 to consider an Aboriginal Peoples Memorial Avenue to be established and launched as part of Council's activities for National Reconciliation Week (NRW) 2020.

Council's motion was:

That Council receives a report at a future Ordinary Meeting of Council to consider the recommendation from the Reconciliation Action Plan Advisory Committee to "prepare a site and create an appropriate Memorial (Avenue of Honours) for Aboriginal healing, utilising an existing avenue of native trees".

ISSUE/DISCUSSION

The RAP AC have recommended that an existing line of Eucalyptus Trees (Mana Gums – Eucalyptus Viminalis) on the Daylesford-Malmsbury Road be dedicated as an Aboriginal Peoples Memorial Avenue honouring the lives, sacrifice and suffering inflicted on Aboriginal people. Erica Higgins (RAP AC member) outlined the history of frontier wars and why a Memorial Avenue is appropriate to the Committee.

The Memorial Avenue would be a gesture of reconciliation and acknowledgement by the Hepburn Shire Council and local community. The project would include:

- Site tidy-up and tree trimming by Council's Parks and Open Spaces Team;
- Acknowledgement signage designed and installed;
- Planting of one new tree, designing and hosting an acknowledgement ceremony during National Reconciliation Week as a community event, potentially including a Welcome to Country ceremony;
- Communications and promotion of the event and Memorial Avenue; and

- On-going maintenance of the site by Council's Parks and Open Spaces team

Daylesford-Malmsbury Road is managed by VicRoads. A site meeting has been conducted by the Arts, Culture and Reconciliation Officer and a VicRoads representative. The site has been inspected and VicRoads have given written approval that the site is acceptable according to their safety criteria and made recommendations and provided a checklist regarding signage placement and style. Further approval of signage will be required prior to installation.

Dja Dja Wurrung Clans Aboriginal Council (DDWCAC) have been informed that the project is being scoped and offered the opportunity for comment, and potential engagement for tree works and cultural services through their enterprise arm, Djandak. The Traditional Owners and broader Aboriginal community will be invited to attend and participate in the opening ceremony.

The Memorial would contribute to meeting two Actions and Deliverables in the Reconciliation Action Plan (RAP).

- Action 3. Participate in and celebrate National Reconciliation Week (NRW)
- Action 15. Investigate opportunities to promote community dialogue on Aboriginal and Torres Strait Islander histories in our Shire

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2017:2021:

Strategic Objective – Active & Engaged Communities Key Strategic Activity:

Support the strength and resilience of the community through delivering actions in areas such as Youth, Libraries, Early Years, Community Planning, Art and Culture, Events and Community Grants. Monitor emerging social issues impacting the community and demonstrate leadership in advocating to government and other agencies to support the community.

FINANCIAL IMPLICATIONS

Hepburn Shire Parks and Open Spaces team have determined that the Memorial Avenue would require the following funding;

- approximately \$10,000 initial investment of retention pruning/deadwood and safety works.
- If Council assumed responsibility for the maintenance of this area from VicRoads (as per other Memorial Avenues) an ongoing maintenance budget of approximately \$5,000 annually would be required.

The initial \$10K investment could be funded (in part) through the RAP implementation budget with 5K contribution. A mid-year budget bid for a further \$5K was approved by Council at the February Ordinary Meeting.

Ongoing maintenance costs would need to be funded through the Parks & Open Spaces maintenance budget from 2020-2021 onwards.

All other costs such as advertising, signage, Welcome to Country and Cultural Services would be funded from the existing RAP implementation budget.

RISK IMPLICATIONS

Arborist assessment may determine these trees are inappropriate as a memorial due to condition/age of trees.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

This project may have very positive social implications in terms of social inclusion by increasing understanding of shared histories and in turn strengthening our community.

CONCLUSION

The existing Mana Gums on the Malmsbury-Daylesford Road have been identified as a site for a recommended Memorial Avenue. The Aboriginal Peoples Memorial Avenue is an opportunity to honour the loss of lives, the sacrifice and suffering inflicted on Aboriginal people during the frontier wars.

OFFICER'S RECOMMENDATION

12.4.1. That Council authorise the preparation of the identified site to create an appropriate Memorial (Avenue of Honour) for Aboriginal healing, utilising an existing avenue of native trees.

MOTION

12.4.1. That Council authorise the preparation of the identified site to create an appropriate Memorial (Avenue of Honour) for Aboriginal healing, utilising an existing avenue of native trees.

Moved: Cr Neil Newitt

Seconded: Cr Fiona Robson

Carried

12.5. DRAFT DOUG LINDSAY RECREATION RESERVE MASTERPLAN DIRECTOR COMMUNITY AND CORPORATE SERVICES

In providing this advice to Council as the Project Officer, I Kathie Schnur have no interests to disclose in this report.

PURPOSE

The purpose of this report is to seek Council endorsement of the draft Doug Lindsay Recreation Reserve Masterplan (attached) and confirm approval to release for community consultation.

BACKGROUND

The Doug Lindsay Recreation Reserve is predominantly an active recreation reserve accommodating:

- Australian Rules Football, Netball, Soccer and Lawn Bowls activities.
- Informal active recreation opportunities such as walking, free ball play and fitness training.
- Community events.

The draft Masterplan will form the basis for staging of the works, informing future budget considerations and external funding opportunities.

The draft Masterplan aims to increase the use and enjoyment of the reserve by a range of users and ensure appropriate infrastructure is provided to support a healthy, active, engaged and safe community.

The objectives of the masterplan include:

- Enhance the capacity of the Doug Lindsay Recreation Reserve (Reserve) to be used for active, structured and unstructured sports and improve the quality of the sports infrastructure.
- Enhance the role of the community, improve the user experience and safety in the Reserve by promoting higher levels of use and surveillance.
- Explore and support a diverse range of public open space experiences through other community or sporting uses of the Reserve.
- Provide passive recreation opportunities at the Reserve including walking, cycling, running, playing, picnicking and nature-based recreation opportunities by providing better linkages to and through the Reserve via a path network.
- Improve and control vehicle movement and car parking.
- Improve the appearance, shade and biodiversity values by tree and other vegetation planting along the creek and throughout the Reserve.

ISSUE/DISCUSSION

The Masterplan considers the entire site (approximately 16 hectares) including the creek to the north and west and open space to the north and east of the sports infrastructure (adjoining Elizabeth Road and Lutet Street).

The Draft Masterplan proposes solutions to the following issues:

- Definition of vehicle and pedestrian access and entries.
- Definition of car-parking areas.
- Improvements to the use of the reserve primarily via passive recreation opportunities (walking, running, cycling).
- Improvements to drainage.
- Sustainability initiatives such as potable water substitution (irrigation), revegetation and tree planting for habitat, shade and carbon capture.
- Location of new sports facilities (such as the second bowling green, change rooms, cricket nets) with allowance for future facilities to be located on-site.
- Improvements to clubroom / change-room facilities / multi-purpose facility to support several sport and non-sport uses.
- Improvements to appearance and landscaping of the reserve.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Council Plan 2017:2021:

Strategic Objective – Quality Community Infrastructure Key Strategic Activity:

- Responsibly manage our assets portfolio including roads and transport infrastructure, buildings, recreation and sporting facilities and public toilets by inspecting and monitoring maintenance and renewal needs. This is achieved through planning for and implementing asset renewal and upgrade programs or new facilities that meet community expectations such as hubs, streetscapes, roads and building assets.
- Provide great community Parks and Open Spaces by greening our streets, managing tree safety and improving our town entrances, sporting ovals, botanic gardens and passive recreation spaces.

Strategic Objective – Active & Engaged Communities Key Strategic Activity:

- Improve community amenity and accessibility in all public spaces,
- through effective local laws review and enforcement implementation of Access and Inclusion Plan actions and monitoring property owner's compliance with the planning scheme and heritage requirements.
- Take action to encourage improved health and wellbeing to residents and to reduce the risks associated with obesity and poor nutrition. This includes the provision, development and promotion of passive and active recreation facilities and options, and working with clubs and other agencies on planning for future developments and encouraging increased activity.

FINANCIAL IMPLICATIONS

The draft Doug Lindsay Recreation Reserve Masterplan contains recommended improvement projects which the timing of delivery will depend upon further evidence base, financial business case development, budget development and external funding availability.

RISK IMPLICATIONS

To mitigate the risk of delaying the delivery of key future reserve development opportunities, it is crucial to progress the draft Doug Lindsay Recreation Reserve Masterplan to build an overarching basis for the future development of the reserve and, supporting key projects such as the upgrade of sportsground drainage and enhancing informal active recreation opportunities within the Reserve.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Council's provision of relevant and high-quality community places and spaces has positive implications to the environmental, social and economic features of a local community to continuously develop essential health and wellbeing outcomes.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The draft Masterplan has been reviewed by relevant Council officers and key Reserve stakeholders to confirm key functional and spatial issues, however broader consultation with the local community is yet to be undertaken.

Further community consultation through a community forum and making the draft master plan available on Council's website for comment will commence in April 2020, and will remain open for 4 weeks, if Council support the release of the draft Masterplan.

Following the second phase community consultation period, a final version of the masterplan will be presented to Council for consideration of adoption.

CONCLUSION

To date, comprehensive key stakeholder consultation has driven the development of the draft Doug Lindsay Recreation Reserve Masterplan to provide a future direction and long-term planning framework to complement the existing and any anticipated future use of the Reserve.

Whilst the draft Masterplan has been informed through key stakeholder consultation, the broader local community is yet to have the opportunity to be consulted to further inform Masterplan outcomes.

With Council's support to release the draft Masterplan for further community consultation, Council Officers will develop a community engagement plan to be delivered throughout April 2020.

Following the final phase of community consultation, the final draft Doug Lindsay Recreation Reserve Masterplan will be presented to Council for consideration of adoption.

OFFICER'S RECOMMENDATION

12.5.1. The Council endorse the Draft Doug Lindsay Recreation Reserve Masterplan for community consultation.

MOTION

12.5.1. The Council endorse the Draft Doug Lindsay Recreation Reserve Masterplan for community consultation.

Moved: Cr Neil Newitt

Seconded: Cr Fiona Robson

Carried

**ATTACHMENT 7 - DOUG LINDSAY RECREATION RESERVE MASTER
PLAN (ISSUED UNDER SEPARATE COVER)**

12.6. HEPBURN HUB AT THE REX: PROJECT UPDATE REPORT MARCH 2020 DIRECTOR INFRASTRUCTURE & DEVELOPMENT SERVICES

In providing this advice to Council as the Director Infrastructure & Development Services, I Bruce Lucas have no interests to disclose in this report.

PURPOSE

The purpose of this report is:

- to provide an appropriate level of information to allow Council to properly monitor the progress of the project against the Project Plan endorsed on the 18 February 2020.
- to acquit Council's resolution that management provide periodic reporting to Council on the progress of the Hepburn Hub at the Rex.

BACKGROUND

On the 18 February 2020 Council endorsed the Project Plan for the Hepburn Hub at the Rex setting out the governance for the project. This included the project scope, budget, funding, program and management.

In summary, the Project Scope includes a library, community auditorium, coworking space, customer service and council offices. The Project Budget is \$6.390M and it is scheduled to be completed by the 21 April 2021.

The development of the Hepburn Hub at the Rex (the project) has recommenced under the administration of the Project Control Group (PCG) in accordance with the resolutions of the 18 February 2020.

In summary, the total project scope, budget and program remain unchanged. The first part of the program has been delayed somewhat by the requirement to procure the consultant services in accordance with Council's Procurement Policy as per independent advice, however, it is envisaged this time can be made up during construction.

With a view to progressing these appointments, the scope of consulting services is being clarified and has been divided into two stages:

- The first stage includes resolving the issues identified by the Relevant Building Surveyor with the current works as outlined in the Building Order received by council on the 10 March 2020.
- The second stage includes the preparation of documents so that the works can be tendered and constructed.

In terms of stakeholders, detailed briefs are currently being developed in consultation with representative groups for presentation and endorsement by the PCG. This will then form the consolidated brief to the consultants outlining the services and deliverables required by council.

In terms of construction it is intended that the works required to bring the existing construction into conformance with the existing building permit shall be completed on site over the next quarter. Further, a tender process will be well underway with a view to appointing a contractor in August 2020.

ISSUE/DISCUSSION

As at the end of February the Project Control Group advises that: the project scope remains unchanged at 2,166 Sqm of enclosed space; the budget remains unchanged at \$6.390M and; the Date for Practical Completion of construction remains unchanged at the 8 April 2021. (Refer **Table 1** below).

Table 1 Project Plan Summary

Project Metric	Current Endorsed Metric	Current Forecast Outcome	Current Forecast Variance
Project Scope (Enclosed Area)	2,166 Sqm	2,166 Sqm	NIL Sqm
Project Budget (Estimate Cost)	\$6.390M	\$6.390M	NIL \$M
Project Program (Date for PC)	08/04/21	08/04/21	NIL Weeks

PROJECT SCOPE

The endorsed project scope remains unchanged with an enclosed area of 2,166 Sqm.

PROJECT BUDGET

The forecast cost to complete the project remains unchanged at \$6.390M. The risks to this forecast are being managed by the PCG within the endorsed budget. They are associated with the assumptions included in the budget calculation including that:

- the cost of the existing works is aligned with the valuation of the quantity surveyor.
- the cost of rectifying the noncompliant works on site can be managed within the future works.
- The costs of furniture, fittings and equipment (FFE) and Information & Communication Technology (ICT) are within the high-level estimates

PROJECT PROGRAM

The endorsed Date for Practical Completion is 8 April 2021 and remains unchanged.

Foreshadowed activities include:

Fee proposals to be sought from consultants, in accordance with the Procurement Policy, to document Stage 1 Early Works and to respond to the Building Notice

- Building works to be (re) commenced to rectify the non conforming works so that the Building Notice can be withdrawn; to achieve certification from key contractors and; to obtain a Certificate of Final Inspection
- Fee proposals to be sought from consultants, in conformance with the Procurement Policy, to document Stage 2 Main Works
- Functional briefs to be confirmed with stakeholder groups
- Outstanding contractual commitments from the earlier works to be settled.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

A survey of the project has reconfirmed its alignment with the strategic objectives outlined in the Council Plan, in particular:

Council Plan 2017:2021:

Strategic Objective – Quality Community Infrastructure Key Strategic Action:

- 1.8 *“Implement the Hepburn Hub at The Rex and Daylesford Town Hall to deliver improved community spaces including theatre, swimming pool, library, meeting rooms and council services.”*

FINANCIAL IMPLICATIONS

On the 18 February 2020 Council resolved:

12.7.7 Adopts a Project Budget of \$6.390M which is inclusive of the Community Auditorium seating.

12.7.8 Notes the current Project Funding of \$3.378M including expenditure of \$1.695M and residual funding of \$1.682M (as at the 30 June 2019).

12.7.9 Notes the required additional project funding of \$3.012M and refers this to the forward capital works plan for consideration in the 2020/21 budget process.

12.7.10 Agrees this additional funding will be financed through a loan facility.

Provided the forecast project costs remain within the project budget and funding there shall be no further financial implications for council. This risk is being managed by the Project Control Group and monitored by Council with regular reporting to Council.

RISK IMPLICATIONS

Now the Project Plan has been endorsed the project risks are associated with deviations from the endorsed scope, budget and program:

- Scope Risk: That the scope will deviate from the endorsed scope
- Budget Risk: That the budget will deviate from the endorsed budget
- Program Risk: that the timeline will deviate from the endorsed program
These risks are being managed by the PCG and monitored by council monthly.

The other risks are associated with the procurement of the project and are associated with technical and contractual issues. These risks include among other things:

- Acceptance Risk: that the stakeholders do not accept the built facility as fit for purpose
- Design Risk: that the design does not encapsulate the scope accurately
- Procurement Risk: that the tendered prices do not reflect the construction budget.
- Construction Risk: that the building works deviate from the design documents

These risks are being managed by the PCG and monitored by council monthly.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

The project is expected to derive a number of social, environmental and economic benefits for Council and its community. The project will:

- deliver improved Council services and community outcomes,
- be more cost efficient for Council and its ratepayers,
- be accessible to all
- demonstrate environmental sustainability initiatives.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The community has been notified of Council's decision to recommence the project at the 18 February meeting.

Further, meetings have been held with all the stakeholder groups to ensure that their requirements are included in the Functional Brief. This includes the Daylesford Cinema to ensure their technical requirements are accommodated.

The feedback from all the internal and community stakeholders has been positive and reflect an eagerness to see the project completed.

CONCLUSION

There are no current changes to the project scope, budget and program.

Now that the Building Notice has been received, the early works to address the issues raised can be completed by the existing subcontractors.

Before further works can be completed the following items need to be addressed:

1. reengagement of consultant team
2. amendment of the existing permit to the Stage 1 Early Works
3. issuance of a building permit for the Stage 2 Main works

OFFICERS RECOMMENDATION

12.6.1. That Council notes the report

MOTION

12.6.1. That Council notes the report

Moved: Cr Neil Newitt

Seconded: Cr Fiona Robson

Carried

12.7. CHIEF EXECUTIVE OFFICER'S REPORT

OFFICER'S RECOMMENDATION

12.7.1. That Council receives the Chief Executive Officer's Report for March 2020.

MOTION

12.7.1. That Council receives the Chief Executive Officer's Report for March 2020.

Moved: Cr Neil Newitt

Seconded: Cr Fiona Robson

Carried

ATTACHMENT 8 - CHIEF EXECUTIVE OFFICERS REPORT

CHIEF EXECUTIVE OFFICER REPORT

Presented at the Ordinary Meeting
of Council on 17 March 2020

The CEO Report is a monthly report to inform Council and the community of current issues, initiatives and projects undertaken across Council.

CEO Update

WEEK ENDING 23 FEBRUARY 2020

Tuesday 18 February was Council meeting day, so the day consisted of pre-council meetings followed by the Council meeting that night. The agenda attracted a large gallery audience, and Council adopted some very significant reports:

- Hepburn Planning Scheme Review
- Local Law No. 2
- Awarding the tender for the design of the Trentham Hub
- Awarding the tender for the works on the Trentham Streetscape
- Awarding the tender for the works on the Trentham Integrated Children's Facility
- Endorsement of the Trentham Recreation Reserve Masterplan
- Endorsement of the design for the Trentham Recreation Reserve Pavilion
- New project scope for the Hepburn Hub at the Rex including \$3.012 million in funding.

On Wednesday and Thursday, I attend the Local Government Professionals Annual Conference. On Friday I met with the Chief Financial Officer and the Principal of Wesley College at their Melbourne Campus, and following this, I attended a Regional Council Transformation Project meeting in Ballarat.

WEEK ENDING 01 MARCH 2020

I started the week with a meeting with Trevor Shard, Chair of the Audit, Risk and Advisory Committee (ARAC), followed by an ARAC on Monday afternoon.

On Tuesday I had my weekly meeting with the Mayor and Deputy Mayor, and I spent the remainder of the day in the office catching up on administrative tasks.

On Wednesday morning I had my one-on-one meeting with the Manager of People & Culture, followed by a meeting with a representative from the Victorian Chamber of Commerce and Industry. On Wednesday afternoon I had my weekly Executive Team meeting.

▶ CEO REPORT

On Thursday I participated in an all-day Occupational Health & Safety training session. This important training was mandatory for Managers, Coordinators and Team Leaders and was run over two days. We learnt about our legislative responsibility, management responsibility, employee responsibility and how to identify a risk, rate a risk for consequence and likelihood, and how to mitigate it. We want our staff to go home in the same condition they came to work.

On Friday, Council hosted the Loddon Campaspe Councils CEO's & Mayor's meeting at the Daylesford Town Hall. Pictured here are the Loddon Campaspe Mayors.



Following this meeting, I participated in a Rural Council's Regional Transformation meeting.

My last meeting of the day was offsite at the Clunes Free Lending Library.

WEEK ENDING 08 MARCH 2020

My first meeting on Monday morning was a budget review meeting. That afternoon I participated in a meeting with representatives from the Department of Environment, Land, Water and Planning, to discuss Trentham Committees of Management, followed by a phone conference with Maddocks regarding the Hepburn Hub at The Rex.

Tuesday was spent in an all-day confidential Council Briefing.



Wednesday was World Obesity Day, and alongside Central Highlands of Victoria community leaders, the #iCareCentral Highlands Pledge was launched in Ballarat.

The #iCareCentralHighlands Pledge is a call to action to leaders from business, industry, sporting and community organisations to step up and

show leadership by pledging a personal commitment and specific actions to support a wellbeing future for everyone. Pictured here is Sara Quon (Sovereign Hill CEO) and Michael Poulton (Committee for Ballarat CEO).

Following the pledge, I attended the official opening of the four purpose-built affordable housing dwellings in Clunes. Council partnered with national not for profit housing provider, Community Housing Limited (CHL), to deliver this project, and Council provided funding of \$589,000.

On Wednesday afternoon I participated in the weekly Executive Team meeting.

On Thursday morning I had several internal meetings, and that afternoon I attended our All Staff meeting in Creswick.



▶ CEO REPORT

Congratulations to Dannielle (Danni) Kraak on her well-deserved CEO Award. Over the past 2 months, in addition to her substantive Executive Assistant role, Danni has been called upon to provide Executive Support to numerous teams within the Community and Corporate Services unit. In a very short time, Danni has demonstrated her value to the team and organisation.



On Thursday evening I attended the International Women's Day event in Clunes where the inductees to the Heather Mutimer Honour Roll for 2020 were:

- Arlene Geoffrey
- Dallas Kinnear
- Loretta Little
- Sarah Glenny (posthumous)



On Friday I attended a Central Highlands Regional Partnership Strategic meeting in Ballarat. AusNet Services Western Victoria met with myself and other staff to discuss their transmission project, I met with two of my direct reports to conduct their end of year performance reviews (PEP talks), and finished the day at a CEO's meeting in Ballarat to discuss the Regional Councils Transformation Project.

WEEK ENDING 15 MARCH 2020

Monday was a public holiday (Labour Day).

On Tuesday morning I met with the Mayor and Deputy Mayor before spending the remainder of the day in a confidential Council briefing.

I attended a toolbox meeting with the Works team first thing on Wednesday morning, followed by two internal meetings, and the Executive Team meeting on Wednesday afternoon.

On Thursday I travelled to Melbourne for a meeting with the CEO of Moreland City Council, Cathy Henderson, and that afternoon I attended the Municipal Association of Victoria (MAV) CEO Forum.

On Friday I participated in the Rural Council's Committee meeting in Melbourne.

WEEK ENDING 22 MARCH 2020

On Monday, the Executive Team held two meetings to discuss the guidance we are receiving from the relevant Government authorities regarding the Coronavirus, COVID-19.

<https://www.dhhs.vic.gov.au/victorian-public-coronavirus-disease-covid-19>

<https://www.betterhealth.vic.gov.au/health/conditionsandtreatments/novel-coronavirus>

Although at the time of writing this there are no known cases of COVID-19 within our Shire, the impacts of Coronavirus are becoming more evident as time goes on.

The remainder of the week's activities will be included in the CEO Report being presented at the April 2020 Council meeting.

12.8. RECORD OF ASSEMBLIES OF COUNCILLORS DIRECTOR COMMUNITY AND CORPORATE SERVICES

In providing this advice to Council as the Manager Governance and Risk I Krysten Forte have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to receive and note Assemblies of Councillors.

BACKGROUND

The Local Government Act 1989 defines an Assembly of Councillors as:

...a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be:

- the subject of a decision of the Council; or*
- subject to the exercise of a function, duty of power of the Council that has been delegated to a person or committee –*

but does not include a meeting of the Council, a special committee of the Council, as audit committee established under Section 139, a club, association, peak body, political party of other organisation.

ISSUE/DISCUSSION

The *Local Government Act 1989* (as amended) requires the record of an Assembly of Councillors to be:

- Reported at an Ordinary Meeting of the Council; and
- incorporated in the minutes of that Council Meeting.

For this purpose, the following records of Assemblies of Councillors are reported:

Date	Committee Name	Location
18 February 2020	Pre-Ordinary Council Meeting	Daylesford Town Hall
3 March 2020	Councillor Briefing	Town Hall Chambers
10 March 2020	Councillor Briefing (Budget)	Town Hall Chambers

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Local Government Act 1989, Section 80A

FINANCIAL IMPLICATIONS

Nil

RISK IMPLICATIONS

There are implications with regards to Council's compliance with the *Local Government Act 1989* (as amended) if written records of Councillor Assemblies are not reported to Council.

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

The inclusion of the attached record of Councillor Assemblies in the Council Agenda and their availability to the public will increase awareness of the activities of Council and could increase community involvement in decision making at Council level.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Using Council's adopted Community Engagement Framework, International Public Participation Consultation, this report presents information via the Council Agenda.

CONCLUSION

Information provided for noting.

OFFICER'S RECOMMENDATION

12.8.1. That Council receives and notes the Records of Assemblies of Councillors report.

MOTION

12.8.1. That Council receives and notes the Records of Assemblies of Councillors report.

Moved: Cr Neil Newitt

Seconded: Cr Fiona Robson

Carried

ATTACHMENT 9 - RECORDS OF ASSEMBLIES OF COUNCILLORS

RECORD OF ASSEMBLY OF COUNCILLORS

This record is required under Section 80A of the *Local Government Act 1989*

Title of Meeting: Pre-Council Meeting Briefing
Date: 18 February 2020
Time: 3pm- 6pm

Venue: Council Chamber Daylesford
 Senior Citizens Centre Daylesford
 Other (Town Hall Daylesford)

Councillors present:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Cr John Cottrell | <input checked="" type="checkbox"/> Cr Greg May |
| <input checked="" type="checkbox"/> Cr Don Henderson | <input checked="" type="checkbox"/> Cr Neil Newitt |
| <input checked="" type="checkbox"/> Cr Kate Redwood AM | <input checked="" type="checkbox"/> Cr Fiona Robson |
| <input checked="" type="checkbox"/> Cr Licia Kokocinski | |

Members of Council Staff present:

- | | |
|---|--|
| <input checked="" type="checkbox"/> CEO Evan King | <input checked="" type="checkbox"/> Other, please specify: EA Community and Corporate Services –Senior Planner - Alison Blacket, Coordinator Planning – Nathan Aikman. |
| <input checked="" type="checkbox"/> Director Community & Corporate Services
Bradley Thomas | |
| <input checked="" type="checkbox"/> Director Infrastructure and Development
Services Bruce Lucas | |

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned

Matters Considered: Council Meeting 18 February 2020

Name and title of Officer responsible for this written record:

- | | |
|---|---|
| <input type="checkbox"/> CEO Evan King | <input type="checkbox"/> Other, please specify: |
| <input checked="" type="checkbox"/> Director Community & Corporate Services
Bradley Thomas | |
| <input type="checkbox"/> Director Infrastructure and Development
Services Bruce Lucas | |

Signature: 



HEPBURN SHIRE COUNCIL
ORDINARY MEETING OF COUNCIL
CONFIDENTIAL AGENDA

TUESDAY 18 FEBRUARY 2020

TOWN HALL

76 VINCENT STREET

DAYLESFORD

6:00PM

AGENDA

TUESDAY 18 FEBRUARY 2020

Town Hall

76 Vincent Street, Daylesford

Commencing 6:00PM

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EVAN KING
CHIEF EXECUTIVE OFFICER
18 FEBRUARY 2020

RECORD OF ASSEMBLY OF COUNCILLORS

This record is required under Section 80A of the *Local Government Act 1989*

Title of Meeting: Councillor Briefing
Date: 3 March 2020
Time: 9am – 5pm

Venue: Council Chamber Daylesford
 Senior Citizens Centre Daylesford
 Other (specify)

Councillors present:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Cr John Cottrell | <input checked="" type="checkbox"/> Cr Greg May |
| <input checked="" type="checkbox"/> Cr Don Henderson | <input checked="" type="checkbox"/> Cr Neil Newitt |
| <input checked="" type="checkbox"/> Cr Kate Redwood AM | <input checked="" type="checkbox"/> Cr Fiona Robson |
| <input checked="" type="checkbox"/> Cr Licia Kokocinski | |

Members of Council Staff present:

- | | |
|---|--|
| <input checked="" type="checkbox"/> CEO Evan King | Simon Mennie, Senior Planner – Alison Blacket, |
| <input checked="" type="checkbox"/> Director Community & Corporate Services
Bradley Thomas | Manager Development and Community Safety –
Bronwyn Southee, Manager Governance and Risk
– Krysten Forte. |
| <input checked="" type="checkbox"/> Director Infrastructure and Development
Services Bruce Lucas | |
| <input checked="" type="checkbox"/> Other, please specify: Manager Environment
and Waste – David Watson, Waste Coordinator – | |

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned

Matters Considered:

Agenda Attached

Name and title of Officer responsible for this written record:

- | | |
|---|---|
| <input type="checkbox"/> CEO Evan King | <input type="checkbox"/> Other, please specify: |
| <input checked="" type="checkbox"/> Director Community & Corporate Services
Bradley Thomas | |
| <input type="checkbox"/> Director Infrastructure and Development
Services Bruce Lucas | |

Signature:  _____

DOC/18/28797

Note: This form MUST be completed by the attending Council Officer and returned immediately to the Coordinator Governance and Information for filing.

Tuesday 3 March 2020
 Council Chamber, Daylesford Town Hall
 9:00 am – 4:00 pm

The reports, and referenced attachments, are designated as confidential by the Chief Executive Officer under Section 89(2)(h) of the Local Government Act 1989.

INVITED:

Councillors	Councillor Licia Kokocinski Councillor Don Henderson Councillor Fiona Robson Councillor Greg May Councillor John Cottrell Councillor Kate Redwood AM Councillor Neil Newitt
Officers	Evan King – Chief Executive Officer Bradley Thomas – Director Community and Corporate Services Bruce Lucas – Director Infrastructure and Development Services

CHAIR:

Mayor Licia Kokocinski Evan King – Chief Executive Officer

APOLOGIES:

No	Time	Type	Agenda Item	Presenter	Page No
1.	9:00am	Report	LG Act Presentation	Bradley Thomas	3
2.	9:30am	Report	Waste Contracts – Current Update, short term approach, strategic overview and desired future service provisions	David Watson	25

No	Time	Type	Agenda Item	Presenter	Page No
	10:30am		Break		
3.	10:45am	Report	Licence Renewal Lake Daylesford Boat Hire	David Watson	27
4.	11:00am	External Presentation	Ground Water Management	Jock Richardson & Scott Ridges	40
5.	12:00pm	Report	New Lease – Wintringham Specialist Aged Care – Level 1 Creswick Hub	David Watson	41
	12.30pm		Lunch		
6.	1:15pm	External Presentation	Revised Draft Municipal Planning Strategy	Alison Blacket	71
7.	2:15pm	Report	Smith Street Development	Bronwyn Southee	86
8.	2:50pm	Report	Swimming Pool Fees	Alison Blacket	87
	3:00pm		Break		
9.	3:15pm	Discussion	Executive Issues Update	CEO	90
10.	3:30pm	Discussion	External Committees Update	CEO	91
11.	3:45pm	Discussion	Councillor 'Burning Issues' Discussion	CEO	92
	4:00pm		CLOSE OF MEETING		93

RECORD OF ASSEMBLY OF COUNCILLORS

This record is required under Section 80A of the *Local Government Act 1989*

Title of Meeting: Councillor Briefing
Date: 10 March 2020
Time: 9am – 2:00pm

Venue: Council Chamber Daylesford
 Senior Citizens Centre Daylesford
 Other (specify)

Councillors present:

<input checked="" type="checkbox"/> Cr John Cottrell	<input checked="" type="checkbox"/> Cr Greg May
<input checked="" type="checkbox"/> Cr Don Henderson	<input checked="" type="checkbox"/> Cr Neil Newitt
<input checked="" type="checkbox"/> Cr Kate Redwood AM	<input checked="" type="checkbox"/> Cr Fiona Robson
<input checked="" type="checkbox"/> Cr Licia Kokocinski	

Members of Council Staff present:

<input checked="" type="checkbox"/> CEO Evan King	<input checked="" type="checkbox"/> Other, please specify: Manager Finance – Danielle How, Accountant – Rob Ellis
<input checked="" type="checkbox"/> Director Community & Corporate Services Bradley Thomas	
<input checked="" type="checkbox"/> Director Infrastructure and Development Services Bruce Lucas	

Conflict of Interest Disclosures:

Councillor Name	Time Left and Returned

Matters Considered:

Agenda Attached

Name and title of Officer responsible for this written record:

<input type="checkbox"/> CEO Evan King	<input type="checkbox"/> Other, please specify:
<input checked="" type="checkbox"/> Director Community & Corporate Services Bradley Thomas	
<input type="checkbox"/> Director Infrastructure and Development Services Bruce Lucas	

Signature: 

Tuesday 10 March 2020
 Council Chamber, Daylesford Town Hall
 9:00 am – 5:00 pm

The reports, and referenced attachments, are designated as confidential by the Chief Executive Officer under Section 89(2)(h) of the Local Government Act 1989.

INVITED:

Councillors	Mayor Licia Kokocinski Councillor Kate Redwood AM Councillor Neil Newitt Councillor John Cottrell Councillor Don Henderson Councillor Fiona Robson Councillor Greg May
Officers	Evan King – Chief Executive Officer Bradley Thomas – Director Community and Corporate Services Bruce Lucas – Director Infrastructure and Development Services

CHAIR:

Mayor Licia Kokocinski Evan King – Chief Executive Officer

APOLOGIES:

No	Time	Type	Agenda Item	Presenter	Page No
1.	9am	Report	Budget	Manager Financial Services	3
	10:30am		Break		

No	Time	Type	Agenda Item	Presenter	Page No
2.	10:45am	Report	Budget	Manager Financial Services	
	12.30pm		Lunch		
3.	1:15pm	Report	Budget	Manager Financial Services	
	3:00pm		Break		
4.	3:15pm	Report	Budget	Manager Financial Services	
5.	4:15pm	Discussion	Advisory Committee Discussion	Director Community and Corporate Services	25
	5:00pm		CLOSE OF MEETING		26

13. COUNCIL SPECIAL COMMITTEES (SECTION 86)

13.1. MINUTES OF SPECIAL COMMITTEES (SECTION 86)

DIRECTOR COMMUNITY AND CORPORATE SERVICES

In providing this advice to Council as the Manager Governance and Risk I Krysten Forte have no interests to disclose in this report.

PURPOSE

The purpose of this report is for Council to note the minutes and recommendations from Council's Special Committees (Section 86).

BACKGROUND

Special Committees are established by Council under section 86 of the Local Government Act 1989 and their function and responsibilities outlined in an Instrument of Delegation. Under the Instruments of Delegation, special committees are required to maintain minutes of meetings held and provide a copy of the minutes to Council for review.

ISSUE/DISCUSSION

Please see listed below the minutes and other reports of Special Committees, as provided by the committees over the past month, for your information:

- Drummond Hall Committee of Management
- Glenlyon Recreation Reserve Committee

These minutes have been previously provided to Councillors under a separate cover.

COUNCIL PLAN/LEGISLATIVE COMPLIANCE

Nil

FINANCIAL IMPLICATIONS

Nil

RISK IMPLICATIONS

Nil

ENVIRONMENTAL/SOCIAL/ECONOMIC IMPLICATIONS

Nil

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Members of the community are represented on these committees.

CONCLUSION

Minutes and reports have been provided for noting.

OFFICER'S RECOMMENDATION

13.1.1. That Council receives and notes the minutes of the Special Committees (Section 86) which have been distributed under separate cover:

- Drummond Hall Committee of Management
- Glenlyon Recreation Reserve Committee

MOTION

13.1.1. That Council receives and notes the minutes of the Special Committees (Section 86) which have been distributed under separate cover:

- *Drummond Hall Committee of Management*
- *Glenlyon Recreation Reserve Committee*

Moved: Cr Neil Newitt

Seconded: Cr Fiona Robson

Carried

**ATTACHMENT 10 -DRUMMOND HALL COMMITTEE OF MANAGEMENT –
MEETING MINUTES**

Drummond Hall Committee Minutes

Date: 27th February 2020 07:10 pm

Present: Nick Carter, George Bakogianis, Geoff Napier, Jen Napier, Councillor John Cottrell, Kate Janssen, Inga Hamilton (Community Development Officer), Barry McGrath

Apologies: Kevin Beattie

Minutes from last meeting read and accepted: Moved NC and seconded GN.

Business Arising from Previous Minutes:

1. The installation of a seat adjacent to the tennis court is still planned to be done. Ongoing.
2. General Hall Maintenance
25/05/18: There is \$120K for capital works that may include these maintenance items.
27/2/20: Kitchen almost ready for painting and concreting around Hall all will be done. Kitchen plumbing will need pump and all Hall, other than main hall ceiling, has insulation. Electrical work will include wiring for the tennis court. Locks place on tennis court door and signage to stop people using court. Ongoing.
3. Kate Janssen suggested that a better notice board to advertise functions and regular BBQs to discuss Drummond matters with residents.
26/2/20: Ongoing.
4. John Cottrell to investigate a review of the Shire Maintenance grant. Grant went up from \$250 pa in 2006 to \$500 pa in 2007 but no review since then.
27/2/20: JC said no good news and grant will remain the same. Closed.
5. GN to investigate shed/container to store BBQ, spare chairs and other items to minimise Hall clutter.
31/5: Purchased container and installed (incorporated in planning permit). Purchase price \$1000 and delivery \$200.
30/8: NC Paint roof of shipping container when weather improves as there is some moisture entering. Ongoing.
6. Lighting for the tennis court. After being approached by the committee and JC put in a proposal to council. 31/5: Is in the draft budget for \$15,000.
28/11/19: JC said budget aiming to be spent in this year's budget 2nd half of the year. Ongoing.
7. KJ and JN new curtains for the Hall at a cost of approximately \$700. NC suggested we wait till maintenance on Hall was completed. Agreed Ongoing
8. Kathie Schner was chasing up tennis court surface issue (17th May).
28/11/19: Kathie sent email in Sept. Will look at tennis court with lights with specialist so no action till later in FY. Ongoing.

Drummond Hall Committee Minutes

Correspondence:

Lumo rates up
Break in reported by Sam on the shipping container.

Treasurer's Report: Main Account \$6783.75. Moved GN, seconded BM.



Drummond Hall
Committee Account:

General Business:

1. Inga spoke to the team. She has been Community Development officer for 8 months. Generally community plans are out of date and they need to reflect what the local groups deem important. Drummond part of Glenlyon plan. Opportunity to address things are important to them. Jen asked if we need to be with Glenlyon and Inga says that is to be the case for the next 4 years. Suggested we learn from the process with Glenlyon and decide what to do. Jen will meet with Gayle from Mollonghip to discuss how they organise funding and projects.
2. Hall discussion with Sam 25th February discussed progress and builders say 3 weeks to go. Will leave space ready for dishwasher with plumbing and electrical.
3. GN raised the need for a new refrigerator and new stove and oven. Said will improve the marketability of the hall. Geoff presented several refrigerator brochures.

Next Meeting: 28th May 2020. **Meeting Closed:** 8:15 pm

**ATTACHMENT 11 -GLENLYON RECREATION RESERVE COMMITTEE -
MEETING MINUTES**

Glenlyon Recreation Reserve Committee

Meeting, 12 February 2020

Present: Bob Kennedy, Chris Clare, John Cable, Colin Johns, Kathy Attwood, Glenda Fleischer, Sara Klas, Shelley Sandow, Damien Leonard, Cr John Cottrell, Dan Owe Young, Kathy Schnur.

Apologies; none

Discussions with Council Officers

Events Management plan for the Reserve. Dan indicated that the HSC had received a verbal agreement from the EPA regarding the conduct of events at the Reserve and had endorsed the approach taken by the adult riders to the conduct of the event. On behalf of Paul Healey and himself Dan expressed his appreciation to Shelley and Sara for their input to the discussions on 7 February regarding the arrangements to ensure the concerns of the EPA regarding dust levels and wash down provisions were addressed.

The EPA have requested that an overarching document be developed by the Shire and the Committee as a reference for user groups. The present interim arrangements will extend until the end of June 2020 based on the results of the preliminary assessment of the lead levels in specific areas of the Reserve. The HSC to provide the overarching document to the EPA and DWELP by the end of May. The Council is presently defining the scope of work to be undertaken for a more comprehensive assessment following further testing of soil and groundwater samples validate the initial surface testing work undertaken to date with the intention of reporting in May

Soil testing in the area of the yards is still to be done and this will depend on whether a separate consultant is to be retained or added to existing program. Shelley highlighted the event to be held on 8/9 May noting that they would be using the dressage and show jumping areas but not the cross country area.

In the interim the Council will hold a Community meeting (provisionally about mid March) to update residents on the work undertaken and results to date .

Master Plan for the Reserve,

Kathie Schnur sought input from the committee in terms of key words to describe the status of the Reserve in values and uses which need to be addressed in the long term plan. In summary members regard the Reserve as “the jewel in the crown“ of Glenlyon. Over the past century the Reserve has been the home to many activities from the iconic New Year’s day Sports event to CFA competition, the Daylesford Field and Game club, the adult riders, the pony club, Riding for Disabled, the Cricket Club, Caravan Groups and campers.

In summary the revision of the Master Plan for the Reserve is an opportunity to consider the various activities which have found a home at the Reserve to date and consider how the infrastructure needs to be enhanced and updated to for the community needs over the next 20 to 30 years as the demographics of the town and surrounding area continue to evolve. In essence, what do we need to build into the plan in anticipation of these changes?

Issues such as improved drainage through earthworks and enhancement of drainage channels to minimise the impact of future flooding are on hold until the assessments for the EPA are completed. However other capital works such as the design of the upgraded or replacement pavilion, installation

of facilities to cater for the younger generation such as skate parks, tennis courts and or basketball along with and consideration of the best use of the cricket ground need to be built into the plan.

The Department of Sport and Recreation has a strong commitment to the development cycling and walking paths in rural areas to address health issues. The Council has been working on the development of a walking path between Coomora and Daylesford and there is the option of extending this walking path to Glenlyon which provide a natural link with the Glenlyon walking path which is soon to be extended from Dysart St around the Glenlyon dam,

Cr Cottrell sought advice regarding the relationship between the Glenlyon dam and the Glenlyon Reserve and how the two areas might tie in with one another. Bob Kennedy and Glenda Fleischer outlined the history of the dam including the renovation during the drought years , stocking with fish and the development of the quick fill platform used by the CFA to fill tankers and the HSC for watering trucks when undertaking roadworks and most recently for reducing dust levels at the Reserve.

One approach for the continued management of the two assets would be to extend the terms of reference on the Section 86 Committee of Management established by the Council for the management of the Reserve. Chis Clare indicated this has recently been suggested to Council but no response to date.

Improved drainage and fencing are the high priority issues and these will impact on what else can be achieved. In the interim funds are available for detailed design of the pavilion and minor capital works such as replacement of fences which constitute a safety issues need to be progressed regardless of the long term plan inn terms of new facilities

Kathie Schnur indicated that a final draft of the long term plan will be made available to the members of the Recreation Reserve committee who will then be in a position to discuss with existing and potential user groups.

General Meeting

Attendance: as above.

Minutes of the meeting of 15 January 2020

Amendments; Slight amendment to comply with motions being moved by members of the committee. John moved the minutes as amended be accepted, seconded Shelley ..carried

Correspondence as per the attached list with key documents circulated prior to the meeting. Chris moved the correspondence be accepted, seconded John ..carried

General Business: The construction of the yards to replace the present dilapidated yards presently on hold due to a number of issues raised by the Council who want a letter of support from the Reserve Committee. This has been a source of considerable frustration for Sara given that the work needs to done to meet the safety requirements of the equestrian groups. Despite the reservations in some quarters there is no way the yards could be have heritage status.

It seems that the question of heritage status gets applied to the most bizarre situations and Sara enquired as to how we get a definitive answer on what is or is not heritage at the Reserve and why. Cr Cottrell undertook to discuss with Bronwyn South of HSC and get back to the committee.

Field and Game Club. Colin Johns spoke to the constraints applied to the operations of the Club by the EPA and Council while the nature of the lead contamination is clarified. Given the poor

correlation between the maps for presence of lead and Polycyclic Aromatic Hydrocarbons (PAH) detected at the Reserve, the likelihood of the two being related is extremely low. However, given the current moratorium, the Club has missed out on staging some its major event and the associated revenue. Accordingly the Club has decided to partner with the Clunes Field and Game Club until more extensive testing is undertaken at the Glenlyon Reserve and the source of the contamination more specifically defined.

It should be noted that the Daylesford Field and Game Club has been a long time tenant of the Reserve and the current campaign to see them cease operations at the Reserve is based more on emotion than on Science.

Antique Fayre; Held over 4 days was successful with an attendance of approx. 2,000 people even though the stall holders were split between events at Campbells Creek and Glenlyon. The organisers have requested permission to hold the event 17 to 24 January 2021 and thanked both the committee and the Council for their support in 2020.

Tyre removal: Chris has obtained a quote from a recycler of \$3 per tyre with collection and removal included in the quote for 200 tyres located at the Reserve. Moved by Chris we accept the quote, seconded Shelley ..carried

Glenlyon Recreation Reserve sign: It would be useful if there was provision for the use groups to attach their sign to the installation on the day of the event. Agreed

Chris noted that the time slots allocated to the Daylesford Field and Game Club may be available over the next 4 months for other user groups.

Kathy Attwood asked if all user groups would send copies of their licence agreements to her.

Meeting concluded at 9.25 pm

Date of next meeting 8 April 2020

14. CONFIDENTIAL ITEMS

14.1. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

That pursuant to the provisions of Section 89(2) of the *Local Government Act 1989*, the meeting of Council be closed to the public in order to consider:

(d) Contractual matters; and

(h) Any other matter which the Council or a special committee considers would prejudice the Council or any person.

RECOMMENDATION

14.1.1. That the meeting be closed to members of the public under section 89(2) of the Local Government Act 1989, to deal with matters that relate to the following sub-section:

- 89(2)(d) Contractual matters

MOTION

14.1.1. *That the meeting be closed to members of the public under section 89(2) of the Local Government Act 1989, to deal with matters that relate to the following sub-section:*

- *89(2)(d) Contractual matters*

Moved: Cr John Cottrell

Seconded: Cr Neil Newitt

Carried

The Ordinary Council Meeting was closed to the public at 7:21pm with all Councillors present less Councillor Redwood AM.

15. REOPENING OF MEETING TO PUBLIC

RECOMMENDATION

15.1.1. That Council, having considered the confidential items, re-opens the Meeting to members of the public.

MOTION

15.1.1. That Council, having considered the confidential items, re-opens the Meeting to members of the public.

Moved: Cr Neil Newitt

Seconded: Cr John Cottrell

Carried

The Ordinary Council meeting reopened to the public at 7:30pm with all Councillors present less Councillor Redwood AM.

In accordance with Council's resolutions, the following information is provided to the public on matters considered during the confidential section of the meeting.

That Council:

- 14.2.1. *Grants a three (3) year Licence renewal to Lake Daylesford Pedal Pushers Boat Hire Pty Ltd;*
- 14.2.2. *Authorises the Chief Executive Officer to execute the Licence documentation (Deed of Renewal) for and on behalf of Council*
- 14.2.3 *Authorise the release of the outcome of the report and associated resolution to the public.*

That Council:

- 14.3.1 *Approve the variation to contract H337-2012 to authorise Wheelie Waste as the contractor to deliver the following services from 1 April 2020 to 30 June 2021 in accordance with the Ministerial Exemption:*
 - *Residual waste and recycling kerbside collection*
 - *Public litter bin collection*
 - *Residual waste and recycling transport*
 - *Residual waste disposal*
 - *Recycling processing*
- 14.3.2 *Authorise the Chief Executive Officer to sign the Contract variation to extend the existing contract.*
- 14.3.3 *Authorise the release of the outcome of the report and associated resolution to the public*

15 CLOSE OF MEETING

Meeting closed at 7:31pm.
