



HEPBURN SHIRE COUNCIL ORDINARY MEETING OF COUNCIL PUBLIC MINUTES

Tuesday 16 April 2024

Daylesford Town Hall
76 Vincent Street Daylesford

5:30PM

A LIVE STREAM OF THE MEETING CAN BE VIEWED
VIA [COUNCIL'S FACEBOOK PAGE](#)

Confirmed at the Ordinary Meeting of Council held on 21 May 2024

A handwritten signature in black ink, appearing to be "B. Hood".

Chair, Cr Brian Hood, Mayor

MINUTES

Tuesday 16 April 2024

Daylesford Town Hall

76 Vincent Street Daylesford

Commencing at 5:30PM

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BRADLEY THOMAS

CHIEF EXECUTIVE OFFICER

Tuesday 16 April 2024

CONDUCTING HYBRID COUNCIL MEETINGS

In the spirit of open, transparent and accountable governance, this meeting will be live-streamed on Council's Facebook page. The meeting will also be recorded and made available on Council's website as soon as practicable after the meeting.

- Council's meeting will be conducted tonight in accordance with:
- The Local Government Act 2020
- The Minister's Good Practice Guideline MGPG-1: Virtual Meetings
- Council's Governance Rules; and
- The Hepburn Shire Council Councillor Code of Conduct.

1 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Hepburn Shire Council acknowledges the Dja Dja Wurrung as the Traditional Owners of the lands and waters on which we live and work. On these lands, Djaara have performed age-old ceremonies of celebration, initiation and renewal. We recognise their resilience through dispossession and it is a testament to their continuing culture and tradition, which is strong and thriving.

We also acknowledge the neighbouring Traditional Owners, the Wurundjeri to our South East and the Wadawurrung to our South West and pay our respect to all Aboriginal peoples, their culture, and lore. We acknowledge their living culture and the unique role they play 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

COUNCILLORS PRESENT: Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday, Cr Tim Drylie

OFFICERS PRESENT: Mr Bradley Thomas - Chief Executive Officer, Mr Bruce Lucas - Director Infrastructure and Delivery, Dr Karina Lamb - Director Community and Corporate, Ms Amy Boyd, Manager Planning and Building, Ms Rebecca Smith - Manager Governance and Risk, Ms Ania Guz, Systems Improvement Officer.

The meeting opened at 5:34pm.

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”

4 APOLOGIES

Mr Ron Torres - Executive Manager Development and Brooke Holmes - Executive Manager People and Transformation

5 DECLARATIONS OF CONFLICTS OF INTEREST

Nil.

6 CONFIRMATION OF MINUTES

Go to 00:06:30 in the meeting recording to view this item.

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 19 March 2024 (as previously circulated to Councillors) be confirmed.

MOTION

That the Minutes of the Ordinary Meeting of Council held on 19 March 2024 (as previously circulated to Councillors) be confirmed.

Moved: Cr Tim Drylie

Seconded: Cr Don Henderson

Carried

Voted for: Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Nil

Abstained: Nil

7 NOTICES OF MOTION

7.1 BALLARAT TO CRESWICK SPEED ZONE

Go to 00:07:00 in the meeting recording to view this item.

The Notice of Motion was put forward by Cr Tim Drylie and Cr Don Henderson on 4 April 2024.

MOTION AS PROPOSED

That Council requests that the Chief Executive Officer writes to the Department of Transport and Planning and seeks that those sections of the Midland Highway between Creswick and Ballarat (within the Hepburn Shire), that currently remain as 100 km per hour be reduced to 80 km per hour.

MOTION

That Council requests that the Chief Executive Officer writes to the Department of Transport and Planning and seeks that those sections of the Midland Highway between Creswick and Ballarat (within the Hepburn Shire), that currently remain as 100 km per hour be reduced to 80 km per hour.

Moved: Cr Tim Drylie

Seconded: Cr Don Henderson

Carried

Voted for: Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Lesley Hewitt, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Cr Juliet Simpson

Abstained: Nil

8 ITEMS OF URGENT BUSINESS

Go to 00:11:36 in the meeting recording to view this item.

8. ITEM OF URGENT BUSINESS

MOTION

That Council resolve to admit the condolence motion into urgent business in accordance with councils Governance Rules Division 3, item 20 as the item:

- *relates to or arises out of a matter which has arisen since distribution of the agenda; and*
- *cannot safely or conveniently be deferred until the next Council meeting.*

Moved: Cr Don Henderson

Seconded: Cr Tessa Halliday

Carried

Voted for: Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Nil

Abstained: Nil

8.1 ITEM OF URGENT BUSINESS

CONDOLENCE MOTION

MOTION

That Hepburn Shire councillors and staff extend our heartfelt condolences to the McGuire family of Clunes on the tragic loss of their beloved daughter Hannah. Council stands resolutely firm in its commitment to support the prevention of all forms of violence. This position is entrenched in the Council Plan and Municipal Public Health and Wellbeing Plan 2021-2025 and is articulated through a leadership statement on the prevention of violence against women and children.

Moved: Cr Tessa Halliday

Seconded: Cr Jen Bray

Carried

Voted for: Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Nil

Abstained: Nil

9 COUNCILLOR AND CEO REPORTS

9.1 MAYOR'S REPORT

Go to 00:14:10 in the meeting recording to view this item.

Councillor Brian Hood, Coliban Ward

Councillors and Community,

The past month has again featured a number of wonderful signature events for our Shire.

We celebrated Booktown in Clunes and Cresfest in Creswick, both events attracting strong attendances and providing great entertainment and interest.

The community support for those events was a testament to their hardworking volunteers and Council's own dedicated staff who staged those events so professionally.

Attention now turns to Spudfest in Trentham on the first weekend in May. The Shire is indeed fortunate to host such a number of varied cultural events.

Only last week we officially opened the faithfully restored Bullarto rail station. Not only will this fabulous building and museum attract visitors it preserves an important element of the Shire's history.

Later this week The Daylesford Bowls Club celebrates an impressive milestone – its 125th year anniversary.

And a new and important initiative will be launched this coming Friday when we proudly kick off the Young Mayors program. This will provide the youngsters of the Shire a unique opportunity to help shape its future and to get involved in grass roots democracy.

On a more sobering note, last week's meeting of the Mayors and CEOs of the Loddon Campaspe group of councils discussed the pressing financial challenges facing almost all councils across Victoria. As we continue our difficult work to prepare the 24/25 budget and a sustainable LTFP we do welcome investigations into the local government sector's financial sustainability being conducted by the State and Federal governments.

Finally, tonight we have moved a condolence motion noting our collective grief at the tragic loss of Hannah Maguire from Clunes and reinforced our commitment as elected representatives of the Hepburn Shire to work diligently against all forms of violence. The scourge of domestic violence continues at alarming and unacceptable rates and presents a significant challenge for all levels of government and society generally.

9.2 COUNCILLOR REPORTS

Councillor Don Henderson, Creswick Ward

Presented a verbal report.

Councillor Tim Drylie, Creswick Ward

Presented a verbal report.

Councillor Juliet Simpson, Holcombe Ward

Presented a verbal report.

Councillor Jen Bray, Birch Ward

Presented a verbal report.

Councillor Lesley Hewitt, Birch Ward

Tabled a report.

Councillor Tessa Halliday, Cameron Ward

Tabled a report.

RECOMMENDATION

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

MOTION

That Council receives and notes the Mayor's and Councillors' Reports.

Moved: Cr Juliet Simpson

Seconded: Cr Tim Drylie

Carried

Voted for: Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Nil

Abstained: Nil

9.3 CHIEF EXECUTIVE OFFICER'S REPORT

Go to 00:27:00 in the meeting recording to view this item.

The Chief Executive Officer Report informs Council and the community of current issues, initiatives and projects undertaken across Council.

CHIEF EXECUTIVE OFFICER UPDATE

Certainly, another busy month at Hepburn, with some highlights –

- Went live with our new food and garden organics bin collection, along with a glass and food drop off initiative at transfer stations that will divert tonnes of waste from landfill and deliver better waste management outcome went live on 8 April.
- Council provided a range of free activities and programs for children and young people across the shire, throughout the school holidays, particularly at our Libraries.
- We launched our Circular Hepburn Toolkit for Business and Beyond, a guide to help local businesses to reduce costs, reduce their impact on the environment and boost the circular economy.
- Launched several programs and plans for community consultation, including:
 - Our First Arts and Culture strategy that aims to connect, support and elevate the already vibrant art and culture spaces and groups, further empowering them to continue to grow and create.
 - Our first Fair Access Policy that seeks to address known barriers experienced by women, girls, trans and gender diverse people in accessing and using community sports infrastructure underway.
 - Our first Rainbow Action Plan which will help ensure that all LGBTIQ+ people feel supported, connected, visible and safe in our community.
 - Launched our Pool Season community survey.
- Council and the Foundation for Young Australians was excited to launch the Young Mayors Program (YMP) in Hepburn Shire and call for nominations [Young people encouraged to nominate for Young Mayors Program Hepburn Shire Council](#)
- Booktown and Cresfest Festivals were held, well attended and provide a great vibe across our communities.
- Improvements to Drummond and Trentham Tennis Courts were finalised.
- Many grant applications for funding were submitted to both State and Federal Governments for future projects.
- Council hosted a Pride Formal for the second time, in partnership with Macedon Ranges Shire Council, Mount Alexander Shire Council and Central Goldfields Shire Council.
- In an effort to reduce instances of vandalism, we have installed closed circuit television (CCTV) at key locations in our townships.

- Construction of both the Creswick Trails and Mechanics at Trentham continued with significant progress, with both projects on track for opening in 2024.
- Turned on the new sporting lights at the Newlyn Recreation Reserve.
- Many Councillor workshops on the five Township Structure Plans and Rural Strategy, with draft documents to be considered at a Special Meeting of Council on 30 April to endorse the documents for community consultation.

Make sure you stay up to date with all that is happening at Council, particular through our social media channels and our Hepburn Life e-newsletter [Sign up now \(mailchi.mp\)](#)

Following a number of tragic events in our and surrounding council areas, Council stands firm in its commitment to help support the prevention of all forms of violence. Through the Council Plan and Municipal Public Health and Wellbeing Plan 2021-2025 we adopted a leadership statement on the prevention of violence against women and children. You can read that here - [Family violence Hepburn Shire Council](#)

RECOMMENDATION

That Council receives and notes the Chief Executive Officer's Report for April 2024.

MOTION

That Council receives and notes the Chief Executive Officer's Report for April 2024.

Moved: Cr Juliet Simpson

Seconded: Cr Tessa Halliday

Carried

Voted for: Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Nil

Abstained: Nil

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
- Members of the community to address Council

Community members are invited to be involved in public participation time in accordance with Council's Governance Rules.

Individuals may submit written questions or requests to address Council to the Chief Executive Officer by 10:00am the day before 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. Council's Governance Rules 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 Governance Rules, 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

Nil.

10.2 PUBLIC QUESTIONS

The CEO read questions received in accordance with Council's Governance Rules and the Mayor responded on behalf of Council.

Question 1 and 2 – Mr Andrew Robertson

These questions relate to the finance reports adopted at the March Council Meeting. What are the operational and non-recurrent costs that have exceeded budget by \$135,000 and \$449,000 in six months? What is being done to control costs?

Response – Mayor Brian Hood

Council's Future Hepburn project and the development of structure plans for our five main townships have exceeded the initial budget allocation. A variety of operational areas have also experienced overruns against budget and the high dollar impacted service areas relates to a decrease in application numbers for planning and building applications that has resulted in a decrease in expected income for the current financial year. Legal costs have been impacted resulting from various high profile planning matters. Council has prudently invested cash balances in high interest return accounts that allows for maximum return on interest income thus alleviating in part the overruns in the high impacted areas.

A robust system of financial management is in place to ensure that costs are managed throughout the financial year.

Question 3 – Mr Rod Kirby

What was the cost to ratepayers for the slick, glossy television advertising campaign that was screened on WIN TV in the weeks leading up to the roll out of these FOGO bins, and how much extra per year am I likely to have to pay on my already excessive rates bill for a service I have no need of and have had forced upon me by Council against my will?

Response – Mayor Brian Hood

With the introduction of any new service such as the Food Organics and Garden Organic kerbside collection service, it is very important to ensure that our community is fully informed and aware of the service changes and Council has spent considerable officer time to coordinate this and raise awareness of the significant

community and environmental benefits to be achieved through the Food Organics and Garden Organics service.

Part of this included the preparation of several short videos, which are available on Council's website, and these were also used in a short television advertisement to ensure all residents understood and were prepared for the new service arrangements.

The cost for the free to air television advertisement was \$5,500.

Question 4 and 5 – Mr Jeremy Cade

Is Hepburn Shire Council responsible for the maintenance and upkeep of Normoyles Lane in Lyonville? (Normoyles Lane runs between South Lyonville Road and Frith Mill Road.)

If Hepburn Shire Council is not responsible, then can Council please advise what organisation is responsible for the upkeep and maintenance?

Response – Mayor Brian Hood

Council's Public Road Register (available on our website) identifies Normoyles Lane as a non-maintained road. These are generally roads or road reservations that do not have any formally constructed road asset and therefore there is no scheduled or regular maintenance. Reactive inspections and/or any minimal works are undertaken on a case-by-case basis as detailed in Council's Road Management Plan, (also available on Councils' website).

These roads are typically non-standard or unconstructed roads, servicing a limited number of properties and are generally treated like private driveways which is the case for Normoyles Lane.

Council would be happy to discuss with you how this road could be constructed to an approved standard, at the resident's cost, at which time Council may assume ongoing maintenance responsibilities. We will provide contact details for the appropriate officer in our written response to you.

Question 6 – Ms Chris Clare

The [Glenlyon Recreation Reserve] Masterplan was supposed to be based on the drainage problems with flooding by a Hydrologist before the recommendations would be acted upon as this was the Number 1 priority. A Flood Study does not deal with the whole Reserve.

Is the Hydrologist going to include the whole Reserve and surrounding road drainage as well as the Loddon River before any other works are undertaken including the Pavilion?

Response – Mayor Brian Hood

Preliminary flood impact investigations including flood advice from North Central Catchment Management Authority and a further flood impact assessment to inform the location of a new pavilion was undertaken to inform the development Glenlyon Recreation Reserve Masterplan.

A comprehensive flood impact study on the entire Glenlyon Recreation Reserve site is a priority recommended action of the Masterplan and will be considered for funding in Council's long term financial planning and other priorities.

Question 7 – Ms Chris Clare

There is no relevance noted that the water tank is the main holding tank for the water supply to the Reserve. This tank and the pumps would have to be relocated as the water supply comes from the Glenlyon Dam via gravity feed.

What is the plan to address the need for a new tank and pump for the supply of water from the Dam for the Reserve?

Response – Mayor Brian Hood

Officers are aware that the existing water tank is currently the main holding tank for the water supply to the Reserve. It is proposed that the existing water tank be demolished and replaced as part of the development of a new pavilion to improve viewing from the new pavilion location recommended on the Glenlyon Recreation Reserve Masterplan that is on the Council Meeting Agenda for consideration tonight.

10.3 REQUESTS TO ADDRESS COUNCIL

Mr Damian Leonard addressed Council in regards to the Glenlyon Recreation Reserve Masterplan.

11 STATUTORY PLANNING

11.1 PLN23/0101 – FIVE LOT SUBDIVISION – 12 WHITE HILLS ROAD, CRESWICK

Go to 00:41:01 in the meeting recording to view this item.

EXECUTIVE MANAGER DEVELOPMENT

In providing this advice to Council as the Statutory Planner, I Julie Lancashire have no interests to disclose in this report.

ATTACHMENTS

1. PLN23/0101 - Certificate of Title [**11.1.1** - 2 pages]
2. PLN23/0101 - Site Survey [**11.1.2** - 1 page]
3. PLN23/0101 - Subdivision Plan [**11.1.3** - 1 page]
4. PLN23/0101 - Planning Report [**11.1.4** - 22 pages]
5. PLN23/0101 - Clause 56 Assessment [**11.1.5** - 5 pages]
6. PLN23/0101 - Bushfire Management Statement [**11.1.6** - 34 pages]
7. PLN23/0101 - BMP version C (updated) [**11.1.7** - 1 page]
8. PLN23/0101 - Ecological assessment [**11.1.8** - 40 pages]
9. PLN23/0101 - Redacted Combined Objections [**11.1.9** - 9 pages]

EXECUTIVE SUMMARY

The original application was for a five-lot subdivision. The application has since been amended to a four-lot subdivision, with one of the lots along the White Hills Road frontage removed. This results in wider lots along White Hills Road.

Lots 1 to 3 range in area from 820 square metres to 966 square metres and have a direct frontage to White Hills Road. The balance lot is a larger lot of 6,634 square metres and this lot contains the existing dwelling.

The lots will be connected to all available services including reticulated water and sewerage and have new vehicle crossovers constructed to Council's standard.

Native vegetation in the White Hills Road road reserve will be removed to facilitate road upgrades, access and drainage upgrades in White Hills Road. Most of the trees within the northern half of the site have been planted as part of establishing the residential garden, there are some patches of native vegetation which require Council permission to remove.

The site is located in the General Residential Zone (GRZ1) and is subject to the Bushfire Management Overlay (BMO) and the Environmental Significance Overlay – Schedule 1 (ESO1).

The application has been referred to the Country Fire Authority, the Department of Energy, Environment and Climate Action, Central Highlands Water and Goulburn Murray Water. Referrals were also made to Council's Environmental Health Team, the Biodiversity Officer and the Engineering Team. No concerns were raised.

Seven objections were received. Most objectors are concerned about stormwater drainage, other concerns include the removal of trees in White Hills Road at the

frontage of the site, increase in traffic, overdevelopment of the site and traffic impact during construction period.

As the application is consistent with the planning policy framework, it is recommended that Council issues of a Notice of Decision in support of the proposal.

RECOMMENDATION

That Council:

- *having caused notice of Planning Application No. PLN23/0101 to be given under Section 52 of the Planning and Environment Act 1987 and /or the Hepburn Planning Scheme; and*
- *having considered all the matters required under Section 60 of the Planning and Environment Act 1987;*

determines to issue a Notice of Decision to Grant a Planning Permit for the development of land at 12 White Hills Road, Creswick for a Four Lot Subdivision and Removal of Native Vegetation subject to the following conditions.

Amended Plans

- 1) *Before the development starts, amended plans 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 application plans but further modified to show:*
 - a) *Vegetation to be removed within the road reserve and lots 3-4 including details of all native vegetation to be retained with a description on the plan of the measures to be used to protect identified vegetation during construction.*
 - b) *A landscape plan detailing replacement tree planting within the road reserve with suitably located equivalent species or approved alternative of a minimum of 1.5 metres high.*

Endorsed Plans

- 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.*

Stormwater Drainage

- 3) *Prior to the certification of the Plan of Subdivision, detailed Engineer designed Stormwater Management Plans which meet the requirements for stormwater quality as stated in the BPEM (Best Practice Environmental Management) Guidelines must be submitted to and approved by the Responsible Authority. The plans must show:*

- a) *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 site;*
- b) *return period for any detention system is to be 20% AEP where there is overland escape path and 1% AEP if the failure of the detention system will cause property damage or inundation of freehold titles;*
- c) *connection of each lot to a legal point of discharge;*
- d) *all allotments provided with drainage outfall (house connection) connected to the drainage system to the satisfaction of the Responsible Authority. House drainage connection shall be constructed in accordance with Infrastructure Design Manual Standard Drawing SD 510 or SD 505 with hot dip galvanised kerb adaptors. Where house connections run to open swale, a 100mm PVC outlet shall be cored into crossover end walls or have its own end wall;*
- e) *a calculations table for future dwellings having minimum information including, but not limited to, tank size for various hard stand areas, height of restrictor outlet and orifice size;*
- f) *identify and record how the quantity and quality of stormwater will 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 and catering for existing flows along the road network. Drainage design plans and legal point of discharge will not be considered until the drainage strategy has been established;*

to the satisfaction of the Responsible Authority. Note: Additional information for requirements can be found at <https://www.epa.vic.gov.au/business-and-industry/guidelines/water-guidance/urban-stormwater-bpemg>

- 4) *Prior to the issue of a Statement of Compliance for the subdivision, if the approved Stormwater Management Plan includes any works to be undertaken during the dwelling construction stage, the owner of the land must enter into an agreement under Section 173 of the Planning and Environment Act 1987 with the Responsible Authority. The agreement must be in a form to the satisfaction of the Responsible Authority, and the applicant must be responsible for the expense of the preparation and registration of the agreement, including the Responsible Authority's reasonable costs and expenses (including legal expenses) incidental to the preparation, registration and enforcement of the agreement. The agreement must contain covenants to be registered on the Title of the property so as to run with the land, and must provide for the following:*
 - a) *detailing the works to be completed by the future landowner to achieve compliance with the endorsed Stormwater Management Plan requiring*

that such works shall be constructed and completed during house/building construction stage.

- 5) *Prior to the issue of a Statement of Compliance, the works shown on the approved stormwater drainage plans must be constructed to the satisfaction of the Responsible Authority.*

Easements

- 6) *Prior to the issue of a Statement of Compliance, all drainage easements deemed necessary by the Responsible Authority must be provided on the Plan of Subdivision to protect and facilitate existing and future drainage infrastructure. Easements must also be provided through properties between the development site and the nominated legal point of discharge. Note: The minimum width of drainage easements must be two metres for stormwater.*
- 7) *Drainage easements must be created to allow for gravity stormwater drainage to the satisfaction of Responsible Authority.*

Road Upgrade

- 8) *Unless otherwise approved in writing by the Responsible Authority, prior to the issue of a Statement of Compliance for the subdivision, Engineer designed plans for the construction of White Hills Road along the property frontage to the edge of seal in White Hills Road must be submitted to and approved by the Responsible Authority. The plans must detail:*
- (a) *The construction of the road which complies with the Austroads Guidelines, the Co-ordination of Streetworks Code of Practice, Relevant Australian standards, VicRoads Road Design Guidelines, Infrastructure Design Manual [IDM] and which provides for:*
- 7.3m wide seal pavement comprising;*
- An engineered pavement design, but as a minimum 200mm compacted depth class 3, 20mm FCR sub base and 150mm compacted depth class 2, 20mm FCR base pavement. Existing road material, where tested for depth, regulated and cement stabilised, shall be deemed suitable as sub-base if appropriate testing results can be supplied;*
 - B2 type Kerb and channel on the side of the development;*
 - 0.5m unsealed shoulder comprising; 150mm deep compacted depth class 2, 20mm FCR base;*
 - 2 coat spray seal, 10mm primer seal/7mm rubberised final seal or 40mm depth type H asphalt;*
 - Extension of the 375mm diameter drain behind the kerb and channel for the frontage of the property;*
- (b) *Upgrading of stormwater drains along the frontage of the property to underground pipe;*
- (c) *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:

- Road Sub-grade (proof roll);*
- Pavement sub-base and base (density test and proof roll);*
- Pavement prior to sealing or asphalt application;*
- Drainage trench and bedding;*
- Drainage infrastructure prior to backfill;*
- Drainage pits;*

(d) Line marking and signage;

to the satisfaction of the Responsible Authority.

- 9) Unless otherwise approved in writing by the Responsible Authority, prior to the issue of a Statement of Compliance for the subdivision, White Hills Road must be upgraded in accordance with the plans approved under this Planning Permit.*

As constructed drawings

- 10) Prior to the issue of a Statement of Compliance, 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.*

As-Constructed plans must 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*
- c) Information required for integration into Council's GIS system*
- d) Information to be presented in pdf. and dwg. formats, unless otherwise agreed in writing by the Responsible Authority.*

Street Lighting

- 11) Prior to the issue of a Statement of Compliance for the subdivision, Energy efficient LED street lighting must 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. New lighting must be located outside the clear zones and meet the standards for category P lighting with the minimum level being one light near the mid-point of the development and where streetlights are installed in already established areas, glare shields shall be included to prevent light spill into existing properties.*

Completion of Construction Works

- 12) Prior to the issue of the Statement of Compliance 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:

- a) street and drainage in accordance with the approved construction drawings;*
- b) intersection and traffic control/mitigation measures;*
- c) signage and linemarking;*
- d) high stability permanent survey marks;*
- e) lot access; and*
- f) plant street trees.*

Defects Maintenance and Bonds

- 13) Prior to the issue of a Statement of Compliance for the subdivision, 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 the date of practical completion occurs.*
- 14) Prior to issue of Statement of Compliance for the subdivision, 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.*

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

Plan Checking and Supervision Fee

- 15) 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*

Conditions Required by the Country Fire Authority

- 16) The Bushfire Management Plan prepared by Stantec Version C, dated 20/3/2024 must be endorsed by the Responsible Authority, be included as an annexure to the section 173 agreement prepared to give effect to clause 44.06-5 of the Planning Scheme and must not be altered unless agreed to in writing by CFA and the Responsible Authority.*
- 17) In addition to the requirements of Clause 44.06-5 of the Scheme, the section 173 Agreement prepared in accordance with that clause must also: Explicitly exclude Lot 4 from the following exemption under Clause 44.06-2 of the Scheme: "A building or works consistent with an agreement under section 173*

of the Act prepared in accordance with a condition of permit issued under the requirements of Clause 44.06-5”.

18) *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 the existing dwelling on lot 4 must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured as a hose would be laid on the ground. Not over obstructions and obstacles, such as fences, or over side and rear boundaries.*
- b) *The hydrants must be identified with marker posts, blue road reflectors and white road triangles (as applicable).*

Note: CFA’s requirements for identification of hydrants are specified in ‘Identification of Street Hydrants for Firefighting Purposes’ available under ‘About us’ then ‘Publications’ on the CFA website (www.cfa.vic.gov.au)

19) *Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:*

- a) *State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the Hepburn Planning Scheme.*
- b) *Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.*
- c) *State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.*

The landowner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

Conditions Required by Department of Energy, Environment and Climate Change

- 20) *Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.*
- 21) *The native vegetation permitted to be removed, destroyed or lopped under this permit is comprised of the following and as per Native Vegetation Removal report ID 329_20231120_ITO, dated 20 November 2023: a) 0.197 hectares of native vegetation, including six large trees.*
- 22) *Before any native vegetation removal begins / works start, plans to the satisfaction of the responsible authority, identifying all native vegetation to be retained and describing the measures to be used to protect the identified vegetation during construction, must be prepared and submitted to and approved by the responsible authority. When approved, the plan will be*

endorsed and will form part of this permit. All works constructed or carried out must be in accordance with the endorsed plan.

- 23) *Except with the written consent of the responsible authority, within the area of native vegetation to be retained and any tree or vegetation protection zone, associated with the permitted use and/or development, the following is prohibited:*
- a) vehicular or pedestrian access,*
 - b) trenching or soil excavation,*
 - c) storage or dumping of any soils, materials, equipment, vehicles, machinery, or waste products,*
 - d) entry and exit pits for the provision of underground services, and*
 - e) any other actions or activities that may result in adverse impacts to retained native vegetation.*
- 24) *To offset the impacted 0.197 hectares of native vegetation, the permit holder must secure a native vegetation offset in accordance with Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017), the permit holder must secure the following offsets:*
- a) A general offset of 0.059 general habitat units which must meet the following criteria:*
 - i) located within the North Central Catchment Management Authority (CMA) or Hepburn Shire Council municipal area,*
 - ii) with a minimum strategic biodiversity value of at least 0.326, and*
 - iii) the offsets secured must also protect six large trees.*
- 25) *Before any native vegetation is removed, destroyed or lopped, evidence that the required offset by this permit / project has been secured, must be provided to the satisfaction of the responsible authority. This evidence must be 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 ten-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.*
- 26) *A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit.*
- 27) *Where the offset includes a first party offset(s), the permit holder must provide an 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.*

Note 1: Before any works on public land start, a permit to take protected flora under the Flora and Fauna Guarantee Act 1988 (FFG) may be required. To obtain an FFG permit or further information, please contact a Natural Environment Program officer

at the Grampians regional office of the Department of Energy, Environment and Climate Action at Grampians.environment@delwp.vic.gov.au.

Note 2: Before any works on public land start, the applicant must comply with applicable Commonwealth, State and local legislation, regulations and permits.

Conditions Required by Central Highlands Water

- 28) *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.*
- 29) *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.*
- 30) *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.*
- 31) *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.*
- 32) *If the land is developed in stages, the above conditions will apply to any subsequent stage of the subdivision.*

Conditions Required by Goulburn Murray Water

- 33) *Any Plan of Subdivision lodged for certification must be referred to Goulburn-Murray Rural Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.*
- 34) *All works within the subdivision must be done in accordance with EPA Publication 1834 Civil Construction, Building and Demolition Guide (November 2020).*
- 35) *Each lot must be provided with connection to the reticulated sewerage system in accordance with the requirements of the relevant urban water authority.*

Conditions Required by Powercor

- 36) *The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.*
- 37) *The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards. Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets*

may be required to make such supplies available, with the cost of such works generally borne by the applicant.

- 38) *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 (VSIR). Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works*

Telecommunication conditions

- 39) *The owner of the land must enter into an agreement with:*
- a) *telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan 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 each lot shown on the endorsed plan 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.*
- 40) *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.*
- 41) *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 percent 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.*

Permit Expiry

- 42) *This permit will expire if one of the following circumstances applies:*
- a) *The plan of subdivision is not certified within two 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 the Planning and Environment Act 1987.

MOTION

That Council:

- *having caused notice of Planning Application No. PLN23/0101 to be given under Section 52 of the Planning and Environment Act 1987 and /or the Hepburn Planning Scheme; and*
- *having considered all the matters required under Section 60 of the Planning and Environment Act 1987;*

determines to issue a Notice of Decision to Grant a Planning Permit for the development of land at 12 White Hills Road, Creswick for a Four Lot Subdivision and Removal of Native Vegetation subject to the following conditions.

Amended Plans

- 1) *Before the development starts, amended plans 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 application plans but further modified to show:*
 - a) *Vegetation to be removed within the road reserve and lots 3-4 including details of all native vegetation to be retained with a description on the plan of the measures to be used to protect identified vegetation during construction.*
 - b) *A landscape plan detailing replacement tree planting within the road reserve with suitably located equivalent species or approved alternative of a minimum of 1.5 metres high.*

Endorsed Plans

- 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.*

Stormwater Drainage

- 3) *Prior to the certification of the Plan of Subdivision, detailed Engineer designed Stormwater Management Plans which meet the requirements for stormwater quality as stated in the BPEM (Best Practice Environmental Management)*

*Guidelines must be submitted to and approved by the Responsible Authority.
The plans must show:*

- a) 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 site;*
- b) return period for any detention system is to be 20% AEP where there is overland escape path and 1% AEP if the failure of the detention system will cause property damage or inundation of freehold titles;*
- c) connection of each lot to a legal point of discharge;*
- d) all allotments provided with drainage outfall (house connection) connected to the drainage system to the satisfaction of the Responsible Authority. House drainage connection shall be constructed in accordance with Infrastructure Design Manual Standard Drawing SD 510 or SD 505 with hot dip galvanised kerb adaptors. Where house connections run to open swale, a 100mm PVC outlet shall be cored into crossover end walls or have its own end wall;*
- e) a calculations table for future dwellings having minimum information including, but not limited to, tank size for various hard stand areas, height of restrictor outlet and orifice size;*
- f) identify and record how the quantity and quality of stormwater will 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 and catering for existing flows along the road network. Drainage design plans and legal point of discharge will not be considered until the drainage strategy has been established;*

to the satisfaction of the Responsible Authority. Note: Additional information for requirements can be found at <https://www.epa.vic.gov.au/business-and-industry/guidelines/water-guidance/urban-stormwater-bpemg>

- 4) *Prior to the issue of a Statement of Compliance for the subdivision, if the approved Stormwater Management Plan includes any works to be undertaken during the dwelling construction stage, the owner of the land must enter into an agreement under Section 173 of the Planning and Environment Act 1987 with the Responsible Authority. The agreement must be in a form to the satisfaction of the Responsible Authority, and the applicant must be responsible for the expense of the preparation and registration of the agreement, including the Responsible Authority's reasonable costs and expenses (including legal expenses) incidental to the preparation, registration and enforcement of the agreement. The agreement must contain covenants to be registered on the Title of the property so as to run with the land, and must provide for the following:*
- a) *detailing the works to be completed by the future landowner to achieve compliance with the endorsed Stormwater Management Plan requiring that such works shall be constructed and completed during house/building construction stage.*
- 5) *Prior to the issue of a Statement of Compliance, the works shown on the approved stormwater drainage plans must be constructed to the satisfaction of the Responsible Authority.*

Easements

- 6) *Prior to the issue of a Statement of Compliance, all drainage easements deemed necessary by the Responsible Authority must be provided on the Plan of Subdivision to protect and facilitate existing and future drainage infrastructure. Easements must also be provided through properties between the development site and the nominated legal point of discharge. Note: The minimum width of drainage easements must be two metres for stormwater.*
- 7) *Drainage easements must be created to allow for gravity stormwater drainage to the satisfaction of Responsible Authority.*

Road Upgrade

- 8) *Unless otherwise approved in writing by the Responsible Authority, prior to the issue of a Statement of Compliance for the subdivision, Engineer designed plans for the construction of White Hills Road along the property frontage to the edge of seal in White Hills Road must be submitted to and approved by the Responsible Authority. The plans must detail:*
- a) *The construction of the road which complies with the Austroads Guidelines, the Co-ordination of Streetworks Code of Practice, Relevant Australian standards, VicRoads Road Design Guidelines, Infrastructure Design Manual [IDM] and which provides for:*
- 7.3m wide seal pavement comprising;*

- *An engineered pavement design, but as a minimum 200mm compacted depth class 3, 20mm FCR sub base and 150mm compacted depth class 2, 20mm FCR base pavement. Existing road material, where tested for depth, regulated and cement stabilised, shall be deemed suitable as sub-base if appropriate testing results can be supplied;*
 - *B2 type Kerb and channel on the side of the development;*
 - *0.5m unsealed shoulder comprising; 150mm deep compacted depth class 2, 20mm FCR base;*
 - *2 coat spray seal, 10mm primer seal/7mm rubberised final seal or 40mm depth type H asphalt;*
 - *Extension of the 375mm diameter drain behind the kerb and channel for the frontage of the property;*
- (b) Upgrading of stormwater drains along the frontage of the property to underground pipe;*
- (c) 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:*
- *Road Sub-grade (proof roll);*
 - *Pavement sub-base and base (density test and proof roll);*
 - *Pavement prior to sealing or asphalt application;*
 - *Drainage trench and bedding;*
 - *Drainage infrastructure prior to backfill;*
 - *Drainage pits;*
- (d) Line marking and signage;*
- to the satisfaction of the Responsible Authority.*

- 9) *Unless otherwise approved in writing by the Responsible Authority, prior to the issue of a Statement of Compliance for the subdivision, White Hills Road must be upgraded in accordance with the plans approved under this Planning Permit.*

As constructed drawings

- 10) *Prior to the issue of a Statement of Compliance, 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.

As-Constructed plans must 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*
- c) Information required for integration into Council's GIS system*
- d) Information to be presented in pdf. and dwg. formats, unless otherwise agreed in writing by the Responsible Authority.*

Street Lighting

- 11) Prior to the issue of a Statement of Compliance for the subdivision, Energy efficient LED street lighting must 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. New lighting must be located outside the clear zones and meet the standards for category P lighting with the minimum level being one light near the mid-point of the development and where streetlights are installed in already established areas, glare shields shall be included to prevent light spill into existing properties.*

Completion of Construction Works

- 12) Prior to the issue of the Statement of Compliance 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:*
 - a) street and drainage in accordance with the approved construction drawings;*
 - b) intersection and traffic control/mitigation measures;*
 - c) signage and linemarking;*
 - d) high stability permanent survey marks;*
 - e) lot access; and*
 - f) plant street trees.*

Defects Maintenance and Bonds

- 13) Prior to the issue of a Statement of Compliance for the subdivision, 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 the date of practical completion occurs.

- 14) *Prior to issue of Statement of Compliance for the subdivision, 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.

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

Plan Checking and Supervision Fee

- 15) *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*

Conditions Required by the Country Fire Authority

- 16) *The Bushfire Management Plan prepared by Stantec Version C, dated 20/3/2024 must be endorsed by the Responsible Authority, be included as an annexure to the section 173 agreement prepared to give effect to clause 44.06-5 of the Planning Scheme and must not be altered unless agreed to in writing by CFA and the Responsible Authority.*

- 17) *In addition to the requirements of Clause 44.06-5 of the Scheme, the section 173 Agreement prepared in accordance with that clause must also: Explicitly exclude Lot 4 from the following exemption under Clause 44.06-2 of the Scheme: "A building or works consistent with an agreement under section 173 of the Act prepared in accordance with a condition of permit issued under the requirements of Clause 44.06-5".*

- 18) *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 the existing dwelling on lot 4 must be 120 metres and the hydrants must be no more than 200 metres apart. These distances must be measured as a hose would be laid on the ground. Not over obstructions and obstacles, such as fences, or over side and rear boundaries.*

- b) *The hydrants must be identified with marker posts, blue road reflectors and white road triangles (as applicable).*

Note: CFA's requirements for identification of hydrants are specified in 'Identification of Street Hydrants for Firefighting Purposes' available under 'About us' then 'Publications' on the CFA website (www.cfa.vic.gov.au)

- 19) *Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:*
 - a) *State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the Hepburn Planning Scheme.*
 - b) *Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.*
 - c) *State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.*

The landowner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

Conditions Required by Department of Energy, Environment and Climate Change

- 20) *Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.*
- 21) *The native vegetation permitted to be removed, destroyed or lopped under this permit is comprised of the following and as per Native Vegetation Removal report ID 329_20231120_ITO, dated 20 November 2023: a) 0.197 hectares of native vegetation, including six large trees.*
- 22) *Before any native vegetation removal begins / works start, plans to the satisfaction of the responsible authority, identifying all native vegetation to be retained and describing the measures to be used to protect the identified vegetation during construction, must be prepared and submitted to and approved by the responsible authority. When approved, the plan will be endorsed and will form part of this permit. All works constructed or carried out must be in accordance with the endorsed plan.*
- 23) *Except with the written consent of the responsible authority, within the area of native vegetation to be retained and any tree or vegetation protection zone, associated with the permitted use and/or development, the following is prohibited:*
 - a) *vehicular or pedestrian access,*

- b) *trenching or soil excavation,*
 - c) *storage or dumping of any soils, materials, equipment, vehicles, machinery, or waste products,*
 - d) *entry and exit pits for the provision of underground services, and*
 - e) *any other actions or activities that may result in adverse impacts to retained native vegetation.*
- 24) *To offset the impacted 0.197 hectares of native vegetation, the permit holder must secure a native vegetation offset in accordance with Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017), the permit holder must secure the following offsets:*
- a) *A general offset of 0.059 general habitat units which must meet the following criteria:*
 - i) *located within the North Central Catchment Management Authority (CMA) or Hepburn Shire Council municipal area,*
 - ii) *with a minimum strategic biodiversity value of at least 0.326, and*
 - iii) *the offsets secured must also protect six large trees.*
- 25) *Before any native vegetation is removed, destroyed or lopped, evidence that the required offset by this permit / project has been secured, must be provided to the satisfaction of the responsible authority. This evidence must be 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 ten-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.*
- 26) *A copy of the offset evidence will be endorsed by the responsible authority and form part of this permit.*
- 27) *Where the offset includes a first party offset(s), the permit holder must provide an 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.*

Note 1: Before any works on public land start, a permit to take protected flora under the Flora and Fauna Guarantee Act 1988 (FFG) may be required. To obtain an FFG permit or further information, please contact a Natural Environment Program officer at the Grampians regional office of the Department of Energy, Environment and Climate Action at Grampians.environment@delwp.vic.gov.au.

Note 2: Before any works on public land start, the applicant must comply with applicable Commonwealth, State and local legislation, regulations and permits.

Conditions Required by Central Highlands Water

- 28) *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.*
- 29) *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.*
- 30) *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.*
- 31) *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.*
- 32) *If the land is developed in stages, the above conditions will apply to any subsequent stage of the subdivision.*

Conditions Required by Goulburn Murray Water

- 33) *Any Plan of Subdivision lodged for certification must be referred to Goulburn-Murray Rural Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.*
- 34) *All works within the subdivision must be done in accordance with EPA Publication 1834 Civil Construction, Building and Demolition Guide (November 2020).*
- 35) *Each lot must be provided with connection to the reticulated sewerage system in accordance with the requirements of the relevant urban water authority.*

Conditions Required by Powercor

- 36) *The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.*
- 37) *The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards. Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.*

- 38) *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 (VSIR). Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works*

Telecommunication conditions

- 39) *The owner of the land must enter into an agreement with:*
- a) *telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan 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 each lot shown on the endorsed plan 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.*
- 40) *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.*
- 41) *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 percent 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.*

Permit Expiry

- 42) *This permit will expire if one of the following circumstances applies:*

- a) *The plan of subdivision is not certified within two 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 the Planning and Environment Act 1987.

Moved: Cr Tessa Halliday

Seconded: Cr Jen Bray

Carried

Voted for: Cr Brian Hood, Cr Jen Bray, Cr Lesley Hewitt, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Cr Don Henderson and Cr Juliet Simpson

Abstained: Nil

Cr Don Henderson called for a division.

Voted for: Cr Brian Hood, Cr Jen Bray, Cr Lesley Hewitt, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Cr Don Henderson and Cr Juliet Simpson

Abstained: Nil

BACKGROUND

Subject site

The subject site is located on the southern side of White Hills Road, Creswick approximately one kilometre south of the town centre and approximately 163 metres east of the Midland Highway.

The site is irregular in shape with a frontage of approximately 69 metres to White Hills Road, a depth along its eastern boundary of approximately 143 metres, a depth along its western boundary of approximately 129 metres, with an overall area of approximately 9,390 square metres. The site also has a boundary of approximately 70 metres to Oswin Street at the rear of the site.

The site is currently developed for residential purposes and contains an existing single storey dwelling with attached carport and various outbuildings located centrally on the site.

The land falls from the south to the north, with access via an existing vehicle crossover to White Hills Road, which contains a gravel surface and open drains adjacent to the subject site. White Hills Road from the site's western boundary to the Midland Highway comprises a bitumen surface with kerb and channel.

The site is highlighted in red in the image below.



Figure 1 | Aerial image of site

Surrounding area

Surrounding land is developed in the wider context of housing at varying densities to the north, south-east, east and west. Land immediately to the south of the site on the southern side of Oswald Drive contains the Creswick Natural Features Reserve, with the RACV Goldfields Golf Course and Resort beyond this.

The subject site and all immediately abutting land is located within the General Residential Zone. This land is developed in a similar way to the subject site.

Land located immediately opposite the site is land zoned Low Density Residential Zone. Surrounding land is developed for residential purposes.

Proposal

The original application was for a five lot subdivision. This application has since been amended and approval is now sought for a four lot subdivision, with one of the lots on White Hills Road removed and lot widths increased. The proposed subdivision can be seen in the image below.

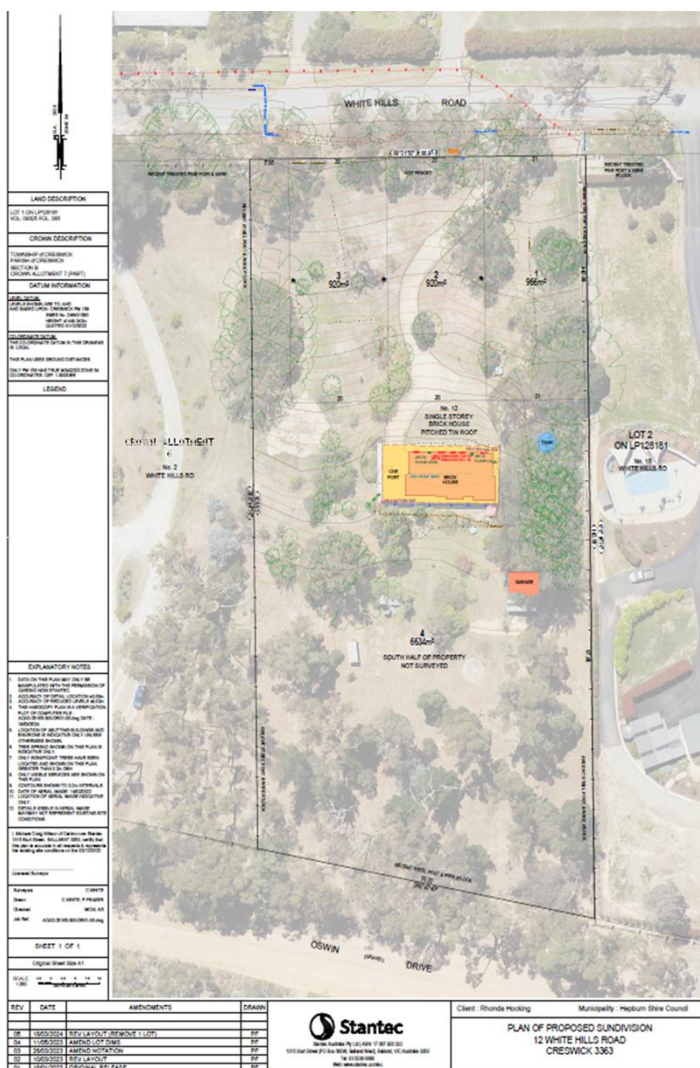


Image 2 | Proposed plan of subdivision

As can be seen from the image above Lots 1 to 3 range in area from 820 square metres to 966 square metres and have direct frontage to White Hills Road. The existing dwelling and outbuildings are located on Lot 4 which is approximately 6,634 square metres in area with vehicle access to White Hills Road via a 7.95 metre wide entry. The site's most intact remnant vegetation is at the rear of the existing dwelling on Lot 4 and can be retained on this large lot.

Native vegetation in the White Hills Road road reserve is proposed to be removed to facilitate road upgrades, access and drainage upgrades in White Hills Road. It has been established that most of the trees within the northern half of the site have been planted as part of establishing a residential garden, but there are some patches of native vegetation. A permit will be required for its removal from land within proposed Lots 1 to 3 of the subdivision.

The lots will be connected to all available services including reticulated water and sewerage and have new vehicle crossovers constructed to Council's standard.

Removal of Vegetation

It is proposed to remove native vegetation at the frontage of the site to facilitate drainage works, sealing of the road frontage and provide kerb and channel as required by Council's engineers and to allay a prime concern of the objectors.

The removal of vegetation equates to 0.059 general habitat units which includes six large trees. After considering an Ecological Assessment provided by the applicants, Council's Biodiversity Officer provided the following comments.

"The vegetation proposed for development appears to be of a low to medium quality and its removal would not appear to seriously compromise important biodiversity values such as regional connectivity, so there appears no compelling rationale to reject the subdivision on biodiversity grounds. As Biodiversity Officer I recognise the measures taken to avoid and minimise remnant vegetation loss in the subdivision plan and to provide an accurate accounting of vegetation values. In particular the placement of the subdivision does avoid impacting higher quality vegetation present on the balance of the property".

Furthermore, the conditional response from DEECA requires conditions to be placed on a permit relating to:

- Protection of retained vegetation.
- Provision of Native Vegetation Offsets.
- Offset evidence.
- Monitoring and reporting on onsite implementation.

Permit History

There is no recorded planning history for this lot.

Referrals

The following external referrals were undertaken.

Section 55, determining referral authorities

| | |
|-------------------------|---|
| Authority | Goulburn Murray Water |
| Outcome: | Conditional consent |
| Officer comment: | The conditions are included in the recommendation |

| | |
|-------------------------|---|
| Authority | CFA / Fire Rescue Victoria |
| Outcome: | Conditional consent |
| Officer comment: | The conditions are included in the recommendation |

| | |
|-------------------------|---|
| Authority | Central Highlands Water |
| Outcome: | Conditional consent |
| Officer comment: | The conditions are included in the recommendation |

| | |
|-------------------------|---|
| Authority | DEECA / DEWLP |
| Outcome: | Conditional consent |
| Officer comment: | The conditions are included in the recommendation |

| | |
|-------------------------|---|
| Authority | Powercor |
| Outcome: | Conditional consent |
| Officer comment: | The conditions are included in the recommendation |

Internal referrals

The following internal referrals were undertaken.

| | |
|-----------------------------|--|
| Department | Engineering |
| Summarised response: | Conditional consent |
| Officer comment: | The suggested conditions have been re-worded for clarity and to ensure a clear link with the subdivision process |

| | |
|-----------------------------|---|
| Department | Biodiversity |
| Summarised response: | <p><i>The vegetation proposed for development appears to be of low to medium quality and its removal would not appear to seriously compromise important biodiversity values such as regional connectivity, so there appears no compelling rationale to reject the subdivision on biodiversity grounds.</i></p> <p><i>However a reduced number of subdivision blocks (2) would create greater opportunity for retention of remnant trees within the landscape and would be preferred to enable the Council to better fulfil the objective of clause 12.01L of the Hepburn Planning scheme to 'To protect and enhance the</i></p> |

| | |
|-------------------------|---|
| | <p><i>Shire's native vegetation and habitats.' and specifically the strategies to;</i></p> <ul style="list-style-type: none"> <i>Protect large old native trees on private and public land.</i> <i>Minimise the number of vehicle crossovers and additional access points to vegetated roadsides.</i> |
| Officer comment: | Noted. |

Public notification

The application was advertised via mail and a sign on site. A total of seven objections have been lodged with Council.

The objections are summarised and commented on in the table below.

| <i>Issue raised</i> | <i>Officer response</i> |
|---|--|
| The site must have adequate stormwater drainage provided. | Conditions contained in the recommendation reflect the requirements of Council's Engineers and require a Stormwater Management Plan to be submitted and all associated work to be completed before a Statement of Compliance is issued. |
| Removal of trees at White Hills Road frontage | <p>It is unfortunate that the vegetation in White Hills Road will be lost, but the loss of this vegetation is not able to be avoided given the need to upgrade the road, upgrade drainage and provide access to each lot.</p> <p>The application has been supported by DEECA and offsets contributions are required to be secured.</p> |
| Loss of open space | <p>There is no public open space lost as a result of this application.</p> <p>The lot sizes are smaller than the current situation, but are large enough to provide for the development of future dwellings, appropriate front setbacks and private open space areas.</p> |

| | |
|---|--|
| Increase in traffic | The addition of three lots to the existing lot will have an insignificant increase in traffic and the road will be upgraded as a result of this application. |
| Overdevelopment of the site | <p>The applicant originally proposed five lots, this has now been reduced to four. Immediately across the road from the proposal there are numerous lots in Caddy Drive and Albert Street which are similar in size or smaller to that proposed in this application.</p> <p>The smaller lots along White Hills Road are approximately 20 metres in width, which ensures that the lots are wide enough to accommodate a dwelling and still provide for a side setback(s).</p> |
| Traffic impact during construction period | The construction period will only be a short term issue and will result in improvements to the condition of White Hills Road and its drainage. This is not a basis to refuse the application. |

Planning Scheme

The site is located in the General Residential 1 Zone (GRZ1). It is subject to the following overlays:

- Bushfire Management Overlay (BMO)
- Environmental Significance Overlay – Schedule 1 (ESO1)

A Planning Permit is required for this application pursuant to the following clauses of the Hepburn Planning Scheme:

- Clause 32.08-3 – Subdivision in the GRZ;
- Clause 42.01-2 – Subdivision in the ESO;
- Clause 44.06-2 - Subdivision in the BMO.

KEY ISSUES

The application has been assessed as follows.

Municipal Planning Strategy

02.03-1 – Settlement – Creswick and Daylesford are regional service hubs while the other townships are focused on meeting the needs of the local community and visitors. There are extensive tracts of low-density zoned land between and around

the edges of Clunes and Creswick. Development capacity within these areas outside township boundaries is limited due to servicing requirements, on site effluent disposal, and surface and groundwater quality and quantity, and bushfire concerns. A number of settlements and rural living areas have high risk of bushfire with some requiring restructuring and potentially abandonment to reduce the threats to life and property.

Council's strategic directions for settlement, as relevant, are to:

- *Concentrate development into defensible parts of existing township boundaries and settlements to mitigate bushfire risk, protect agricultural land, and limit natural and environment risks.*
- *Facilitate growth in Creswick and Clunes within the designated township boundaries.*
- *Discourage residential development in settlements within existing residentially zoned boundaries where bushfire risks cannot be mitigated.*

Response

It is considered that the subject site is within a defensible part of the Creswick township to be able to mitigate bushfire risk.

02.03-2 – Environmental and Landscape Values – Creswick and Daylesford are regional service hubs. Council's strategic directions for environmental and landscape values, as relevant, are to:

- *Protect and enhance state significant landscapes such as volcanic outcrops, cones and goldfields.*
- *Protect and enhance watercourses, wetlands and water bodies and their associated riparian zones.*
- *Protect indigenous vegetation across the Shire.*
- *Encourage landowners to sustainably manage land and instream uses including removing environmental weeds.*
- *Minimise wholesale clearing of significant vegetation in areas of high bushfire risk.*

Response

The proposal does not compromise any of the strategic directions of this Clause.

02.03-3 – Environmental Risk and Amenity – The Shire will continue to be subject to the risks of environmental challenges such as bushfire, flooding, erosion and salinity. Council's strategic directions for environmental risks and amenity, as relevant, are to:

- *Contain future growth within township boundaries to protect environmental values and to limit the risk to life and property from bushfire.*

- *Avoid development that through its location or design increases exposure to bushfires.*

Response

The proposed subdivision will enable growth within the township boundary in an area that will not increase bushfire risk.

02.03-4 – Natural Resource Management – Water catchments within the Shire ultimately link to the Murray River and Port Phillip Bay. The whole of the Shire is within proclaimed water supply catchments declared under the *Catchment and Land Protection Act 1994*. Maintaining groundwater quantity, quality and management is an important issue for Council and the Catchment Management Authorities. Mitigating the impacts of stormwater from development will also assist to maintain water resources. Council's strategic directions for natural resource management, as relevant, are to:

- *Minimise landscape and water quality impacts on the catchments through careful location and design of development and wastewater systems.*
- *Protect streamsides, catchments, flood plains and wetlands from the impacts of development.*
- *Protect water resources in the Shire through integrated water and catchment management including stormwater.*
- *Protect mineral springs, their aquifers and environs from the impacts of waste disposal and drainage.*

Response

Given that the subject site will be connected to reticulated water and sewerage, no risk will be posed to water resources in the Shire. In addition, no objections were raised to the proposal from Goulburn Murray Water and Central Highlands Water.

02.03-5 – Built Environment and Heritage – Natural and 'semi' natural features within townships and settlements are important to each townships character. These include significant native and exotic vegetation, creeks, main drainage lines and man-made lakes and reserves. In these environments, the quality of the built form and view lines from, and to, these environments is especially important. Improved urban design guidance will assist in ensuring that the character of townships is complemented and preserved and quality of development improved. Council's strategic directions for built environment and heritage, as relevant, are to:

- *Protect the built, natural and cultural heritage to enhance appreciation of the Shire's history and to maximise opportunities for tourism.*
- *Ensure development is in keeping with the historic, landscape and neighbourhood character of townships and settlements.*
- *Support development, including new residential areas and infill development, that responds to its setting and surrounds.*

Response

The proposal is certainly in keeping with the character of subdivided land on the opposite side of White Hills Road and that of nearby more urban land, providing for lots which will be able to be developed with dwellings that respond to the character of the area.

02.03-9 – Infrastructure – The provision and adaptation of infrastructure is essential to the future growth and development of the Shire to support both the community and visitor population. Clunes, Creswick, Daylesford, Hepburn Springs and Trentham have sewerage and potable water infrastructure while settlements are unsewered and have no reticulated water supply. Maintaining water supply and quality will continue to be important for serviced townships and settlements. Council's strategic directions for infrastructure, as relevant, are to:

- *Ensure development is directed into townships with reticulated water or capacity for alternative potable water sources, and reticulated sewerage.*
- *Upgrade existing and ageing infrastructure resulting from the demands of new development and servicing needs.*

Response

The site is within the township boundary of Creswick as identified in Clause 11.01-1L, township and settlements, consistent with Clause 02.03-1. The site does not contain any areas of heritage value or significant vegetation. A Bushfire Management Statement has been prepared which concluded the site can be managed to an acceptable level to ensure protection of life and property is achieved, consistent with Clause 02.03-3. This is supported by conditional consent received from the CFA. Waterways are well in excess of 30 metres from the site, minimising impacts to water quality, consistent with Clause 02.03-4. All lots will be connected to all available services including reticulated water and sewerage, as required by Clause 02.03-9. It is therefore considered the proposal can be supported by the above strategic directions as identified by Council.

Planning Policy Framework

11.01-1S – Settlement – This policy aims to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements. Relevant strategies to achieve this are to:

- *Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.*
- *Ensure regions and their settlements are planned in accordance with their relevant regional growth plan.*
- *Guide the structure, functioning and character of each settlement taking into account municipal and regional contexts and frameworks.*

- *Create and reinforce settlement boundaries.*
- *Provide for growth in population and development of facilities and services across a regional or sub-regional network.*
- *Limit urban sprawl and direct growth into existing settlements. Promote and capitalise on opportunities for urban renewal and infill redevelopment.*
- *Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.*

Response

The subdivision will assist in limiting urban sprawl by producing infill development in an existing settlement within its established township boundary.

11.01-1R – Settlement – Central Highlands – Relevant strategies include:

- *Provide local and sub-regional services at Avoca, Ballan, Beaufort, Clunes, Creswick, Daylesford and Smythesdale to support ongoing growth, particularly closer to Melbourne and Ballarat where towns will provide a key opportunity to target growth pressure.*
- *Direct growth to well serviced settlements with good access to Melbourne or Ballarat, particularly Bacchus Marsh, Ballan, Creswick, Clunes, Beaufort and Smythesdale.*
- *Creswick is identified in the Central Highlands Regional Growth Plan as a town for medium growth with a key relationship to Ballarat.*

Response

The proposal accords with the strategies of this Clause.

11.01-1L – Township and Settlements – This policy aims to achieve a sustainable urban form for townships by containing future development within the township boundaries shown on the township structure plans. Relevant strategies include:

- *Provide for urban development and economic growth in the townships of Clunes, Creswick, Daylesford, Hepburn Springs and Trentham based on township boundaries and structure plans.*
- *Promote Creswick and Clunes as the focus for the municipality's population growth.*
- *Locate new dwellings and residential subdivisions within township boundaries.*
- *Provide for urban infill and consolidation opportunities in townships that utilise existing infrastructure.*

Response

The proposed subdivision complies with the strategies by promoting growth in Creswick, being located within the Creswick Township boundary and providing urban infill that can utilise existing infrastructure.

12.01-2S – Native vegetation management – The objective of this Clause is ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

Response:

The application has applied the three-step approach (avoid, minimise, offset) in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017).

Furthermore, no objection was raised by DEECA about the removal of native vegetation.

13.02-1S – Bushfire Planning – This policy aims to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life. This policy must be applied to all planning and decision making under the Planning and Environment Act 1987 relating to land which is subject to a Bushfire Management Overlay or within a designated bushfire prone area.

Strategies include giving priority to the protection of human life, identifying bushfire hazards and undertake appropriate risk assessment, planning to strengthen the resilience of settlements and communities and prioritise protection of human life.

Response

A Bushfire Management Statement has been prepared under the requirements of the Bushfire Management Overlay which was referred to the CFA who responded with a conditional consent.

As the subdivision will be undertaken on land which is in the GRZ, it is assessed that the creation of three additional lots will not add to risk from bushfire, as the township of Creswick will need to be protected from a bushfire event.

14.02-1S – Catchment Planning and Management – The objective of this policy is to assist the protection and restoration of catchments, waterways, estuaries, bays, water bodies, groundwater, and the marine environment.

Response

The application was referred to Goulburn Murray Water and Central Highlands Water who responded with conditional consents confirming that no risk will result to catchments, waterways, estuaries, bays, water bodies, groundwater, and the marine environment.

14.02-1L – Catchment and Land Protection – The objective of this policy is to ensure that use and development in a special water supply catchment protects, restores and

enhances the quality and quantity of the natural resources and environmental systems for the long term supply of quality water for future generations.

Response

All lots will be connected to reticulated water and sewerage, minimising impacts on the special water supply catchment, while the existing dwelling will continue to utilise the existing septic system on the land. In addition to this, the land will be drained to Council's requirements, again minimising any impacts to water quality.

15.03-2S – Aboriginal Cultural Heritage – Aims to ensure the protection and conservation of places of Aboriginal cultural heritage significance.

Response

Under the *Aboriginal Heritage Act 2006*, the subject site is not found to be within an area of possible cultural heritage sensitivity.

19.03-2S – Infrastructure Design and Provision – Aims to provide timely, efficient and cost-effective development infrastructure that meets the needs of the community by providing an integrated approach to the planning and engineering design of new subdivision and development and integrating developments with infrastructure and services, whether they are in existing suburbs, growth areas or regional towns.

Response

Services in the form of reticulated water and sewerage, electricity and telecommunications are currently available to the site. The site will be drained using current best practice water sensitive urban design principles and Council standards as required. It is not anticipated that approval of this subdivision would place any undue pressure on the delivery of these services.

General Residential Zone, Schedule 1

The subject site is situated within the General Residential Zone – Schedule 1 – Creswick General Residential Areas. The purpose of the General Residential Zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

Under Clause 32.08-3 of the Planning Scheme, a permit is required to subdivide land included within the General Residential Zone. An application to subdivide land must also meet the relevant requirements of Clause 56.

Before deciding on an application as outlined in Clause 7.0 of Schedule 1, the Responsible Authority must consider the following decision guidelines which apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- *Whether subdivision retains the important elements and features which form part of the significance and character of the area, the visual setting and the important view-lines between these elements.*
- *Whether the proposed subdivision will complement or adversely affect the cultural significance of any heritage place within the area.*
- *Whether subdivision will complement or adversely affect the key characteristics of the area such as streetscape, lot sizes, lot pattern, lot layout or existing building forms in the area or would result in development that would adversely affect the rhythm, scale and pattern of buildings in the area.*

Response

The proposal is consistent with the purpose of the zone in that it will allow for a range of densities and a variety of dwelling types in a location that is in close proximity to educational, recreational, community and commercial facilities. The lots are of sufficient size and orientation to allow for the construction of future dwellings consistent with the existing neighbourhood character of this locality which is diverse in nature.

A Clause 56 assessment has been undertaken and the application is consistent with the requirements of Clause 56.

Environmental Significance Overlay

The subject site is also included within the Environmental Significance Overlay – Schedule 1 - Special Water Supply Catchment Protection. The purpose of the Environmental Significance Overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas where the development of land may be affected by environmental constraints.
- To ensure that development is compatible with identified environmental values.

Under the provisions of Clause 42.01-2, a permit is required to subdivide land and to remove, destroy or lop any vegetation, including dead vegetation. This does not apply if a schedule to the overlay specifically states that a permit is not required.

Part 3.0 to the schedule states that a permit is not required to:

- Remove, destroy, or lop vegetation including dead vegetation unless the removal, destruction or lopping involves any native vegetation on land within 30 metres of a waterway.
- Subdivide land for either an existing building or into two lots connected to a reticulated water and reticulated sewerage system, or a lot of 40 hectares or greater.

Response

The nearest waterbody to the site is a dam on private property at 9 White Hills Road, being approximately 90 metres north of the subject site, with the nearest waterway being Slatey Creek approximately 540 metres to the east.

The subdivision will be drained to Council's requirements with all lots connected to reticulated water and sewerage. It is therefore considered the subdivision is appropriate and will have no adverse impact in relation to surrounding waterways and water quality.

Bushfire Management Overlay

The subject site is also included within the Bushfire Management Overlay.

Under the provisions of Clause 44.06-2 of the Planning Scheme, a permit is required to subdivide land. Under the provisions of Clause 44.06-4, an application must meet the requirements of Clause 53.02.

Response

An amended Bushfire Management Plan was referred to the CFA due to the reduction in lots and CFA responded with a conditional consent on 22 March 2024.

An assessment against Clause 53.02 has been undertaken and the application is compliant with the requirements of the Particular Provision.

POLICY AND STATUTORY IMPLICATIONS

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

GOVERNANCE ISSUES

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with this report.

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

No risks to Council other than those already identified.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The application has been advertised by sending notification of the proposal to adjoining owners and occupiers, and a notice on the land. The objections received have been previously noted and discussed.

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

Page 1 of 1

VOLUME 09325 FOLIO 385

Security no : 124106022550C
Produced 11/05/2023 02:35 PM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 128181.
PARENT TITLE Volume 03059 Folio 601
Created by instrument H441375 13/03/1979

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
RHONDA JOAN HOCKING of WHITE HILLS RD CRESWICK 3363
S925821G 09/02/1994

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE S925822D 09/02/1994
AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE LP128181 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 12 WHITE HILLS ROAD CRESWICK VIC 3363

ADMINISTRATIVE NOTICES

NIL

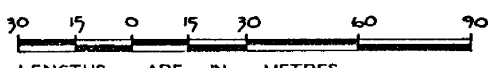
eCT Control 16165A AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED
Effective from 23/10/2016

DOCUMENT END

ATTACHMENT 11-1
LP128181
 EDITION 1
 APPROVED 6/10/78

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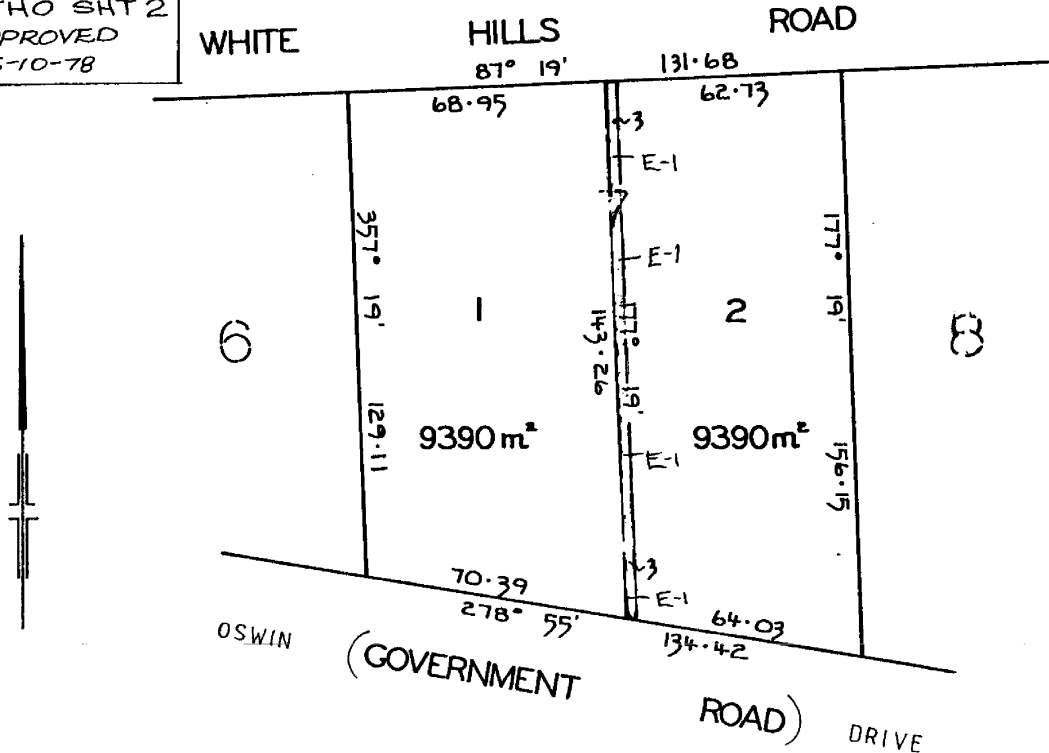
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|--|-----------------------|
| PLAN OF SUBDIVISION OF :- CROWN ALLOTMENT 7 SECTION B TOWNSHIP OF CRESWICK PARISH OF CRESWICK COUNTY OF TALBOT | APPROPRIATIONS |
| | BLUE — DRAINAGE |


 LENGTHS ARE IN METRES

Vol. 3059 Fol. 601


DEPTH LIMITATION: 15.24m

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 APPROVED
 6-10-78

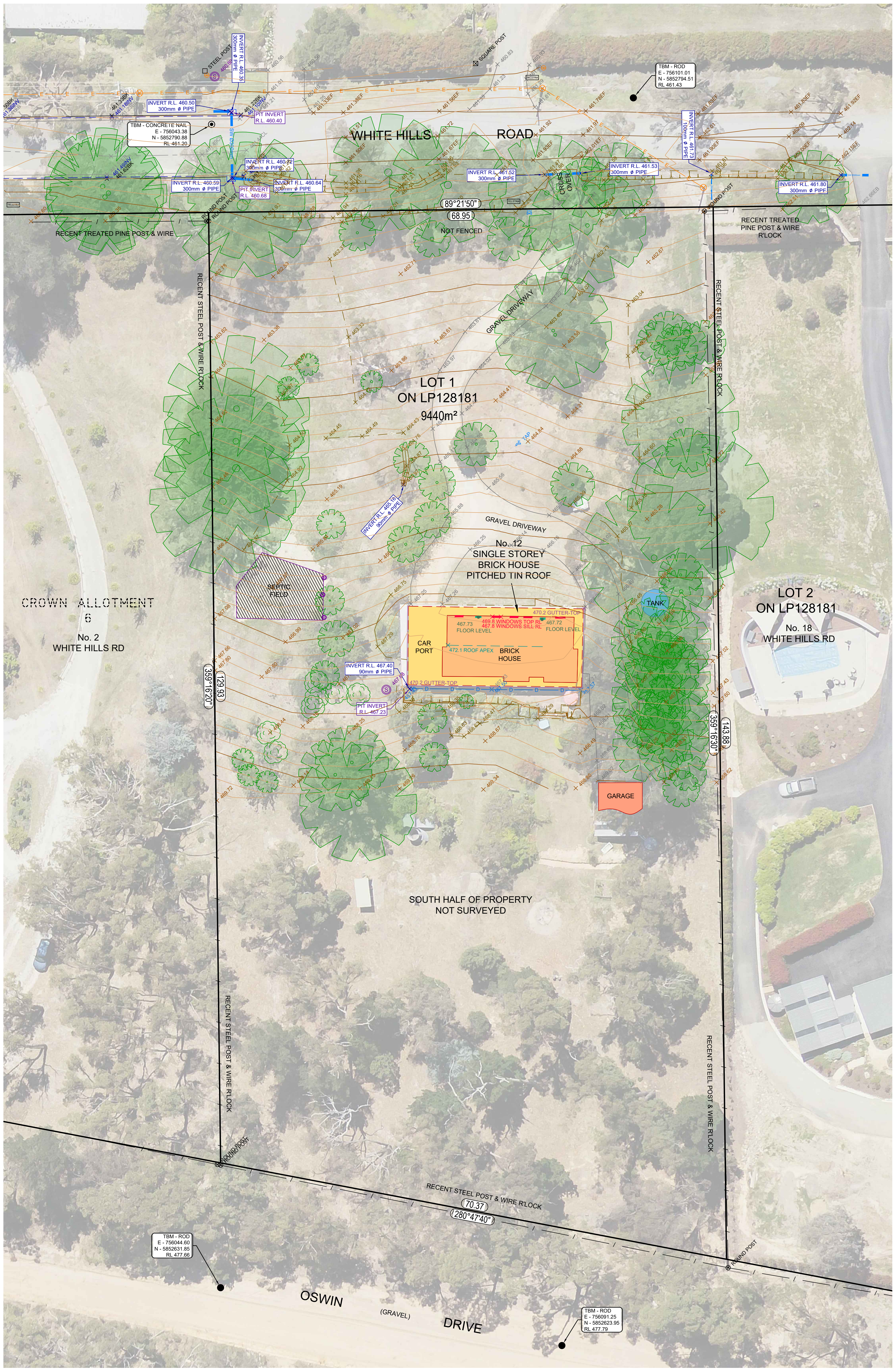


COLOUR CONVERSION
 FOR EASEMENTS
 E-1 = BLUE

STREET NAME AMENDED
 FROM UN-NAMED
 TO OSWIN DRIVE
 CORR. 6/80 P. 1001
 DATE 2-4-80

| | |
|---|---|
| CONSENT OF COUNCIL | SURVEYORS CERTIFICATION I CERTIFY THAT THIS PLAN HAS BEEN MADE BY ME AND ACCORDS WITH TITLE IS MATHEMATICALLY CORRECT AND NOT BASED ON SURVEY  LICENSED SURVEYOR 10.5.1978 |
| LEO MCMAHON & ASSOC. P/L — 31 LYONS ST. NTH. BALLARAT — REF. 3057 | |

| | |
|---|--|
| | |
| LAND DESCRIPTION | |
| LOT 1 ON LP128181 VOL. 09325 FOL. 385 | |
| CROWN DESCRIPTION | |
| TOWNSHIP of CRESWICK PARISH of CRESWICK SECTION B CROWN ALLOTMENT 7 (PART) | |
| DATUM INFORMATION | |
| LEVEL DATUM: LEVELS SHOWN ARE TO: AHD AHD BASED UPON: CRESWICK PM 159 SMES No. 246401590 HEIGHT of 448.342m QUOTED 01/12/2022 | |
| CO-ORDINATE DATUM: THE CO-ORDINATE DATUM IN THIS DRAWING IS: LOCAL | |
| THIS PLAN USES GROUND DISTANCES. | |
| ONLY PM 159 HAS TRUE MGA2020 ZONE 54 CO-ORDINATES. CSF: 1.0003366 | |
| LEGEND | |
| 001 PM 003 TITLE PEG 009 TBM RIVET 010 TBM CONCRETE NAIL 013 RM ROD 014 RM PIPE 017 NAIL IN BIT 018 RM SPIKE 100 CONTOUR EDGE 102 TOP OF BANK 103 TOE OF BANK 104 NATURAL SURFACE 201 TREE 204 SHRUB 301 DRAIN - CONCRETE 308 SIDE ENTRY PIT 320 PIT INVERT 321 PIPE UG 401 CL 403 BITUMEN - EDGE 404 FORMATION - CL 405 FORMATION - EDGE 407 KERB - INVERT 408 KERB - BACK 411 DRIVEWAY 419 CONC - EDGE 406 FLOOR LEVEL 601 HOUSE 602 SHED 604 VERANDAH 641 DOOR 642 WIN TOP 645 ROOF APEX 648 GUTTER TOP 712 ELECTRICITY - POLE 714 ELECTRICITY - PIT 717 ELECTRICITY - OVER HEAD 721 TELSTRA - PIT 741 SEWER - PIT 745 SEWER INSPECTION SHAFT 751 STOP VALVE 755 WATER METER 758 TAP 760 TANK 903 FENCE 904 GATE 905 ROUND POST 906 SQUARE POST 907 STEEL POST | |
| EXPLANATORY NOTES | |
| 1. DATA ON THIS PLAN MAY ONLY BE MANIPULATED WITH THE PERMISSION OF CARDNO NOW STANTEC. 2. ACCURACY OF DETAIL LOCATION $\pm 0.05m$. 3. ACCURACY OF REDUCED LEVELS $\pm 0.02m$. 4. THIS HARDCOPY PLAN IS A VERIFICATION PLOT OF COMPUTER FILE : ACAD-25165-300 EC03.dwg DATE : 21/04/2023. 5. LOCATION OF ABUTTING BUILDINGS AND ENVIRONS IS INDICATIVE ONLY UNLESS OTHERWISE SHOWN. 6. TREE SPREAD SHOWN ON THIS PLAN IS INDICATIVE ONLY. 7. ONLY SIGNIFICANT TREES HAVE BEEN LOCATED AND SHOWN ON THIS PLAN. 8. ONLY VISIBLE SERVICES ARE SHOWN ON THIS PLAN. 9. CONTOURS SHOWN TO 0.2m INTERVALS. 10. DATE OF AERIAL IMAGE: 14/02/2022 11. LOCATION OF AERIAL IMAGE INDICATIVE ONLY. 12. DETAILS VISIBLE IN AERIAL IMAGE MAY/MAY NOT REPRESENT EXISTING SITE CONDITIONS. | |
| I, Michael Craig Wilson of Cardno now Stantec 1315 Sturt Street, BALLARAT 3350, certify that this plan is accurate in all respects & represents the existing site conditions on the 02/12/2022 Licensed Surveyor | |
| Surveyors | C WHITE |
| Drawn | C WHITE |
| Checked | MCW |
| Job Ref. | ACAD-25165-300 EC03.dwg |
| SHEET 1 OF 1 | |
| Original Sheet Size A1 | |
| SCALE | 1:250 2.5 0 2.5 5 7.5 10 LENGTHS ARE IN METRES |



| REV | DATE | AMENDMENTS | DRAWN |
|-----|------------|------------------|-------|
| 03 | 21/04/2023 | AMEND NOTATION | PF |
| 02 | 28/03/2022 | AMEND NOTATION | PF |
| 01 | 07/12/2022 | ORIGINAL RELEASE | CW |

| | | |
|--|------------|--------------|
| <p align="center">LAND DESCRIPTION</p> <p>LOT 1 ON LP128181 VOL. 09325 FOL. 385</p> | | |
| <p align="center">CROWN DESCRIPTION</p> <p>TOWNSHIP of CRESWICK PARISH of CRESWICK SECTION B CROWN ALLOTMENT 7 (PART)</p> | | |
| <p align="center">DATUM INFORMATION</p> <p>LEVEL DATUM: LEVELS SHOWN ARE TO: AHD AHD BASED UPON: CRESWICK PM 159 SMES No. 246401590 HEIGHT of 448.342m QUOTED 01/12/2022</p> | | |
| <p><u>CO-ORDINATE DATUM:</u> THE CO-ORDINATE DATUM IN THIS DRAWING IS: LOCAL</p> <p>THIS PLAN USES GROUND DISTANCES.</p> <p>ONLY PM 159 HAS TRUE MGA2020 ZONE 54 CO-ORDINATES. CSF: 1.0003366</p> | | |
| <p align="center">LEGEND</p> | | |
| <p align="center">EXPLANATORY NOTES</p> <ol style="list-style-type: none"> 1. DATA ON THIS PLAN MAY ONLY BE MANIPULATED WITH THE PERMISSION OF CARDNO NOW STANTEC. 2. ACCURACY OF DETAIL LOCATION $\pm 0.05m$. 3. ACCURACY OF REDUCED LEVELS $\pm 0.02m$ 4. THIS HARDCOPY PLAN IS A VERIFICATION PLOT OF COMPUTER FILE : ACAD-25165-300-DR01-05.dwg DATE : 18/03/2024. 5. LOCATION OF ABUTTING BUILDINGS AND ENVIRONS IS INDICATIVE ONLY UNLESS OTHERWISE SHOWN. 6. TREE SPREAD SHOWN ON THIS PLAN IS INDICATIVE ONLY. 7. ONLY SIGNIFICANT TREES HAVE BEEN LOCATED AND SHOWN ON THIS PLAN. 8. GREATER THAN 0.2m DBH 8. ONLY VISIBLE SERVICES ARE SHOWN ON THIS PLAN. 9. CONTOURS SHOWN TO 0.2m INTERVALS 10. DATE OF AERIAL IMAGE: 14/02/2022 11. LOCATION OF AERIAL IMAGE INDICATIVE ONLY. 12. DETAILS VISIBLE IN AERIAL IMAGE MAY/MAY NOT REPRESENT EXISTING SITE CONDITIONS. <p>I, Michael Craig Wilson of Cardno now Stantec 1315 Sturt Street, BALLARAT 3350, certify that this plan is accurate in all respects & represents the existing site conditions on the 02/12/2022</p> <p>..... Licensed Surveyor</p> <p>Surveyors C WHITE</p> <p>Drawn C WHITE, P FRASER</p> <p>Checked MCW, AG</p> <p>Job Ref. ACAD-25165-300-DR01-05.dwg</p> | | |
| <p align="center">SHEET 1 OF 1</p> | | |
| <p align="center">Original Sheet Size A1</p> | | |
| <p>SCALE 1:250</p> <p align="center"> LENGTHS ARE IN METRES </p> | | |
| REV | DATE | |
| | | |
| 05 | 18/03/2024 | REV LAYOUT |
| 04 | 11/05/2023 | AMEND LOT D |
| 03 | 28/03/2023 | AMEND NOTA |
| 02 | 10/03/2023 | REV LAYOUT |
| 01 | 18/01/2023 | ORIGINAL REV |

| REV | DATE | AMENDMENTS | DRAWN |
|-----|------------|---------------------------|-------|
| | | | |
| 05 | 18/03/2024 | REV LAYOUT (REMOVE 1 LOT) | PF |
| 04 | 11/05/2023 | AMEND LOT DIMS | PF |
| 03 | 28/03/2023 | AMEND NOTATION | PF |
| 02 | 10/03/2023 | REV LAYOUT | PF |
| 01 | 18/01/2023 | ORIGINAL RELEASE | PF |

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PLAN OF PROPOSED SUNDIVISION
12 WHITE HILLS ROAD
CRESWICK 3363

Planning Report 12 White Hills Road Creswick

5 Lot Subdivision
Ref No : 3043 25165

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Document Information

Prepared for R Hocking
Proposal Name 5 Lot Subdivision
Job Reference 304325165
Date 11 May 2023
Version Number 1

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Approved By

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|-----------|-------------------------|---------------|-------------|
| Name | Andrew Grey | Date Approved | 11 May 2023 |
| Job Title | Principal Town Planning | | |

Document History

| Version | Date | Description of Revision | Prepared by | Reviewed by |
|---------|------------|-------------------------|---------------|-------------|
| 0 | 28.3.2023 | Review | Joanne Preece | Andrew Grey |
| 1 | 11.05.2023 | Lodgement with Council | Andrew Grey | Andrew Grey |

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Attachments

- Attachment 1 Copy of Title
- Attachment 2 Plan of Existing Conditions
- Attachment 3 Proposed Plan of Subdivision
- Attachment 4 Clause 56 Assessment
- Attachment 5 Bushfire Management Statement

1 Introduction

Stantec has been engaged by R Hocking to submit a Planning Permit Application on her behalf for a 5 lot subdivision of land situated at 12 White Hills Road, Creswick.

2 Permit Triggers

A permit is required for the above proposal under the following provisions of the Planning Scheme :

| | | |
|---|---------|---------------------|
| > General Residential Zone | 32.08-3 | Subdivision of Land |
| > Environment Significance Overlay | 42.01-2 | Subdivision of Land |
| > Bushfire Management Overlay | 44.06-2 | Subdivision of Land |

3 Subject Site and Context

The subject site is located on the southern side of White Hills Road, Creswick approximately 1 kilometre south of the town centre and approximately 163 metres east of the Midland Highway. The site consists of one Title, Vol. 9325 Fol. 385, Lot 1 on Lodged Plan of Subdivision 128181. The site is irregular in shape with a frontage of approximately 69 metres to White Hills Road, a depth along its eastern boundary of approximately 143 metres, a depth along its western boundary of approximately 129 metres, with an overall area of approximately 9,390 square metres. The site also has frontage of approximately 70 metres to Oswin Street to the rear, south.

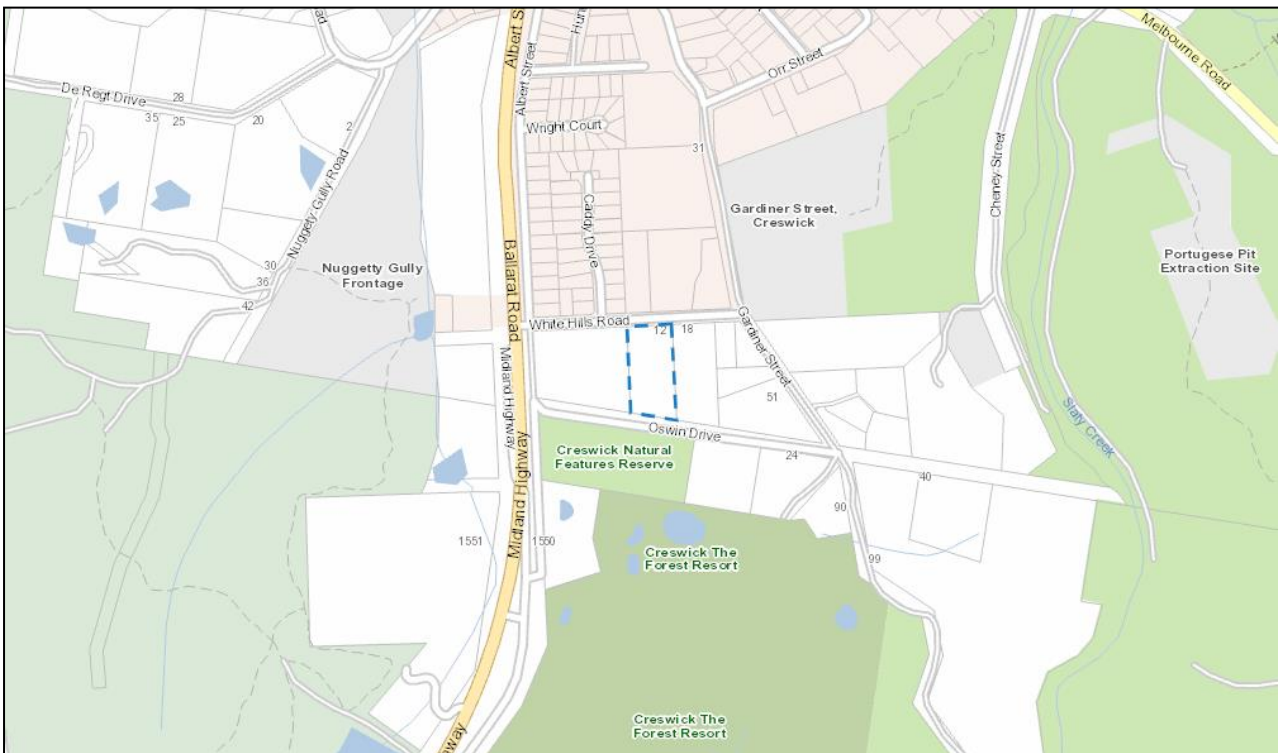


Figure 1 – Locality Plan – VicPlan

The site is currently developed for residential purposes and contains an existing single storey dwelling with attached carport and various outbuildings central to the site. The land falls from the south to the north, with access via an existing vehicle crossover to White Hills Road, which contains a gravel surface and open drains adjacent to the subject site. White Hills Road from the sites western boundary to the Midland Highway contains a bitumen surface with kerb and channel.



Figure 2 – Aerial of Site – Nearmap – 9.3.2023

Surrounding land is developed in the wider context of housing at varying densities to the north, south-east, east and west. Land immediately to the south of the site on the southern side of Oswin Drive contains the Creswick Natural Features Reserve, with the RACV Goldfields Golf Course and Resort beyond this.

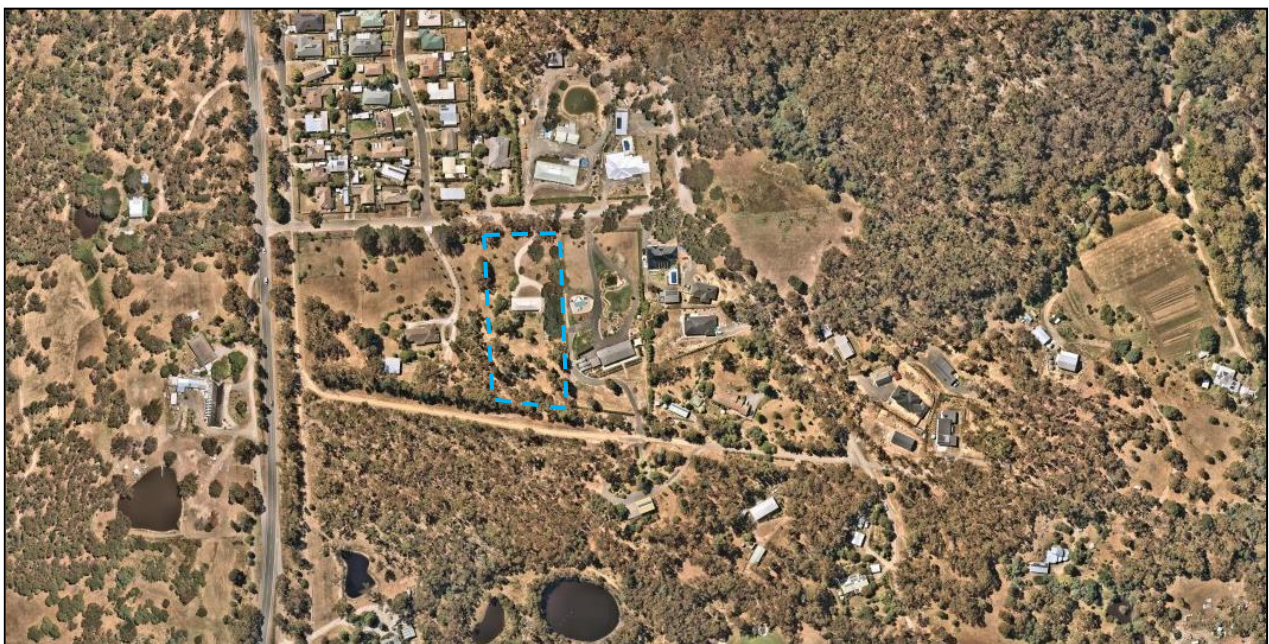


Figure 3 – Aerial of Locality – Nearmap – 9.3.2023

The subject site and all immediately abutting land, including roads, are included within the General Residential Zone. Land on the northern side of White Hills Road immediately opposite the site is contained within the Low Density Residential Zone, while the Creswick Natural Features Reserve on the southern side of Oswin Drive is within the Public Conservation and Resource Zone. The subject site and all surrounding land are also included within Schedule 1 to the Environmental Significance Overlay and the Bushfire Management Overlay.

The adjacent contain indigenous trees which contribute to the character associated with this area which is located adjacent to a forested edge of the Creswick township. Both White Hills Road and Oswin Drive immediately adjacent to the subject site contain a gravel surface with open drains which further contributes to this forested edge character. There are no watercourses on or near the site.

Electricity is available above ground in both White Hills Road and Oswin Drive, with reticulated water and sewerage running along the northern side of White Hills Road.

4 Proposal

It is proposed to subdivide the land into 5 lots. Lots 1-4, which range in area from 675 to 757 square metres, will have direct frontage to White Hills Road and have ample dimensions of developable land to accommodate dwelling.

The existing dwelling and outbuildings will be located to the rear on a battle-axe shaped lot of approximately 6,611 square metres in area and with vehicle access to White Hills Road via a 6 metre wide entry.

In order to retain the majority of the native trees and the open drain on the south side of White Hills Road, which are significant elements contributing to the forest edge character of this area, it is proposed to construct access crossovers above box culverts. The installation of kerb and channel would result in the loss of these elements which would be contrary to the neighbourhood character objectives of the schedule to the zone.

Vegetation on the northern half of the site has all been planted with some requiring removal to facilitate vehicle access to Lot 5 or the siting of future dwellings on the proposed vacant lots. The lots will be connected to all available services including reticulated water and sewerage and have new vehicle crossovers constructed to Council's standard.

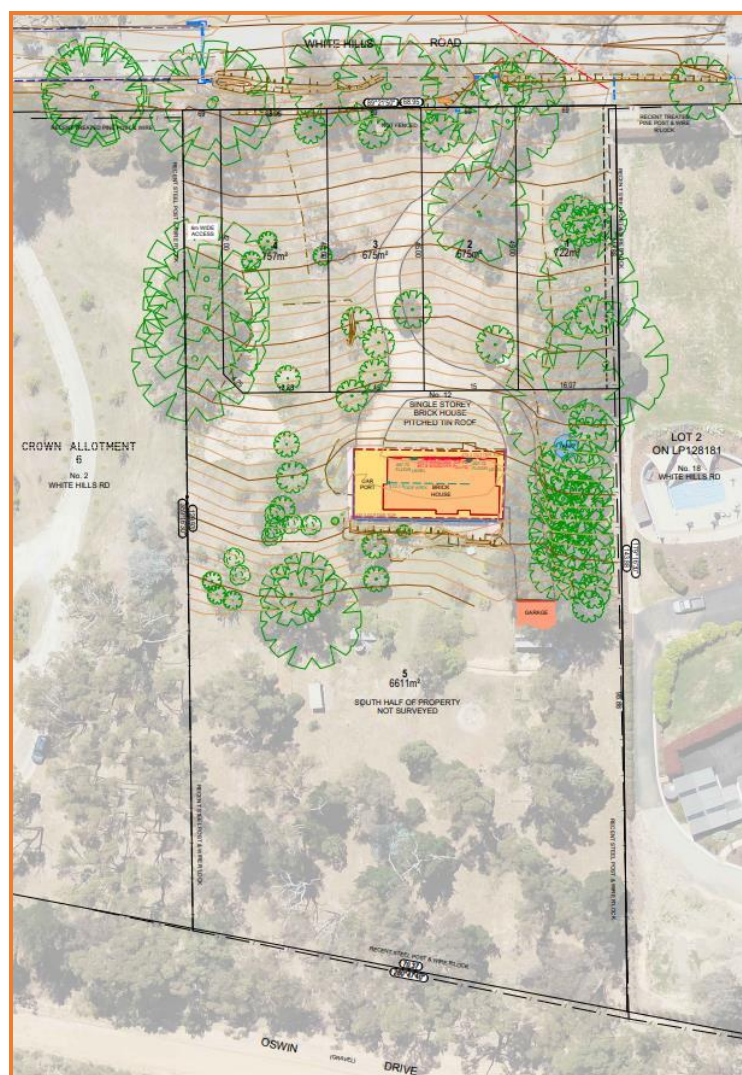


Figure 4 – Plan of Proposed Subdivision

5 Planning Controls

5.1 Zoning

The subject site is situated within the General Residential Zone – Schedule 1 – Creswick General Residential Areas.

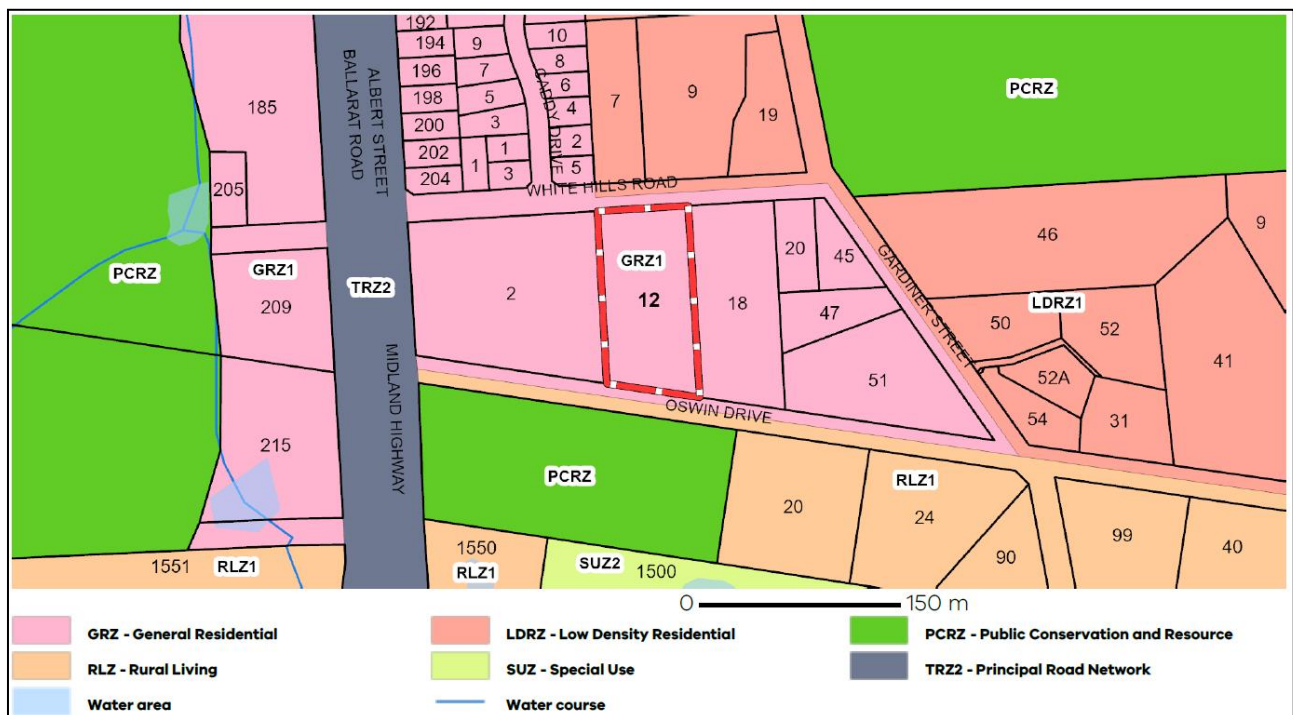


Figure 5 – Zoning Map

The purpose of the General Residential Zone is:

- > To implement the Municipal Planning Strategy and the Planning Policy Framework.
- > To encourage development that respects the neighbourhood character of the area.
- > To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- > To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Response : *The proposal is consistent with the purpose of the zone in that it will allow for a range of densities and a variety of dwelling types in a location that is in close proximity to educational, recreational, community and commercial facilities. The lots are of sufficient size and orientation to allow for the construction of future dwellings consistent with the existing neighbourhood character of this locality which is diverse in nature.*

5.2 Subdivision

Under Clause 32.08-3 of the Planning Scheme, a permit is required to subdivide land included within the General Residential Zone. An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metre contains at least 25 percent as garden area. An application to subdivide land must also meet the relevant requirements of Clause 56.

Response : *The lots are in excess of 400 square metres, therefore garden area requirements are not applicable in this instance. Refer to the attached Clause 56 assessment for compliance with the relevant provisions. The site is clearly suitable for subdivision given its location and zoning. Services are available to the site and each lot will be of sufficient area and dimensions to accommodate a dwelling, private open space, car parking and access.*

The neighbourhood character objectives to be achieved by Schedule 1 are :

- > To ensure that development is in keeping with the predominantly low rise gold rush character nestled into the landscape bowl.
- > To maintain a streetscape rhythm of detached dwellings set behind landscaped front garden with generous front and side setbacks.
- > To encourage the use of materials of, or similar to, weatherboard, brick, render and unpainted corrugated steel roofs.
- > To encourage landscaping in development with a focus on indigenous planting at the forested edges of the township.

Clause 6.0 to the schedule outlines application requirements that apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority which include boundaries, levels, roads, landscaping, driveways, construction materials, external finishes and colours and landscape plan.

Response : *A detailed existing conditions plan has been submitted with the application and identifies the above features, as relevant, and is attached as part of this submission.*

Before deciding on an application as outlined in Clause 7.0, the Responsible Authority must consider the following decision guidelines which apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority :

- > Whether the design, height, setback, appearance and interface of the proposed buildings and works is appropriate within the streetscape and to any heritage place on the land or adjacent land.
- > Whether the proposed landscaping enhances the existing landscape character and vegetation in the area.

- > Whether the significant elements of the area are retained including those elements that contribute to its setting.
- > Whether subdivision retains the important elements and features which form part of the significance and character of the area, the visual setting and the important view-lines between these elements.
- > Whether the proposed subdivision will complement or adversely affect the cultural significance of any heritage place within the area.
- > Whether subdivision will complement or adversely affect the key characteristics of the area such as streetscape, lot sizes, lot pattern, lot layout or existing building forms in the area or would result in development that would adversely affect the rhythm, scale and pattern of buildings in the area.

Response : *This application is for land subdivision only, with no buildings proposed. However future dwellings can comfortably be accommodated on the vacant lots proposed.*

Significant elements in this area include the native trees in the road reserve and the open drains. It is considered that these elements can be largely retained in the public realm whilst also ensuring adequate access and service provision to each lot.

As previously mentioned, this locality contains a variety of zones including General Residential, Low Density Residential and Rural Living Zones, with existing lot sizes ranging from 679 square metres (5 White Hills Road in the GRZ), 9,423 square metres (9 White Hills Road in the LDRZ) and 9.5 hectares (99 Gardiner Street in the RLZ). It is considered that due to the varied nature of the important elements and features which form part of the significance and character of the area, the subdivision is consistent with the existing diverse character of this locality.

There are no listed heritage sites in the immediate vicinity of the site, therefore this subdivision will not adversely impact the cultural significance of any heritage place.

It is considered the subdivision is appropriate for this area and will compliment the existing streetscape, lot sizes, lot pattern and lot layout which are found in this locality and appropriate for land included within the General Residential Zone.

6 Overlays

6.1 Environmental Significance Overlay

The subject site is also included within the Environmental Significance Overlay – Schedule 1 - Special Water Supply Catchment Protection.

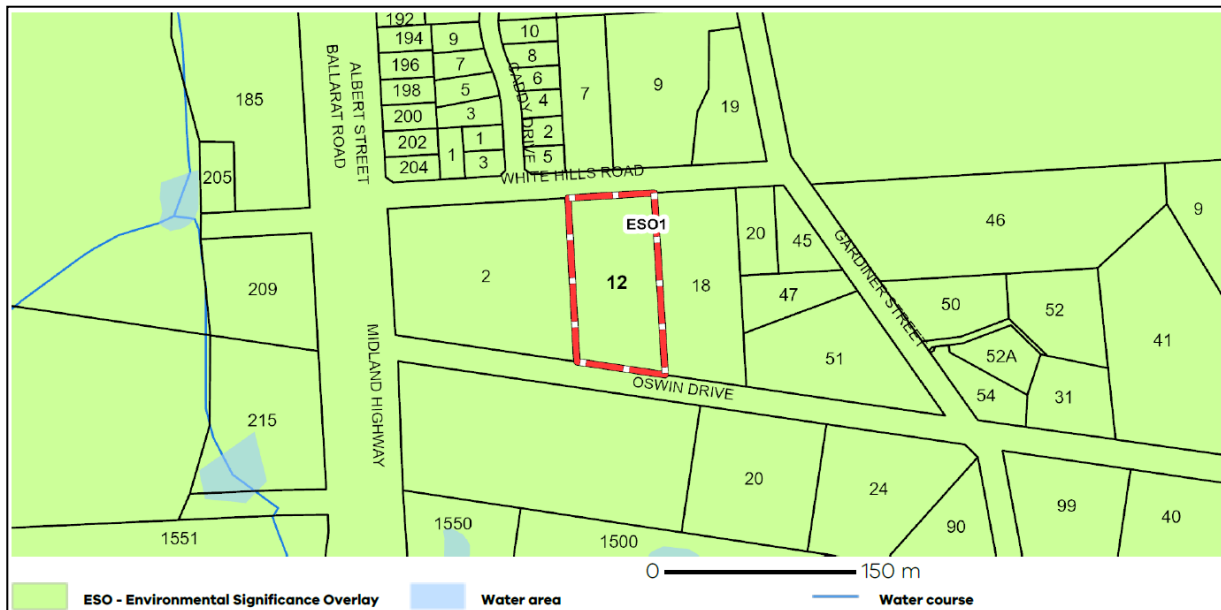


Figure 6 – Environmental Significance Overlay

The purpose of the Environmental Significance Overlay, is :

- > To implement the Municipal Planning Strategy and the Planning Policy Framework.
- > To identify areas where the development of land may be affected by environmental constraints.
- > To ensure that development is compatible with identified environmental values.

Under the provisions of Clause 42.01-2, a permit is required to subdivide land and to remove, destroy or lop any vegetation, including dead vegetation. This does not apply if a schedule to the overlay specifically states that a permit is not required. Clause 3.0 to the schedule states that a permit is not required to :

- > Remove, destroy, or lop vegetation including dead vegetation unless the removal, destruction or lopping involves any native vegetation on land within 30 metres of a waterway.
- > Subdivide land for either :
 - An existing building or into two lots connected to a reticulated water and reticulated sewerage system.
 - A lot of 40 hectares or greater.

Response : The subject site is not within 30 metres of a waterway, therefore vegetation removal does not require a permit. The subdivision is not the subdivision of existing buildings or a 2 lot subdivision and will be creating lots less than 40 hectares in area. A permit is therefore required under the provisions of the overlay for the subdivision of land.

The environmental objectives to be achieved by this schedule are to ensure all development is undertaken in a manner that protects, restores and enhances natural resources and environmental systems and seeks to eliminate detrimental impacts on the quality and quantity of water in the catchment, to ensure the long term plentiful supply of quality water.

Clause 4.0 to the schedule outlines various application requirements including proximity to waterways, water bodies, bores, water supply channels or springs and vegetation in the vicinity, location of existing buildings including existing waste water disposal areas and vehicle access, slope and vegetation on the site, land capability assessment and details of any restoration or enhancement of land or waterways.

Response : *The existing conditions plan prepared as part of this application identifies the relevant above requirements.*

Before deciding on an application, under the provisions of Clause 5.0, the Responsible Authority must consider, as appropriate :

- > The proximity of the development to waterways, drainage lines and water supply reservoirs in the catchment.
- > The possible impact and effect of the development on the quantity and quality of water in waterways, drainage lines, water supply reservoirs and springs.
- > The need and measures to :
 - Provide buffers for or separation from waterways, drainage lines, gullies, property boundaries and any existing disposal areas or systems.
 - Minimise and reduce nutrient loads, turbidity and siltation in waterways, drainage lines and water supply reservoirs.
 - Decrease or reduce the velocity of stormwater into waterways, drainage lines and water supply reservoirs.
 - Prevent erosion of natural features, including banks, streambeds and adjoining land.
 - Improve filtration and infiltration of water.
 - Retain and increase native vegetation to prevent or limit adverse effects on waterways, drainage lines and water supply reservoirs.
- > The means of treatment and disposal of all sewage, sullage, stormwater and other wastes on site which is consistent with a geotechnical report or land capability report having regard to the slope, soil type and other environmental factors including the potential for pollution of waterways and ground water.

Response : *The nearest waterbody to the site is a dam on private property at 9 White Hills Road, being approximately 90 metres north of the subject site, with the nearest waterway being Slaty Creek approximately 540 metres to the east. The subdivision will be drained to Council's requirements with Lots 1-4 connected to reticulated water and sewerage. It is therefore considered the subdivision is appropriate and will have no adverse impact in relation to surrounding waterways and water quality.*

6.2 Bushfire Management Overlay

The subject site is also included within the Bushfire Management Overlay.

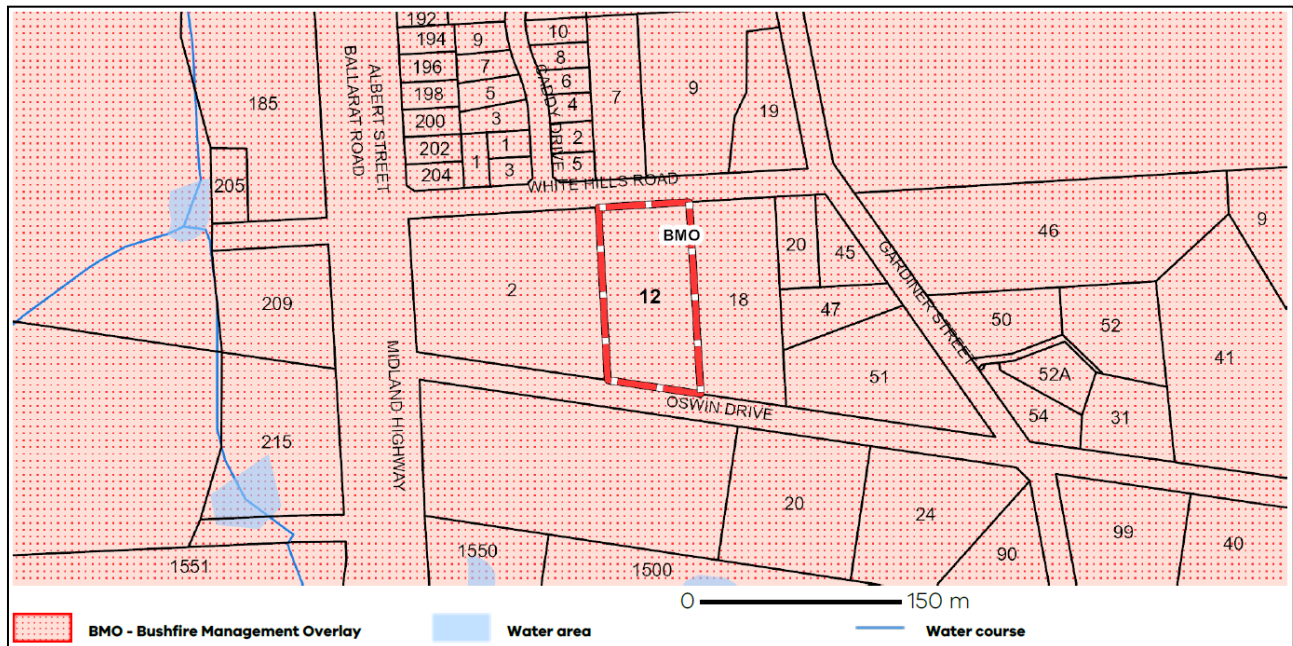


Figure 7 – Bushfire Management Overlay

There is no schedule to this overlay. Under the provisions of Clause 44.06-2 of the Planning Scheme, a permit is required to subdivide land. Under the provisions of Clause 44.06-4, an application must meet the requirements of Clause 53.02.

Response : Refer to Section 7.3 of this report, *Bushfire Planning*, and the attached *Bushfire Management Statement* for full details.

7 Particular Provisions

7.1 Native Vegetation

Under the provisions of Clause 52.17-1, a permit is required to remove, destroy or lop native vegetation, including dead native vegetation. This does not apply if the table to Clause 52.17-7 specifically states that a permit is not required.

Clause 52.17-7, Table of Exemptions, states that no permit is required for “*Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding*”. The vegetation to the front and west of the site has been planted as part of garden landscaping.

Response : *The removal of any native vegetation is therefore exempt in this instance under the table to Clause 52.17-7 as it has been planted.*

7.2 Public Open Space Contribution and Subdivision

Under the provisions of Clause 53.01, a person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under Section 18 of the Subdivision Act 1988.

Response : *As no amounts are specified in the schedule to the clause, a public open space contribution of 5% of site value will be paid to Council in accordance with Section 18 of the Subdivision Act, 1988 if required.*

7.3 Bushfire Planning

The purpose of Clause 53.02 is :

- > To implement the Municipal Planning Strategy and the Planning Policy Framework.
- > To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- > To ensure that the location, design and construction of development appropriately responds to the bushfire hazard.
- > To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.
- > To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.

These provisions apply to an application to subdivide land, construct a building or construct or carry out works under the provisions of the Bushfire Management Overlay.

Response : *Refer to the attached ‘Bushfire Management Statement’ for full details.*

7.4 Residential Subdivision

Clause 56 of the Planning Scheme sets out various objectives and standards which Planning Permit applications for residential subdivision must meet.

Response : *Refer to the attached Clause 56 assessment for full details of all requirements relevant to this application.*

8 Decision Guidelines

Under the provisions of Clause 65.02, before deciding on an application to subdivide land, the responsible authority must also consider the following relevant decision guidelines :

- > The suitability of the land for subdivision.
- > The existing use and possible future development of the land and nearby land.
- > The availability of subdivided land in the locality, and the need for the creation of further lots.
- > The effect of development on the use or development of other land which has a common means of drainage.
- > The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- > The density of the proposed development.
- > The area and dimensions of each lot in the subdivision.
- > The design and siting of buildings having regard to safety and the risk of spread of fire.
- > The provision of off-street parking.
- > The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.

Response : *The site is suitable for subdivision, as the density, area and dimensions of each lot are appropriate to the character of the area, which already comprises a mixture of lot sizes and housing types. The proposed lots are capable of containing dwellings, private open space, parking and access in accordance with relevant requirements. The site has access to a range of educational, commercial, community and recreational facilities. Lots 1-4 will be fully serviced by way of water, sewer, electricity and telecommunications. The proposal is therefore considered appropriate for residentially zoned land.*

9 Policy Framework

It is considered the proposal is consistent with the relevant State, Regional and Local Planning Policies as outlined below:-

9.1 Municipal Planning Strategy

02.03-1 – Settlement – Creswick and Daylesford are regional service hubs while the other townships are focused on meeting the needs of the local community and visitors. There are extensive tracts of low-density zoned land between and around the edges of Clunes and Creswick. Development capacity within these areas outside township boundaries is limited due to servicing requirements, on site effluent disposal, and surface and groundwater quality and quantity, and bushfire concerns. A number of settlements and rural living areas have high risk of bushfire with some requiring restructuring and potentially abandonment to reduce the threats to life and property. Council's strategic directions for settlement, as relevant, are to :

- > Concentrate development into defensible parts of existing township boundaries and settlements to mitigate bushfire risk, protect agricultural land, and limit natural and environment risks.
- > Facilitate growth in Creswick and Clunes within the designated township boundaries.
- > Discourage residential development in settlements within existing residentially zoned boundaries where bushfire risks cannot be mitigated.

02.03-2 – Environmental and Landscape Values – Creswick and Daylesford are regional service hubs while the other townships are Hepburn contains a range of spectacular landscapes of state, regional and local significance. Council's strategic directions for environmental and landscape values, as relevant, are to :

- > Protect and enhance state significant landscapes such as volcanic outcrops, cones and goldfields.
- > Protect and enhance watercourses, wetlands and water bodies and their associated riparian zones.
- > Protect indigenous vegetation across the Shire.
- > Encourage land owners to sustainably manage land and instream uses including removing environmental weeds.
- > Minimise wholesale clearing of significant vegetation in areas of high bushfire risk.

02.03-3 – Environmental Risk and Amenity – The Shire will continue to be subject to the risks of environmental challenges such as bushfire, flooding, erosion and salinity. Council's strategic directions for environmental risks and amenity, as relevant, are to :

- > Contain future growth within township boundaries to protect environmental values and to limit the risk to life and property from bushfire.
- > Avoid development that through its location or design increases exposure to bushfires.

02.03-4 – Natural Resource Management – Water catchments within the Shire ultimately link to the Murray River and Port Phillip Bay. The whole of the Shire is within proclaimed water supply catchments declared under the *Catchment and Land Protection Act 1994*. Maintaining groundwater quantity, quality and management is an important issue for Council and the Catchment Management Authorities. Mitigating the

impacts of stormwater from development will also assist to maintain water resources. Council's strategic directions for natural resource management, as relevant, are to :

- > Minimise landscape and water quality impacts on the catchments through careful location and design of development and wastewater systems.
- > Protect streamsides, catchments, flood plains and wetlands from the impacts of development.
- > Protect water resources in the Shire through integrated water and catchment management including stormwater.
- > Protect mineral springs, their aquifers and environs from the impacts of waste disposal and drainage.

02.03-5 – Built Environment and Heritage – Natural and 'semi' natural features within townships and settlements are important to each townships character. These include significant native and exotic vegetation, creeks, main drainage lines and man-made lakes and reserves. In these environments, the quality of the built form and view lines from, and to, these environments is especially important. Improved urban design guidance will assist in ensuring that the character of townships is complemented and preserved and quality of development improved. Council's strategic directions for built environment and heritage, as relevant, are to :

- > Protect the built, natural and cultural heritage to enhance appreciation of the Shire's history and to maximise opportunities for tourism.
- > Ensure development is in keeping with the historic, landscape and neighbourhood character of townships and settlements.
- > Support development, including new residential areas and infill development, that responds to its setting and surrounds.

02.03-9 – Infrastructure – The provision and adaptation of infrastructure is essential to the future growth and development of the Shire to support both the community and visitor population. Clunes, Creswick, Daylesford, Hepburn Springs and Trentham have sewerage and potable water infrastructure while settlements are unsewered and have no reticulated water supply. Maintaining water supply and quality will continue to be important for serviced townships and settlements. Council's strategic directions for infrastructure, as relevant, are to :

- > Ensure development is directed into townships with reticulated water or capacity for alternative potable water sources, and reticulated sewerage.
- > Upgrade existing and ageing infrastructure resulting from the demands of new development and servicing needs, and utilise infrastructure contributions

Response : *The subject is within the township boundary of Creswick as identified in Clause 11.01-1L, township and settlements, consistent with Clause 02.03-1. The site does not contain any areas of heritage value or significant vegetation. A Bushfire Management Statement has been prepared which concluded the site can be managed to an acceptable level to ensure protection of life and property is achieved, consistent with Clause 02.03-3. Waterways are well in excess of 30 metres from the site, minimising impacts to water quality, consistent with Clause 02.03-4. Lots 1-4 will be connected to all available services including reticulated water and sewerage, as required by Clause 02.03-9. It is therefore considered the proposal can be supported by the above strategic directions as identified by Council.*

9.2 Planning Policy Framework

11.01-1S – Settlement – This policy aims to promote the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements. Relevant strategies to achieve this are to :

- > Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.
- > Ensure regions and their settlements are planned in accordance with their relevant regional growth plan.
- > Guide the structure, functioning and character of each settlement taking into account municipal and regional contexts and frameworks.
- > Create and reinforce settlement boundaries.
- > Provide for growth in population and development of facilities and services across a regional or sub-regional network.
- > Limit urban sprawl and direct growth into existing settlements
- > Promote and capitalise on opportunities for urban renewal and infill redevelopment.
- > Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.

11.01-1R – Settlement – Central Highlands – Relevant strategies include :

- > Provide local and sub-regional services at Avoca, Ballan, Beaufort, Clunes, Creswick, Daylesford and Smythesdale to support ongoing growth, particularly closer to Melbourne and Ballarat where towns will provide a key opportunity to target growth pressure.
- > Direct growth to well serviced settlements with good access to Melbourne or Ballarat, particularly Bacchus Marsh, Ballan, Creswick, Clunes, Beaufort and Smythesdale.

Creswick is identified in the *Central Highlands Regional Growth Plan* as a town for medium growth with a key relationship to Ballarat.

11.01-1L – Township and Settlements – This policy aims to achieve a sustainable urban form for townships by containing future development within the township boundaries shown on the township structure plans. Relevant strategies include :

- > Provide for urban development and economic growth in the townships of Clunes, Creswick, Daylesford, Hepburn Springs and Trentham based on township boundaries and structure plans.
- > Promote Creswick and Clunes as the focus for the municipality's population growth.
- > Locate new dwellings and residential subdivisions within township boundaries.
- > Provide for urban infill and consolidation opportunities in townships that utilise existing infrastructure.

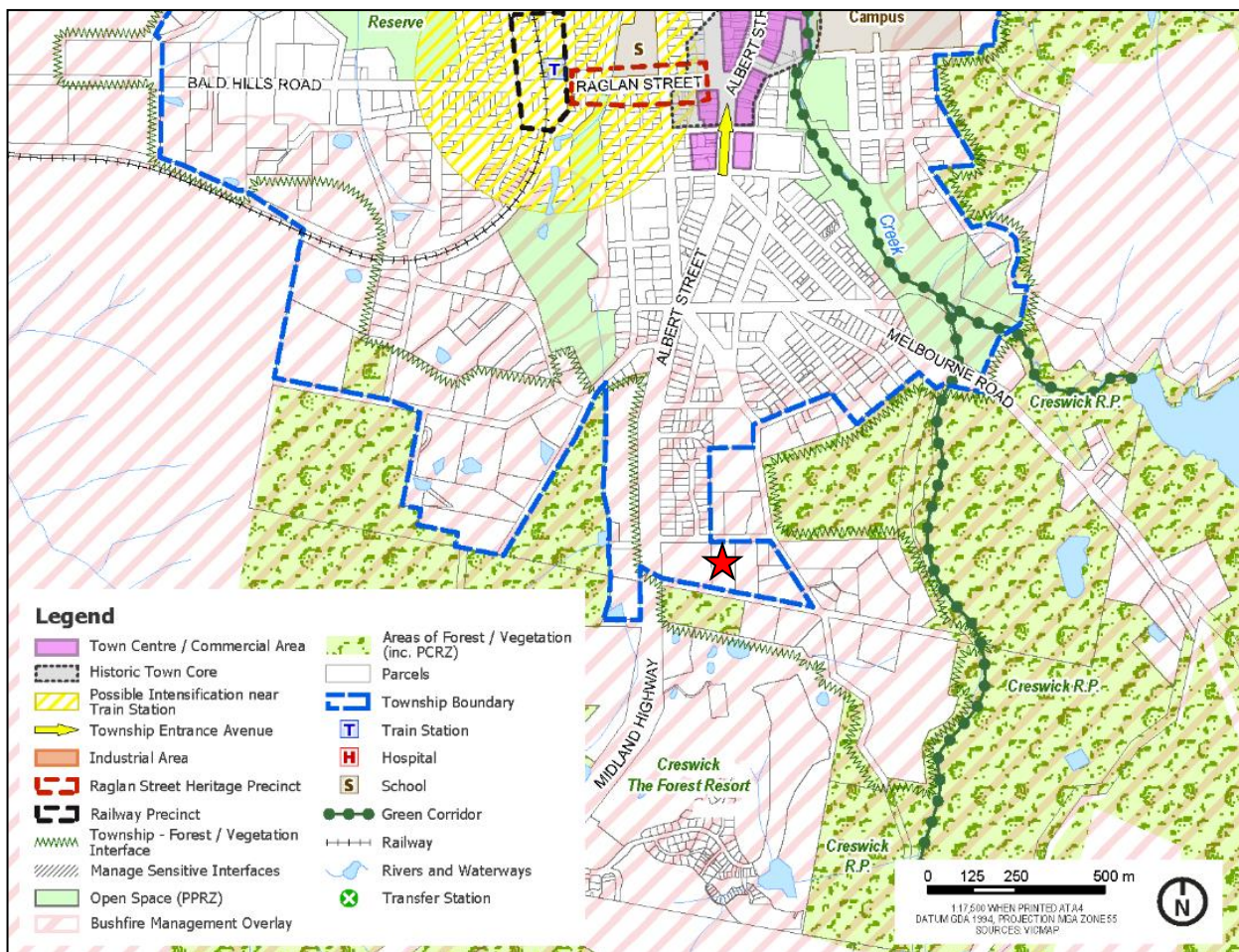


Figure 8 – Extract of Creswick Township Map

★ Subject Site

11.02-1S – Supply of Urban Land – The objective of which is to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses. A relevant strategy of which is to consider opportunities for the consolidation, redevelopment and intensification of existing urban areas.

Response : *It is considered the subdivision is consistent with and can be supported by the above policies and strategies relating to settlement. The site is within the defined township boundary of Creswick on residential land that can be serviced. The subdivision of the land will limit urban sprawl and provide for urban infill and consolidation opportunities in Creswick that will utilise existing infrastructure, consistent with 11.01-1S and 11.01-1L above. Further, currently underutilised residential land will be subdivided and made available to increase land supply without the need for additional rezoning to occur.*

12.05-2S – Landscapes – The objective of which is to protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.

12.05-2R – Landscapes - Central Highlands – The strategy of which is to provide clear urban boundaries and maintain distinctive breaks and open rural landscapes between settlements.

12.05-2L – Landscape Management – This policy aims to protect and enhance the unique features of the landscape character areas of the municipality identified as the Goldfields, The Uplands and Western Volcanic Plain. A relevant municipal-wide strategy of this policy is to ensure development responds to the landscape character area identified in attached landscape character types and significance map. Strategies relevant to Uplands, which Creswick is within, are to :

- > Maintain the productive agricultural landscape character of the area and the dominance of topography and vegetation.
- > Preserve and enhance the landscape features of the area such as gorges and mountains.
- > Site development to ensure the retention of views to the Macedon Ranges, Mount Beckworth and other volcanic landscape features, particularly from identified significant viewing locations and road corridors.

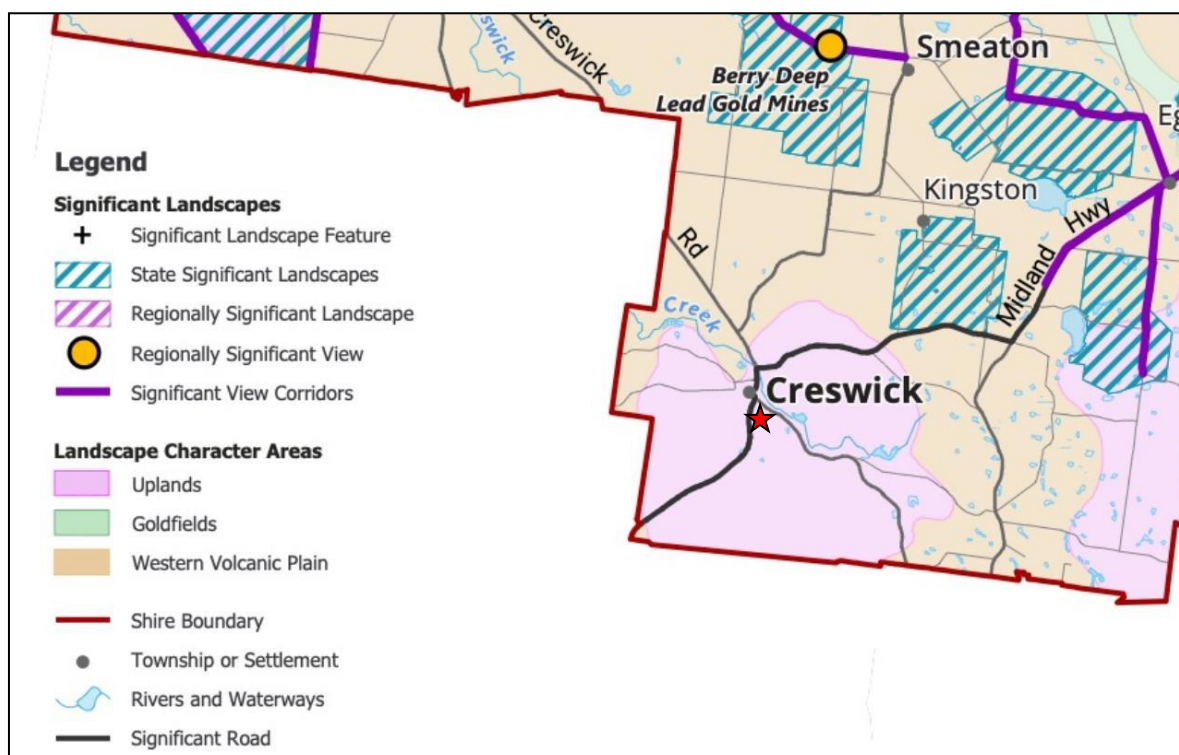


Figure 9 – Extract of Landscape Character Areas and Significance

★ Subject Site

Response : As previously advised, the subject site is within the township boundaries of Creswick as identified in Clause 11.01-1L above. It is considered that minimal impact to visual landscapes or impediment to views of natural features will result from this subdivision. The site is not on main tourist roads or entry to the town, therefore retaining current views of the town and its natural surrounds.

13.02-1S – Bushfire Planning – This policy aims to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life. This policy must be applied to all planning and decision making under the *Planning and Environment Act 1987* relating to land which is subject to a Bushfire Management Overlay or within a designated bushfire prone area.

Strategies include giving priority to the protection of human life, identifying bushfire hazards and undertake appropriate risk assessment, planning to strengthen the resilience of settlements and communities and prioritise protection of human life. In a bushfire prone area designated in accordance with regulations made under the *Building Act 1993*, bushfire risk should be considered when assessing planning applications for subdivisions of more than 10 lots.

Response : *The subject site is within a designated bushfire prone area, however, the requirements under these provisions are not relevant to a 5 lot subdivision. A Bushfire Management Statement has however been prepared under the requirements of the Bushfire Management Overlay in accordance with Clause 53.02 and attached for Council's consideration.*

14.02-1S – Catchment Planning and Management – The objective of this policy is to assist the protection and restoration of catchments, waterways, estuaries, bays, water bodies, groundwater, and the marine environment.

14.02-1L – Catchment and Land Protection – The objective of this policy is to ensure that use and development in a special water supply catchment protects, restores and enhances the quality and quantity of the natural resources and environmental systems for the long term supply of quality water for future generations.

Response : *The newly created Lots 1-4 will be connected to reticulated water and sewerage, minimising impacts on the special water supply catchment, while the existing dwelling will continue to utilise the existing septic system on the land. In addition to this, the land will be drained to Council's requirements, again minimising any impacts to water quality.*

15.03-2S – Aboriginal Cultural Heritage – Aims to ensure the protection and conservation of places of Aboriginal cultural heritage significance.

Response : *Under the Aboriginal Heritage Act, 2006, the subject site is not found to be within an area of possible cultural heritage sensitivity as indicated on the following map extract from the Department of Environment, Land, Water and Planning data base.*

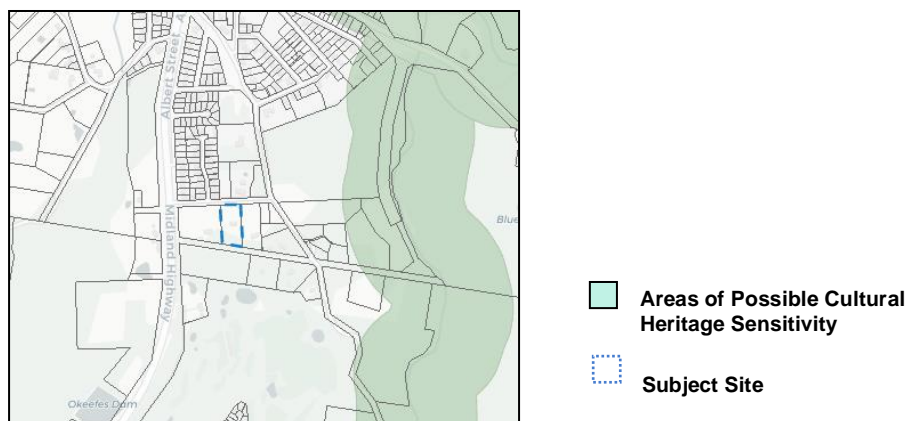


Figure 10 – Aboriginal Cultural Heritage Sensitivity Map

16.01-1S – Housing Supply – Aims to facilitate well-located, integrated and diverse housing that meets community needs.

19.03-2S – Infrastructure Design and Provision – Aims to provide timely, efficient and cost-effective development infrastructure that meets the needs of the community by providing an integrated approach to the planning and engineering design of new subdivision and development and integrating developments with infrastructure and services, whether they are in existing suburbs, growth areas or regional towns.

19.03-3S – Integrated Water Management – Aims to sustainably manage water supply, water resources, wastewater, drainage and stormwater through an integrated water management approach.

Response : *Services in the form of reticulated water and sewerage, electricity and telecommunications are currently available to the site. The site will be drained using current best practice water sensitive urban design principles and Council standards as required. It is not anticipated that approval of this subdivision would place any undue pressure on the delivery of these services.*

10 Conclusion

The proposal is consistent with the Municipal Planning Strategy and the Planning Policy Framework as it would facilitate growth within the Creswick township boundary.

The proposal represents appropriate urban consolidation as the subdivision of land included within the General Residential Zone with access to reticulated water and sewerage.

The proposed subdivision seeks to avoid the provision of new kerb and channel on this part of White Hills Road which would be contrary to the neighbourhood character objective of Schedule 1 to the General Residential Zone. Instead the subdivision seeks to retain indigenous trees in the road reserve and open drains by providing crossovers above box culverts to provide access to each lot.

The proposal is in compliance with the requirements of Clause 56 relating to residential subdivision as the attached assessment indicates.

The Bushfire Management Statement prepared concluded the site can be managed to ensure protection of life and property is achieved to an acceptable level.

The newly created lots will be connected to reticulated water and sewerage, providing no adverse impact on the special water supply catchment or the objectives to be achieved by Schedule 1 to the Environmental Significance Overlay.

For the reasons outlined in this report, it is considered the subdivision is appropriate and should therefore be supported by Council.

.....
Joanne Preece
Senior Town Planner

| CLAUSE | COMMENT |
|---|--|
| <p>56.01 SUBDIVISION SITE AND CONTEXT DESCRIPTION AND DESIGN RESPONSE</p> | <p>Complies – Refer to the attached Feature Survey Plan and design response documentation.</p> |
| <p>56.03-5 NEIGHBOURHOOD CHARACTER OBJECTIVE</p> <p>To design subdivisions that respond to neighbourhood character.</p> | <p>Complies - Refer to Section 3 of the attached Planning Report for further details.</p> |
| <p>56.04-1 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 neighbourhood 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>Complies – Lot sizes vary providing housing diversity and choice.</p> <p>Lots are appropriately orientated and are of adequate size to allow for the construction of dwellings and associated outbuildings. Lots are reasonably accessible to all required facilities such as public transport, neighbourhood centres and the like.</p> |
| <p>56.04-2 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.</p> | <p>Complies – Proposed vacant lots range in area from 675m² to 757m² and are suitably dimensioned to allow for the construction of future dwellings.</p> |
| <p>56.04-3 SOLAR ORIENTATION OF LOTS OBJECTIVE</p> <p>To provide good solar orientation of lots and solar access for future dwellings.</p> | <p>Complies – Lots are appropriately orientated to maximise solar efficiency.</p> |
| <p>56.04-4 STREET ORIENTATION OBJECTIVE</p> <p>To provide a lot layout that contributes to community social interaction, personal safety and property security.</p> | <p>Complies – All lots will have frontage to an existing road, White Hills Road.</p> |

| CLAUSE | COMMENT |
|--|--|
| <p>56.04-5 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>N/A – There are no common areas proposed as part this subdivision.</p> |
| <p>56.05-1 INTEGRATED URBAN LANDSCAPE OBJECTIVES</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>Complies – Street planting will be undertaken, if required, in accordance with current Council Policy using species native to the area which will be of appropriate height and width once mature.</p> |
| <p>56.06-2 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>Complies – The subdivision design allows for direct connection to the existing road network. The site is within reasonable distance of commercial and recreation facilities as well as public transport.</p> |
| <p>56.06-4 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>Complies – The subdivision design allows for direct connection to the existing road network. It is not anticipated that footpaths will be required, as there are currently no footpaths constructed along White Hills Road to connect with.</p> |

| CLAUSE | COMMENT |
|---|--|
| <p>56.06-5 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>N/A – No new roads will required to facilitate this subdivision as White Hills Road is existing.</p> |
| <p>56.06-7 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>N/A – No new roads will required to facilitate this subdivision as White Hills Road is existing.</p> |
| <p>56.06-8 LOT ACCESS OBJECTIVE</p> <p>To provide for safe vehicle access between roads and lots.</p> | <p>Complies – Each lot will have access to White Hills Road via a vehicle crossover.</p> |
| <p>56.07-1 DRINKING WATER SUPPLY OBJECTIVES</p> <p>To reduce the use of drinking water.</p> <p>To provide an adequate, cost-effective supply of drinking water.</p> | <p>Complies – Water supply will be provided to the requirements of Central Highlands Water.</p> |
| <p>56.07-2 REUSED AND RECYCLED WATER OBJECTIVE</p> <p>To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.</p> | <p>N/A – The use of recycled water is not proposed as part of this development.</p> |
| <p>56.07-3 WASTE WATER MANAGEMENT OBJECTIVE</p> <p>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> | <p>Complies – Lots 1-4 will be connected to a reticulated waste water system to the requirements of Central Highlands Water, while the existing dwelling will continue to utilise the current septic system.</p> |

| CLAUSE | COMMENT |
|--|---|
| <p>56.07-4 STORMWATER MANAGEMENT OBJECTIVES</p> <p>To minimise damage to properties and inconvenience to residents from stormwater.</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 and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.</p> <p>To encourage stormwater management that maximises the retention and reuse of stormwater.</p> <p>To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.</p> | <p>Complies – Site drainage will be consistent with current best practice design principles to reduce stormwater runoff from the sites. Vacant lots fall to the existing table drain in White Halls Road and on-site detention can be provided for each.</p> |
| <p>56.08-1 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 reuse of materials from the site and recycled materials in the construction of subdivisions where practical.</p> | <p>Complies – Appropriate measures will be undertaken during construction works to ensure that the site and surrounding area, including drainage infrastructure and receiving waters, are protected from degradation, sedimentation and contamination to Council's satisfaction. Materials will be reused and recycled where appropriate.</p> |
| <p>56.09-1 SHARED TRENCHING OBJECTIVES</p> <p>To maximise the opportunities for shared trenching.</p> <p>To minimise constraints on landscaping within street reserves.</p> | <p>Complies – Trenching will be shared where possible.</p> |
| <p>56.09-2 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>Complies – The lots will be connected to electricity and telecommunications in accordance with the relevant requirements of the supply/servicing agency.</p> |

| CLAUSE | COMMENT |
|---|---|
| <p>56.09-3 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>Complies – If required, fire hydrants will be provided to the requirements as specified by the CFA. There are existing hydrants within 120 metres of future dwellings locations on lots 1-4.</p> |
| <p>56.09-4 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>Complies – There is currently no street lighting provided in White Hills Road and it is not anticipated such will be a requirement of any permit issued for this subdivision.</p> |

Bushfire Management Statement

**Regional
Planning &
Design Pty Ltd**

Sam Thompson
Director

BApp Sci (Hons)

Landscape Architecture RMIT 1986



**12 White Hills Road
Creswick Ref No. 22.133**

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Regional Planning & Design Pty Ltd
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Phone 0447 073 107



Disclaimer

This report has been made with careful consideration and with the best information available to Regional Planning and Design Pty Ltd at the time of writing. Before relying on information in this report, users should evaluate the accuracy, completeness and relevance of the information provided for their purposes. Regional Planning and Design Pty Ltd do not guarantee that it is without flaw or omission of any kind and therefore disclaim all liability for any error, loss or other consequence that may arise from you relying on any information in this report.

Requirements detailed in this document do not guarantee survival of the buildings or the occupants. The client is strongly encouraged to develop and practice a bushfire survival plan.

Information and assistance including a template for a Bushfire Survival Plan is provided as part of the 'Fire Ready Kit' available through the CFA website at <http://www.cfa.vic.gov.au> or through your local CFA Regional office.

Version Control

| Report Version | Description | Date Completed | Issued to |
|----------------|----------------------------------|----------------|-----------|
| A | Issued as a draft for discussion | 25/5/2022 | Client |
| B | Issued as a final version | 29/3/2023 | Client |
| | | | |
| | | | |
| | | | |
| | | | |

1 SUMMARY

| Summary | |
|---|--|
| Proposal | Four Lot subdivsvion |
| Date of site visit: | 3 rd May 2022 |
| Broad landscape setting (Technical Guide, Planning Permit Applications – Bushfire Management Overlay) | 3 |
| Access requirements can be met | Yes |
| Defendable Space requirements can be met | BAL 29 and 12.5 based on the hazards of forest and grassland |
| Proposed BAL construction level | BAL 29 and 12.5 for proposed dwellings |
| Is native vegetation removal required: | Yes |

2 INTRODUCTION

This Bushfire Management Statement (BMS) has been prepared to enable Rhonda Hocking to respond to the requirements of Clause 44.06 *Bushfire Management Overlay* (known from this point on as Clause 44.06), and associated Clause 53.02 *Bushfire Protection: Planning Requirements* (known from this point on as Clause 53.02) for the proposed subdivision at 12 White Hills Road Creswick.

The BMS is in two parts

Part 1 Site description , hazard assessment and locality description

Part 2 A Bushfire Management Statement describing how the proposed development responds to the requirements in Clause 53.02 and 44.06.

3 ZONING AND OVERLAYS

| Clause Number | Name |
|---------------|--|
| 32.08 | General Residential Zone |
| 44.06 | Bushfire Management Overlay |
| 53.02 | Bushfire Planning |
| 13.02-1S | Bushfire Planning |
| 42.01 | Environmental Significance Overlay (ESO 1) |

Figure 1 Zoning



4 LOCATION

The site is located on the southern edge of the town of Creswick (See Figure 2). There are extensive areas of forest, woodland and grassland to the north west and south west of the site beyond managed residential land.

The site could be vulnerable to ember attack from long runs of fire. This is described in further detail in the Bushfire Hazard Landscape Assessment

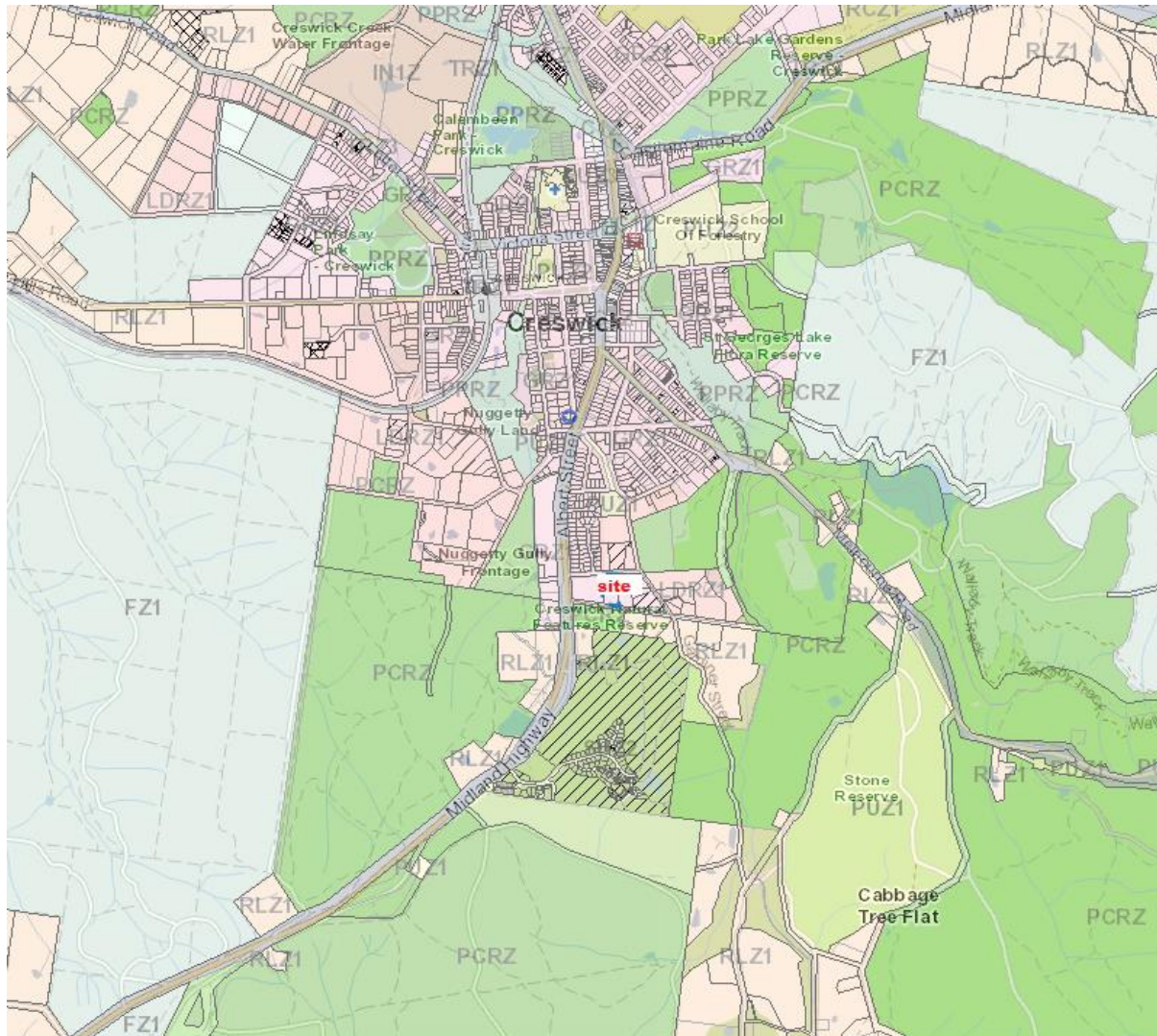


FIGURE 2 LOCATION

5 SITE DESCRIPTION

| Site shape, dimensions, size , existing use and buildings and works | |
|---|--|
| The shape of the site is: | Rectangular with angled southern boundary |
| The dimensions of the site are: | See Figure 3 |
| The site has a total area of: | 9200 m2 |
| The current use of the site is | Residential |
| The buildings or works located on the site are: | One existing house and sheds (See photos 1 to 3) |
| Site topography | There is an overall 5 – 10 degree fall to the north across the site. |
| Vegetation | The lot is covered in managed gardens (photos 4 and 5) with scattered trees and shrubs surrounded by lawns and gravel surfaces |
| Services and infrastructure | The site is connected to mains water, gas, sewer. power and the gravel road network |

Existing buildings and works Photo



Photo 1 Looking south east towards the existing house in the central part of the site

Existing buildings and works Photo



Photo 2 Looking south to an existing shed to the south east of the house on the eastern boundary



Photo 3 Looking north east across modified vegetation to small sheds in the southern part of the site

Site Photos



Photo 4 Looking south west across managed vegetation from the north eastern part of the site



Photo 5 Looking west across the southern part of the site from the south eastern boundary

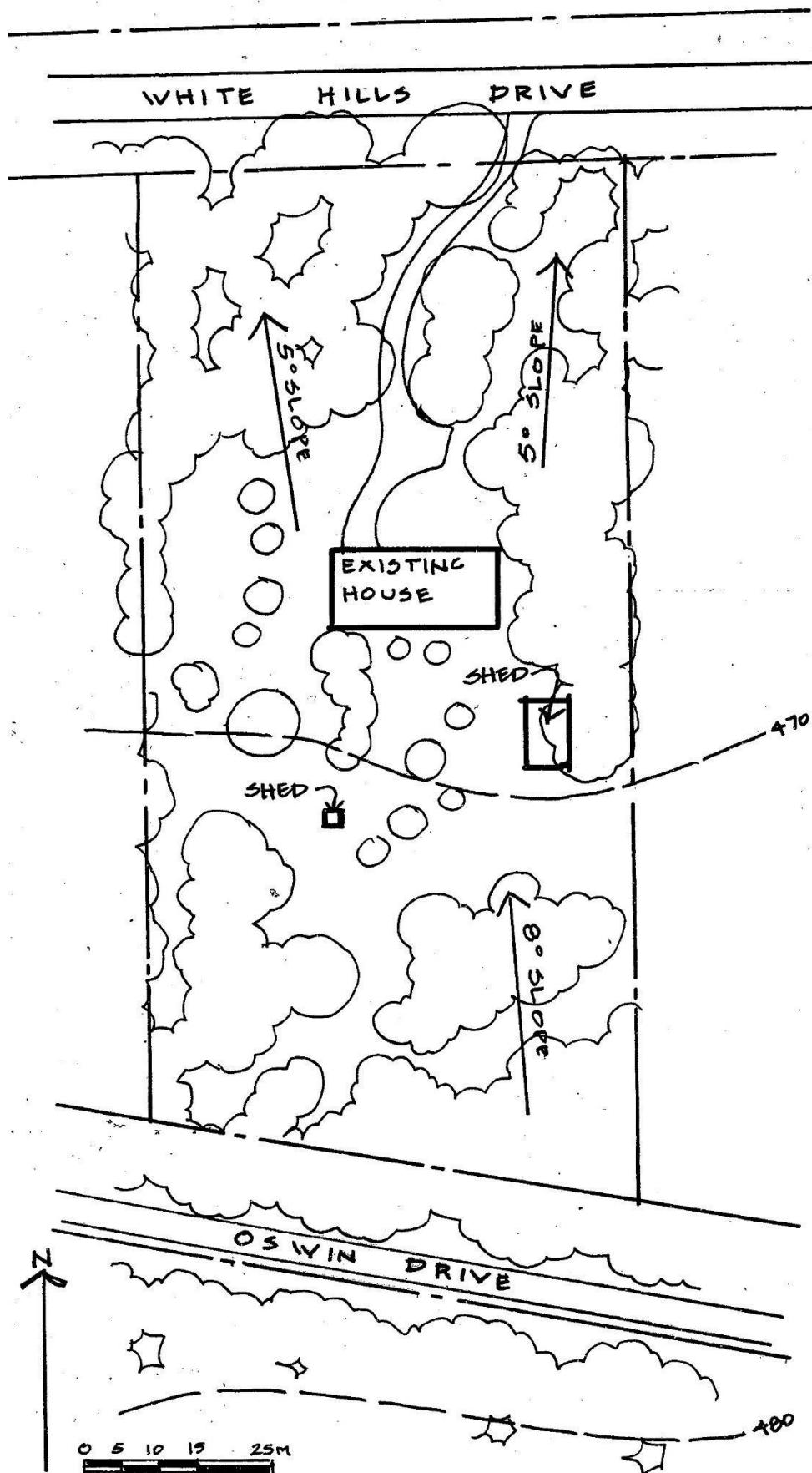


FIGURE 3 EXISTING CONDITIONS PLAN



FIGURE 4 EXISTING CONDITIONS AIR PHOTO

6 ACCESS

The site has access from White Hills Road on the north boundary (photo 6) This gives good access to the Midland Highway to the west. There is also frontage to Oswin Drive on the south boundary (photo 7).

Access Photos



Photo 6 Looking east along White Hills Road at the site entry



Photo 7 Looking west along Oswin Drive to the south of the site

7 BUSHFIRE HAZARD SITE ASSESSMENT

As shown in Figure 5 and described in Appendix 1 there is low threat vegetation in managed gardens to the north and east of the site (photos 8 and 9). There is modified vegetation around dwellings on large lots to the west and south east. (photos 10 and 11). Areas of forest to the east and west are more than 130 metres from the site (photos 12 and 13). The forest to the south beyond Oswin Drive (photo 14) would allow for relatively short runs of fire with the Golf Course some 250 metres to the south (photo 15) .

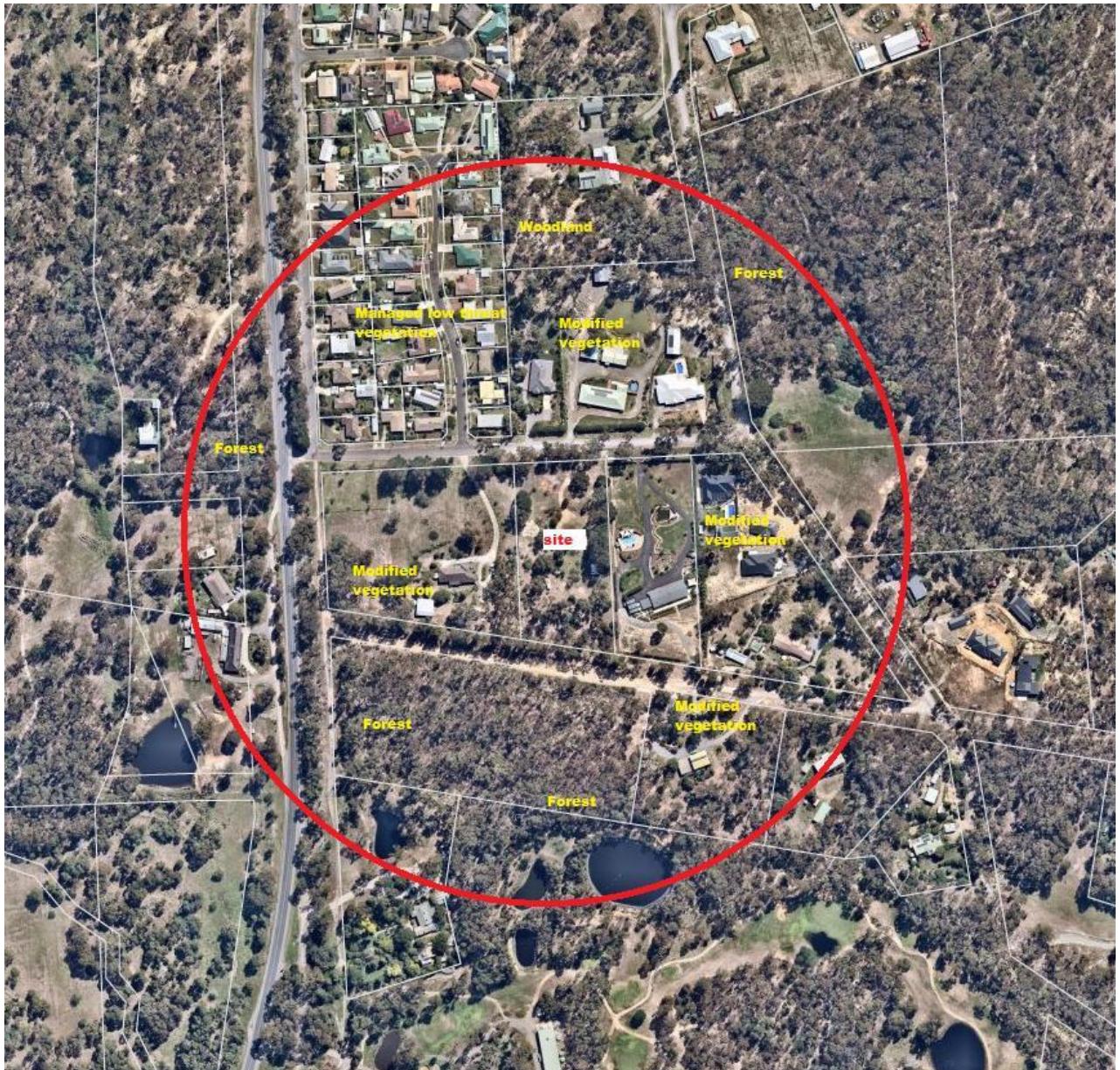


FIGURE 5 150 METRE ASSESSMENT AIR PHOTO

Surrounding landscape photos



Photo 8 Looking north east across Managed Gardens around a dwelling to the north of the site



Photo 9 Looking south east across managed gardens to the east of the site

Surrounding landscape photos



Photo 10 Looking south across Managed Gardens and modified vegetation 80 metres to the south east of site beyond Oswin Drive



Photo 11 Looking south west across managed gardens to the west of the site . This is classed as modified vegetation as it does not meet the Table 6 defendable space requirements

Surrounding landscape photos



Photo 12 Looking south to partly managed forest in the Midland Highway road verge 135 metres to the west of the site



Photo 13 Looking east through forest 160 metres to the east of the site

Surrounding landscape photos



Photo 14 Looking south through forest 20 metres to the south of the site beyond Oswin Drive



Photo 15 Looking south west across the Golf Course 250 metres to the south of the site

8 BUSHFIRE HAZARD LANDSCAPE ASSESSMENT

The town of Creswick has extensive areas of forest and woodland to the north, west and south west and east and would be classed as a Landscape type 3 in accordance with the *Technical Guide Planning Permit Applications – Bushfire Management Overlay*.

On high fire danger days there are often strong northerly winds followed by a gusty south west change which can turn the east flank of a fire approaching from the north west into a long fire front. There is the potential for long runs of fire (4 to 5 kilometres) from the north west 2 or 3 kilometres from the north west . Shorter runs of fire could affect the site following a south west wind change.

A spot fire could start within the forest to the east. The forest to the east of the site is less likely to form part of a long rapidly moving fire as strong winds from the east are not generally experienced on high fire danger days in Central Victoria. The site is more likely to be affected by the flank of a passing fire or a backing fire from the east, rather than a full fire front

As shown on Figure 7 on the following page, managed residential land immediately around the site will help reduce the intensity of an approaching fire. The site is most likely to experience high levels of ember attack.

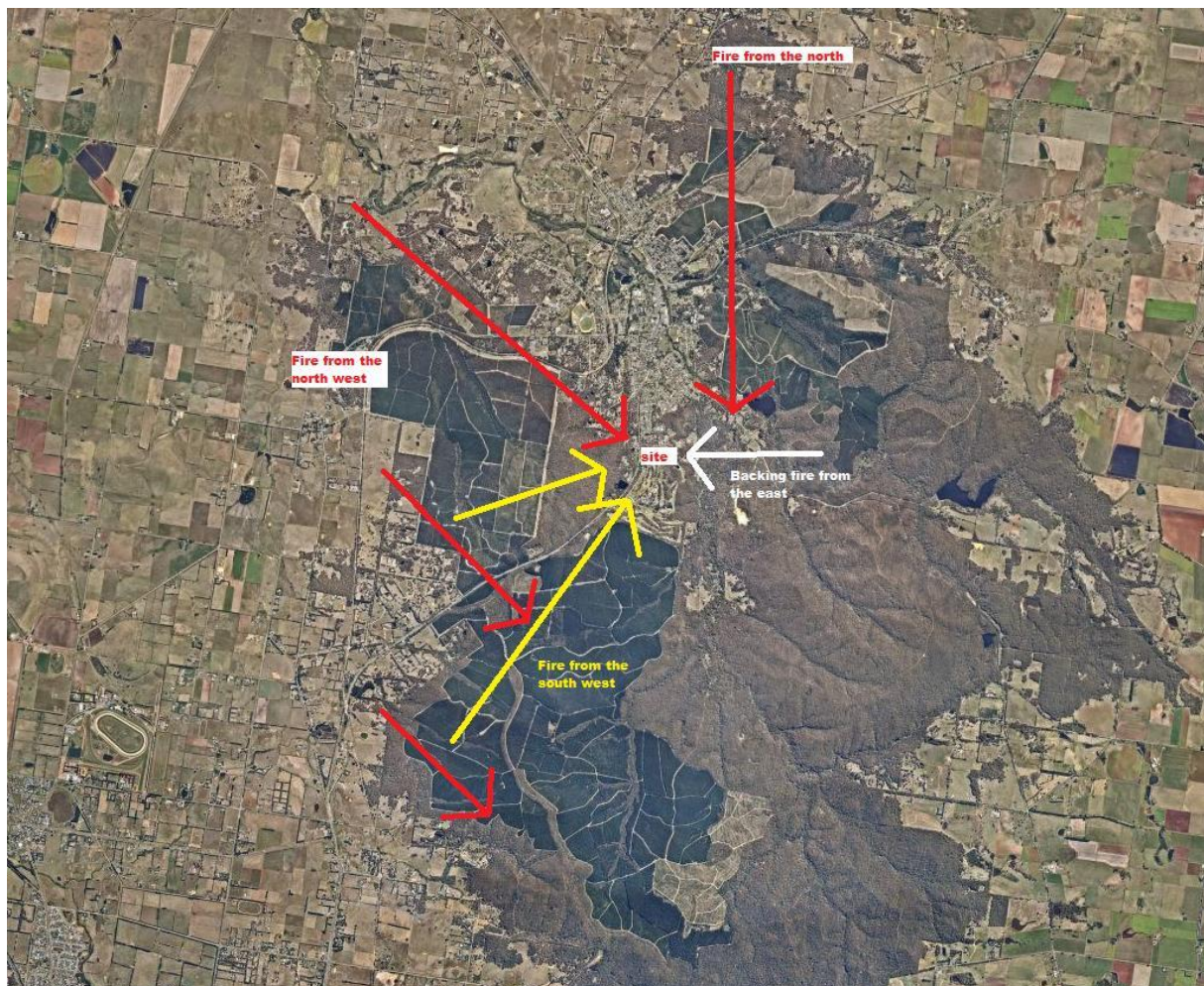


FIGURE 6 BUSHFIRE CONTEXT PLAN



FIGURE 7 BUSHFIRE LOCAL CONTEXT PLAN

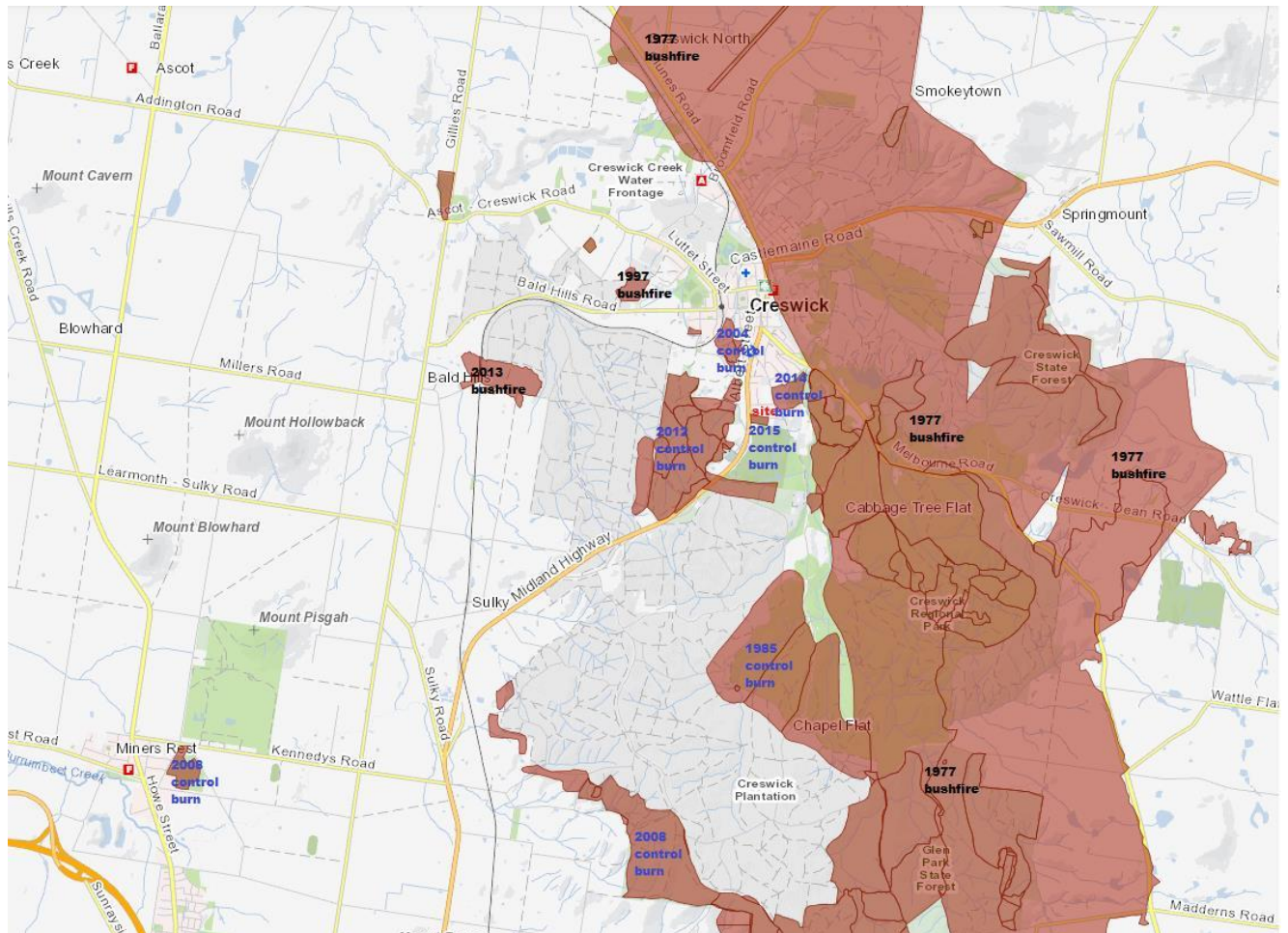
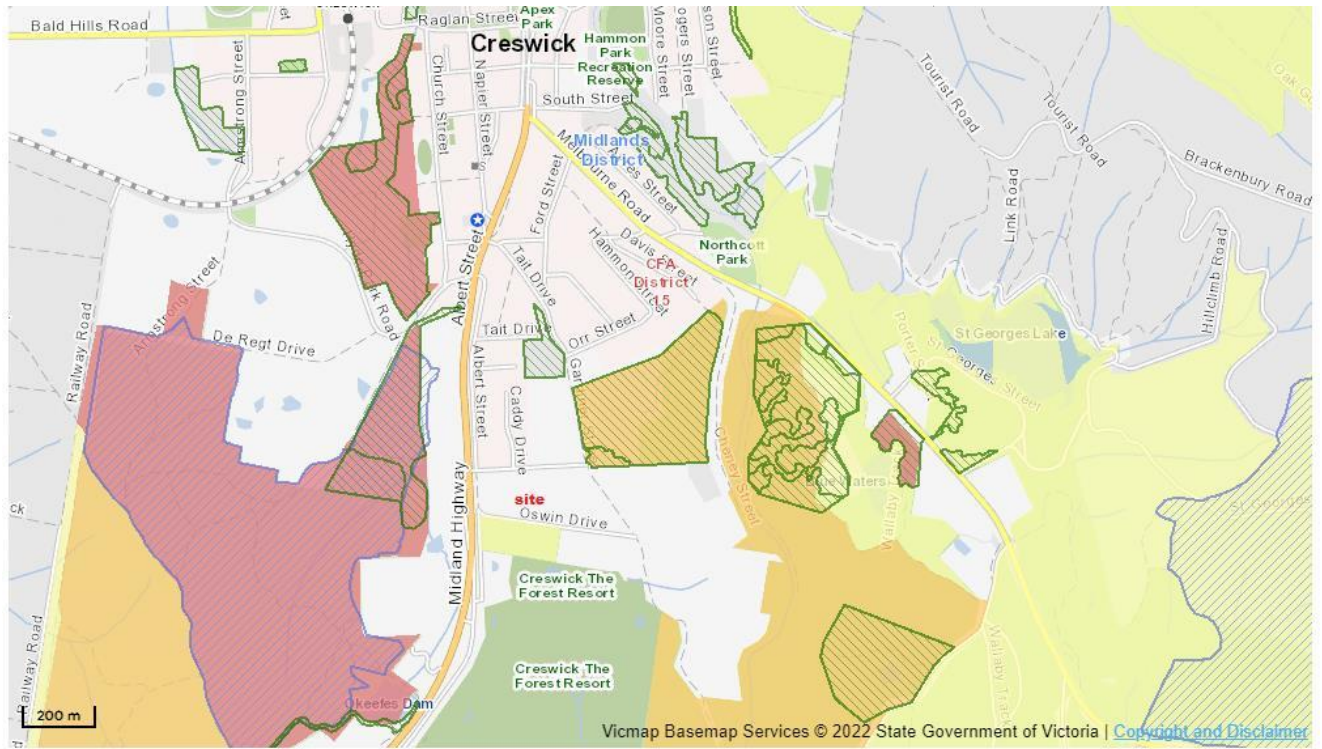


FIGURE 8 BUSHFIRE HISTORY MAP

The Fire History Map above shows that the site was almost affected by fire in 1977. There have been fuel reduction burns around the site, and Figure 9 shows there are planned burns to reduce the fuel load in nearby forest.

As shown on Figure 9, land to the south, east and west is designated Asset Protection, Landscape Management and Bushfire Moderation Zones which aim to reduce the overall fuel load and fire risk.

In summary, the extensive control burns reduce the risk, however, the site is still highly vulnerable to fire.



Legend

Strategic Fuel Breaks

- 2021-22 Non Burning Treatment - Strategic Fuel Breaks
- 2022-24 Non Burning Treatment - Strategic Fuel Breaks
- 2021-24 Non Burning Treatment - Other Mechanical Treatments

Planned Burns

- 2021-2022
- 2022-2023
- 2023-2024

Fire Management Zones

- 1 - Asset Protection Zone
- 2 - Bushfire Moderation Zone
- 3 - Landscape Management Zone
- 4 - Planned Burn Exclusion Zone
- Fire History
- CFA District Boundaries
- DELWP District Boundaries

FIGURE 9 PLANNED BURNS AND MANAGEMENT ZONES

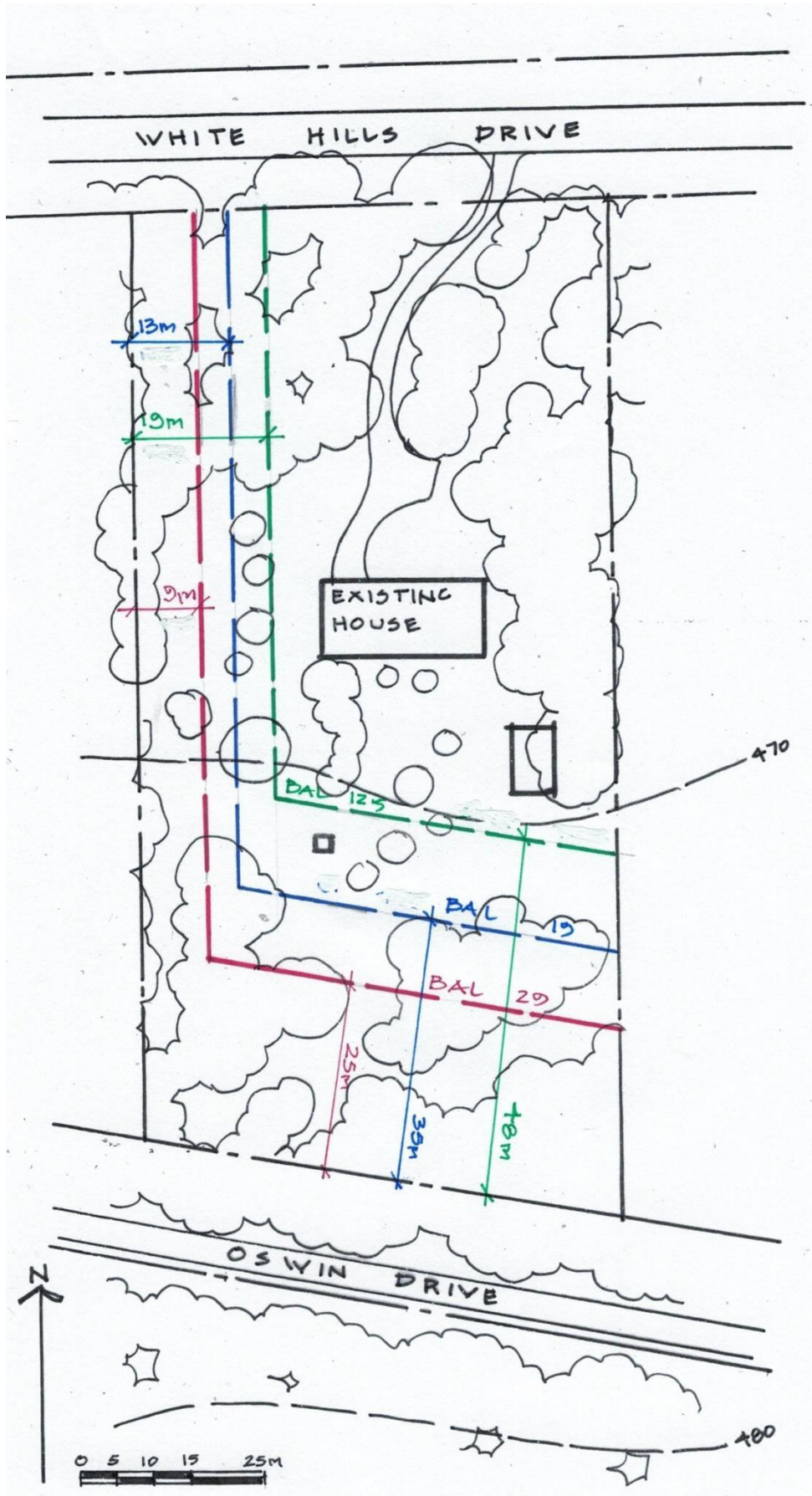


FIGURE 10 BAL 29 (RED), 19 (BLUE) AND 12.5 (GREEN) DEFENDABLE SPACE SET BACKS



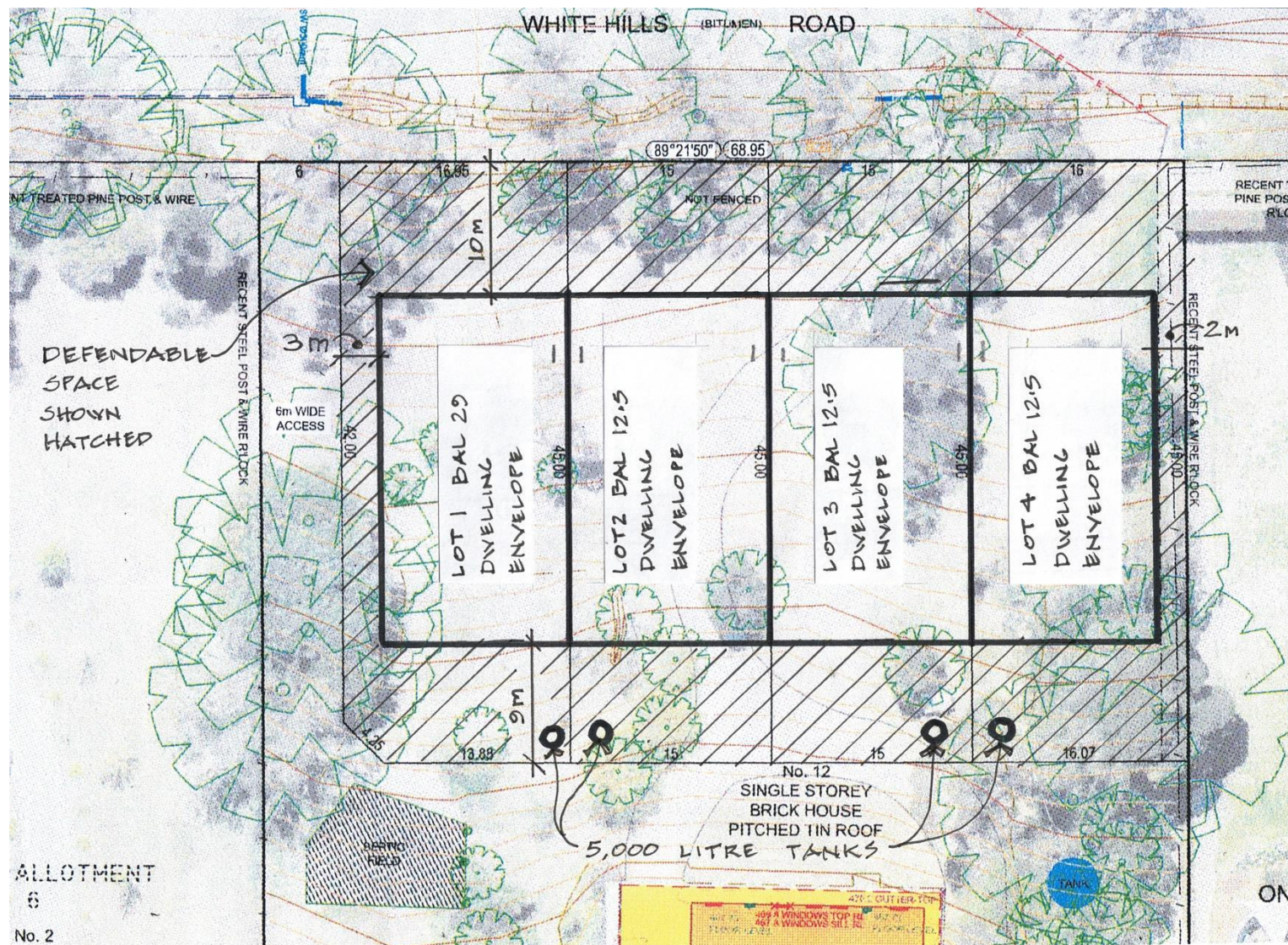


FIGURE 12 PROPOSED LOTS 1 TO 4 DWELLING ENVELOPES, DEFENDABLE SPACE AND WATER SUPPLY

SCHEDULE OF BUSHFIRE PROTECTION WORKS

Defendable space

The area of defendable space will extend from the building edges to the property boundaries on lots 1, 2,3 and 4 as shown on Figure 12 on the previous page. Vegetation (and other flammable materials) will be modified and managed in accordance with the following requirements:

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

Construction standards

Proposed dwellings will be designed and constructed a minimum Bushfire Attack Level of (BAL) 29 on Lot 1 and BAL 12.5 for Lots 2, 3 and 4.

Water supply

A tank on Lots 1,2, 3 and 4 will each hold 5000 litres of effective water supply for fire fighting purposes which meets the following requirements:

- Is stored in an above ground water tank constructed of concrete or metal.
- All fixed above-ground water pipes and fittings required for fire fighting purposes must be made of corrosive resistant metal
- Include a separate outlet for occupant use.

Access

As the dwellings on Lots 1, 2, 3, and 4 are within 120 metres of a hydrant it is assumed fire fighting operations would be carried out from the street and there are no access requirements.

9 BUSHFIRE MANAGEMENT STATEMENT

Clause 53.02 contains a range of sub clauses with objectives, approved measures (AM), alternative measures (AltM) and decision guidelines. The table below details which clauses are relevant to this application. The following section demonstrates how the requirements have been met for the relevant standards.

Relevant clauses and measures applicable to the proposed development.

| Clause | Approved Measure | Achieved / Applicable | Justification |
|---|------------------|-----------------------|--|
| Clause 53.02 -3 – Dwellings in existing settlements – Bushfire protection objective | AM 1.1 | Not Applicable | This is a subdivision so clauses are not applicable. |
| | AM 1.2 | Not Applicable | |
| | AM 1.3 | Not Applicable | |
| Clause 53.02 -4.1 Landscape, siting and design objectives | AM 2.1 | Applicable | This development must address this clause. |
| | AM 2.2 | Applicable | |
| | AM 2.3 | Applicable | |
| Clause 53.02 -4.2 Defendable space and construction objectives | AM 3.1 | Not Applicable | This is a residential subdivision and not applicable |
| | AM 3.2 | Not Applicable | |
| | AltM 3.3 | Not Applicable | This is a subdivision and not applicable. |
| | AltM 3.4 | Not Applicable | |
| | AltM 3.5 | Not Applicable | |
| | AltM 3.6 | Not Applicable | |
| Clause 53.02 -4.3 Water supply and access objectives | AM 4.1 | Applicable | This development must address this clause. |
| | AM 4.2 | Not Applicable | This is a subdivision and not applicable. |
| Clause 53.02 -4.4 Subdivision objectives | AM 5.1 | Not Applicable | The site is zoned GRZ |
| | AM 5.2 | Applicable | This development must address this clauses. |
| | AM 5.3 | Not Applicable | Less than 10 lots are proposed |
| | AM 5.4 | Not Applicable | |
| | AM 5.5 | Not Applicable | Less than 10 lots are proposed |

9.1.1 53.02-2.1 Landscape, siting and design objectives

Development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape.

Development is sited to minimise the risk from bushfire.

Development is sited to provide safe access for vehicles, including emergency vehicles.

Building design minimises vulnerability to bushfire attack.

| Approved Measure | Requirement |
|------------------|---|
| AM 2.1 | <p>The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.</p> <p>Response:</p> <p>The site is located in Creswick's residential area . There is a mix of dwellings on lots that support areas of managed gardens to the west, north and east. There is good access . The zoning allows for higher density residential development .</p> <p>The forest to the east and west is zoned PCRZ so while it is likely to remain forest, it is covered by an Asset Protection and Bushfire Moderation Zone, which will help reduce the fuel load and risk</p> <p>This site is able to meet the defendable space requirements for a BAL 12.5 and 29 as per the Method 1 assessment of AS 3959-2018 within the property boundaries for the proposed Lots.</p> |
| AM 2.2 | <p>Buildings are sited to ensure the site best achieves the following: The maximum separation distance between the building and the bushfire hazard.</p> <ul style="list-style-type: none"> • The building is in close proximity to a public road. • Access can be provided to the building for emergency service vehicles. <p>Response:</p> <p>The buildings on Lots 1, 2,3 and 4 will be located close to White Hills Road. There is good access to the Midland Highway to the west. While there no requirements for the existing dwelling on Lot 1, a 6 metres wide access way will be provided.</p> |
| AM 2.3 | <p>A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building.</p> <p>Response:</p> <p>The building on Lot 1 will be required to meet a BAL of 29 and Lots 2 ,3 and 4 BAL 12.5. The construction requirements minimise the ability for ember penetration and radiant heat exposure to compromise the building integrity.</p> |

9.1.2 53.02-4.2 Defendable space and construction objective

Defendable space and building construction mitigate the effect of flame contact, radiant heat and embers on buildings.

| Approved Measure | Requirement |
|------------------|---|
| AM 3.1 | <p>A building used for a dwelling (including an extension or alteration to a dwelling), a dependant person's unit, industry, office or retail premises is provided with defendable space in accordance with:</p> <p>Column A, B or C of Table 2 to Clause 53.02-5 wholly within the title boundaries of the land; or</p> <p>If there are significant siting constraints, Column D of Table 2 to Clause 53.02-3.</p> <p>The building is constructed to the bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5.</p> <p>Response:</p> <p>The proposed dwellings on Lots 1 2, 3 and 4 can achieve BAL 29 and 12.5 defendable space (in accordance with Columns A and C of Table 2 to Clause 53.02) within the property boundaries based on the hazard of grassland on an upslope to the west, forest on an upslope to the south and managed low threat vegetation to the north and east.</p> |

53.02-2.3 Water supply and access objectives

A static water supply is provided to assist in protecting property.
 Vehicle access is designed and constructed to enhance safety in the event of a bushfire.

| Approved Measure | Requirement |
|------------------|---|
| AM 4.1 | <p>A building used for a dwelling (including an extension or alteration to a dwelling), a dependant person's unit, industry, office or retail premises is provided with:</p> <ul style="list-style-type: none"> • A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-3. • Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-3. <p>The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.</p> <p>Response:</p> <p>The proposed development will provide a 5,000 litre fire resistant (concrete or steel) tank to be kept full of water for fire fighting purposes on Lot 2,3 and 4.</p> <p>The tank is proposed for occupant use in a bushfire as the lots are between 500 and 1000m2 and there is a hydrant within 120 metres of the site.</p> |

53.02 -4.4 Subdivision objectives

To provide lots that are capable of being developed in accordance with the objectives of Clause 53.02 .

To specify at the subdivision stage before protection measures to develop a lot with a single dwelling on land zoned for residential or rural residential purposes.

| Approved Measure | Requirement |
|------------------|---|
| AM 5.1 | NA as the site is zoned GRZ |
| AM 5.2 | <p>An application to subdivide land zoned for residential or rural residential purposes must be accompanied by a plan that shows:</p> <p>Each lot satisfies the approved measure in AM 2.1.</p> <p>A building envelope for a single dwelling on each lot that complies with AM 2.2 and provides defensible space in accordance with:</p> <p>Columns A or B of Table 2 to Clause 53.02 -5 for a subdivision that creates 10 or more lots; or</p> <p>Columns A, B or C of Table 2 to Clause 53.02 -5 for a subdivision that creates less than 10 lots. The bushfire attack level that corresponds to the defensible space provided in accordance with Table 2 to Clause 53.02 -3 must be noted on the building envelope.</p> <p>Defensible space wholly contained within the boundaries of the proposed subdivision.</p> <p>Defensible space may be shared between lots within the subdivision.</p> <p>Defensible space for a lot may utilise communal areas, such as roads, where that land can meet the requirements for defensible space.</p> <p>Vegetation management requirements in accordance with Table 6 to implement and maintain the defensible space required under this approved measure.</p> <p>Water supply and vehicle access that complies with AM 4.</p> <p>Response:</p> <p>Lots 1,2,3 and 4 can achieve minimum BAL 29 and 12.5 defensible space within the boundaries , based on the Columns A and C of Table 2 to Clause 53.02 -5 with the hazard being grassland to the west, forest to the south and managed low threat vegetation to the north and east</p> <p>Water supply and access requirements can be met, as previously described under AM 4.1.</p> |

10 CONCLUSION

53.02 -4.5 Decision guidelines

The proposed development meets the decision guidelines as follows:

The State Planning Policy Framework (SPPF) outlines the broad framework for bushfire protection policy and provisions in the planning scheme. The following policy is included in this;

Clause 13.02-1 S Bushfire planning

Objective

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Strategies

Protection of human life

Give priority to the protection of human life by:

Prioritising the protection of human life over all other policy considerations.

Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.

Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process

This proposal has been prepared having regard for this overarching policy

The bushfire hazard landscape and site assessment, and bushfire management statement submitted with the application meets the objectives of Clause 53.02.

Land surrounding the site is a mix of woodland, forest, grassland and managed and modified vegetation. The proper establishment and maintenance of defensible space on site will reduce the overall bushfire risk.

The proposed measures can be practically implemented and maintained in conjunction with the ongoing use of the land for residential purposes.

11 REFERENCES

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DELWP (2018) *Clause 44.06 Bushfire Management Overlay* Department of Environment, Land, Water and Planning

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http://planning-schemes.delwp.vic.gov.au/schemes/vpps/53_02.pdf

DELWP (2018) *Bushfire Fuel and Risk Management*

<https://www.ffm.vic.gov.au/bushfire-fuel-and-risk-management/joint-fuel-management-program>

Nearmap

<http://maps.au.nearmap.com>

APPENDIX 1– BUSHFIRE SITE ASSESSMENT

| | North | South | East | West |
|--|---------------------|--------|---------------------|-----------|
| Vegetation Type | Managed vegetation | Forest | Managed vegetation | Grassland |
| The effective slope under the vegetation | 0 - 5 | UP | 0 - 5 | Up |
| Defendable space required for BAL 29 for Lot 1 | Property Boundaries | 25 m | Property Boundaries | 9 m |
| Defendable space required for BAL 12.5 for Lots 2, 3 and 4 | Property Boundaries | 48 m | Property Boundaries | 19 m |

APPENDIX 2 DEFENDABLE SPACE CHECKLIST FOR SITE (TABLE 6, CLAUSE 53.02 -5)

| Requirement | Compliance | Comment | Is a permit required to remove vegetation |
|---|------------|----------------------|---|
| All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period. | No | Some clean up needed | No |
| Grass must be short cropped and maintained during the declared fire danger period. | Yes | | No |
| Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building. | Yes | | No |
| Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building. | Yes | | |
| Shrubs must not be located under the canopy of trees. | No | Some clean up needed | No |
| Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres. | Yes | | No |
| Trees must not overhang or touch any elements of the building. | No | Trees to be removed | Yes |
| The canopy of trees must be separated by at least 5 metres. | No | Trees to be removed | Yes |
| There must be a clearance of at least 2 metres between the lowest tree branches and ground level. | No | Trees to be pruned | No |

APPENDIX 3 ACCESS AND WATER SUPPLY REQUIREMENTS

Table 4 Water supply requirements

Capacity, fittings and access

| Lot sizes (square meters) | Hydrant available | Capacity (litres) | Fire authority fittings and access required |
|------------------------------|----------------------|----------------------|--|
| Less than 500 | Not applicable | 2,500 | No |
| 500-1,000 | Yes | 5,000 | No |
| 500-1,000 | No | 10,000 | Yes |
| 1,001 and above | Not applicable | 10,000 | Yes |

Note 1: A hydrant is available if it is located within 120 metres of the rear of the building

Fire Authority requirements

Unless otherwise agreed in writing by the relevant fire authority, the water supply must:

- Be stored in an above ground water tank constructed of concrete or metal.
- Have all fixed above ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
- Include a separate outlet for occupant use.

Where a 10,000 litre water supply is required, fire authority fittings and access must be provided as follows:

- Be readily identifiable from the building or appropriate identification signage to the satisfaction of the relevant fire authority.
- Be located within 60 metres of the outer edge of the approved building.
- The outlet/s of the water tank must be within 4 metres of the accessway and unobstructed.
- Incorporate a separate ball or gate valve (British Standard Pipe (BSP 65 millimetre) and coupling (64 millimetre CFA 3 thread per inch male fitting).
- Any pipework and fittings must be a minimum of 65 millimetres (excluding the CFA coupling).

Table 5 Vehicle access design and construction

Vehicle access (or part thereof) of a length specified in Column A implements the design and construction requirements specified in Column B.

| Column A | Column B |
|---|--|
| Length of access is less than 30 metres | There are no design and construction requirements if fire authority access to the water supply is not required under AM4.1 . |
| Length of access is less than 30 metres | Where fire authority access to the water supply is required under AM4.1 fire authority vehicles should be able to get within 4 metres of the water supply outlet. |
| Length of access is greater than 30 metres | <p>The following design and construction requirements apply:</p> <ul style="list-style-type: none"> ▪ All-weather construction. ▪ A load limit of at least 15 tonnes. ▪ Provide a minimum trafficable width of 3.5 metres. ▪ Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically. ▪ Curves must have a minimum inner radius of 10 metres. ▪ The average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more |
| | <p>than 1 in 5 (20%) (11.3°) for no more than 50 metres.</p> <ul style="list-style-type: none"> ▪ Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle. |
| Length of access is greater than 100 metres | <p>A turning area for fire fighting vehicles must be provided close to the building by one of the following:</p> <ul style="list-style-type: none"> ▪ A turning circle with a minimum radius of eight metres. ▪ A driveway encircling the dwelling. ▪ The provision of other vehicle turning heads – such as a T or Y head – which meet the specification of Austroad Design for an 8.8 metre Service Vehicle. |
| Length of access is greater than 200 metres | <ul style="list-style-type: none"> ▪ Passing bays must be provided at least every 200 metres. ▪ Passing bays must be a minimum of 20 metres long with a minimum trafficable width of 6 metres. |

Note 1: The length of access should be measured from a public road to either the building or the water supply outlet, whichever is longer.

SCHEDULE OF BUSHFIRE PROTECTION WORKS

Defendable space

The area of defendable space will extend from the building edges to the property boundaries on lots 1, 2, 3 and 4 as shown hatched. Vegetation (and other flammable materials) will be modified and managed in accordance with the following requirements:

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

Construction standards

Proposed dwellings will be designed and constructed a minimum Bushfire Attack Level of (BAL) 29 on Lot 1 and BAL 12.5 for Lots 2, 3 and 4.

Water supply

A tank on Lots 1, 2, 3 and 4 will each hold 5000 litres of effective water supply for fire fighting purposes which meets the following requirements:

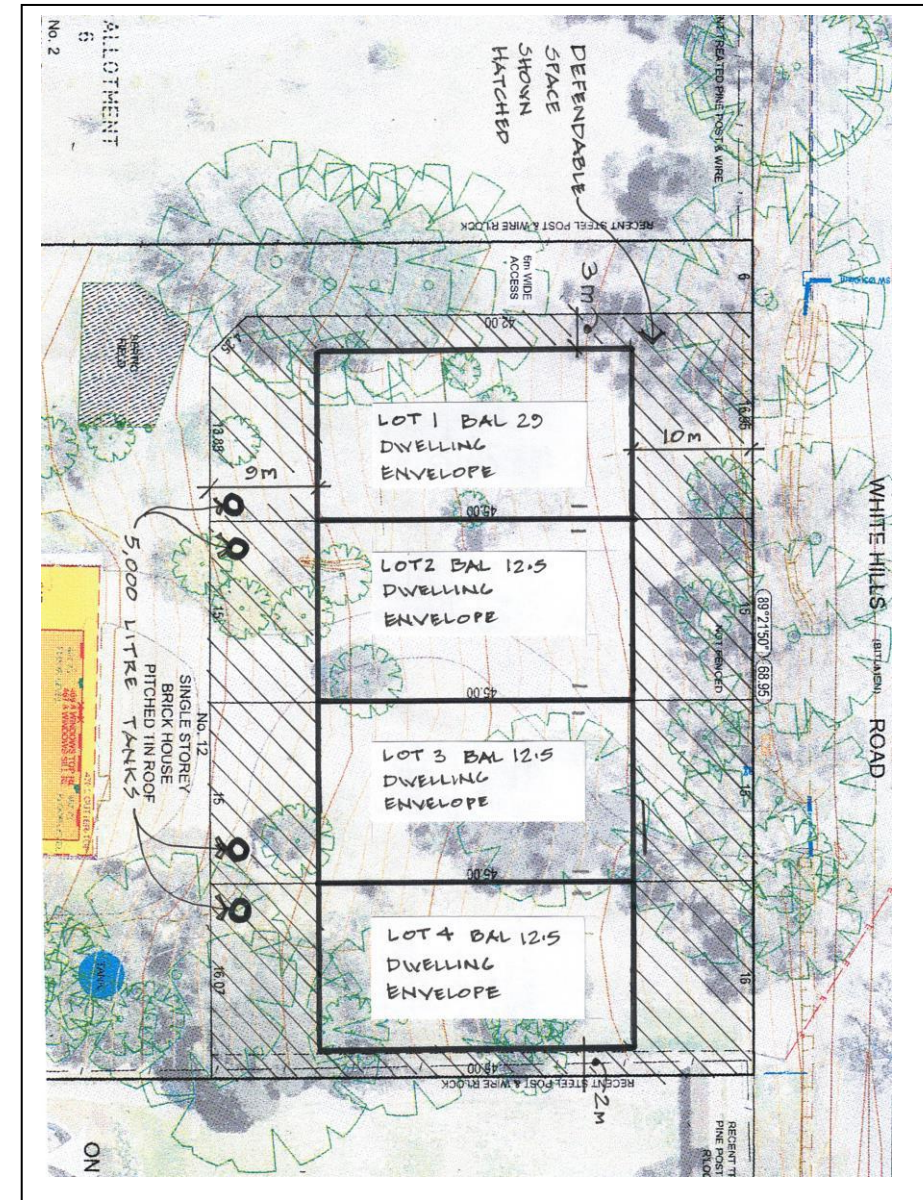
- Is stored in an above ground water tank constructed of concrete or metal.
- All fixed above-ground water pipes and fittings required for fire fighting purposes must be made of corrosive resistant metal
- Include a separate outlet for occupant use.

FIGURE 13 BUSHFIRE MANAGEMENT PLAN

12 White Hills Road Creswick

Version B

29/3/2023



BUSHFIRE MANAGEMENT PLAN – 12 Whitehills Road, Creswick**SCHEDULE OF BUSHFIRE PROTECTION WORKS****Defendable space**

The area of defendable space will extend from the building edges to the property boundaries on lots 1, 2 and 3 as shown hatched. Vegetation (and other flammable materials) will be modified and managed in accordance with the following requirements:

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

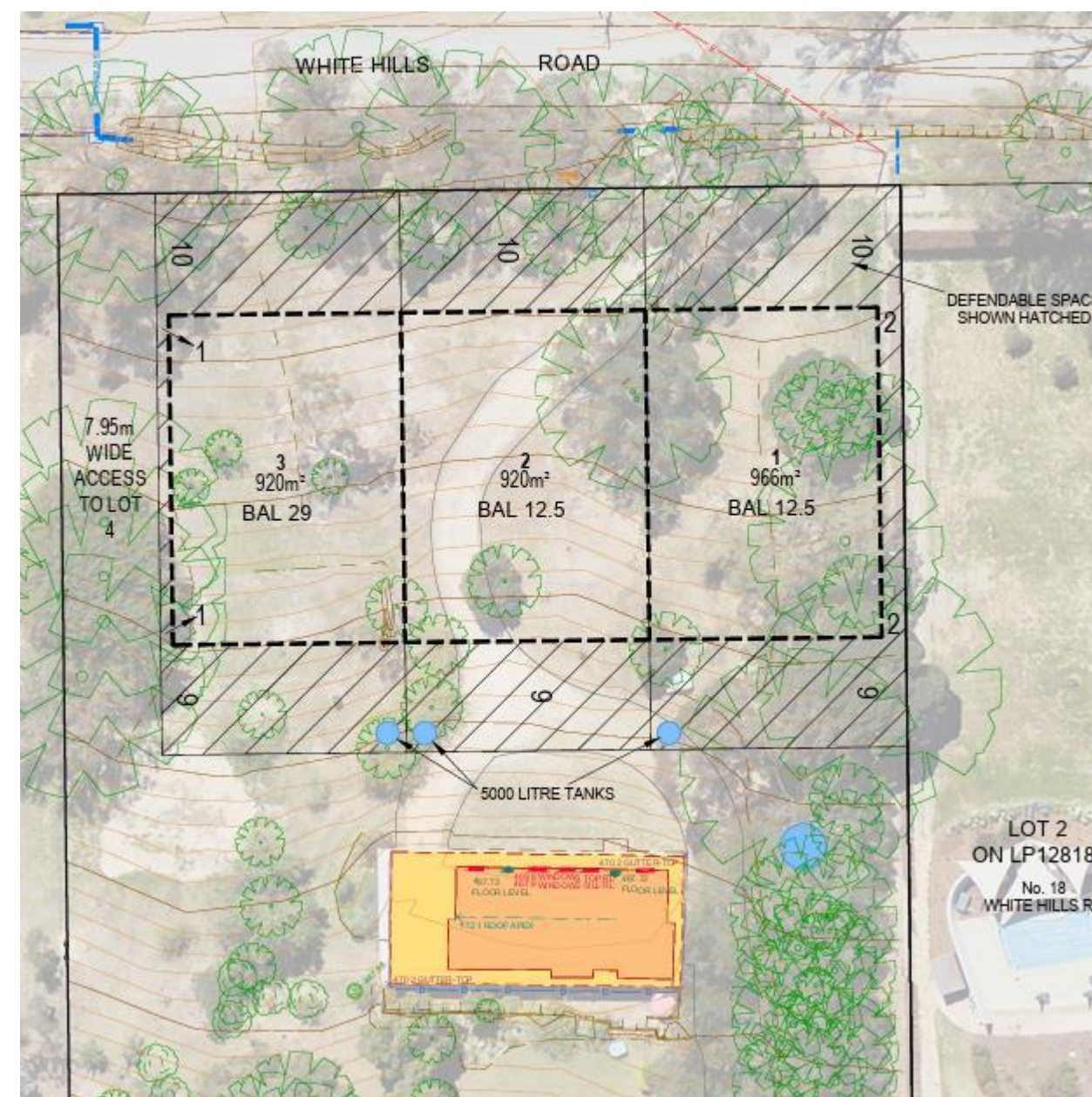
Construction standards

Proposed dwellings will be designed and constructed a minimum Bushfire Attack Level of (BAL) 29 on Lot 3 and BAL 12.5 for Lots 1 and 2.

Water supply

A tank on Lots 1,2, and 3 will each hold 5000 litres of effective water supply for fire fighting purposes which meets the following requirements:

- Is stored in an above ground water tank constructed of concrete or metal.
- All fixed above-ground water pipes and fittings required for fire fighting purposes must be made of corrosive resistant metal
- Include a separate outlet for occupant use.



ATTACHMENT 11.1.8
12 White Hills Road Creswick 3363

Lot 1 LP128181

Council: Hepburn

Council Property Number: 12360

Directory Reference: 583 S11



20 November 2023

Heather Beever

Principal

Cumbre Consulting P/L

cumbre.com.au

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1 INTRODUCTION

1.1 Project Background

Cumbre Consulting was commissioned by Rhonda Hocking to assess the environmental value of vegetation at 12 White Hills Rd Creswick, Hepburn Shire Council in relation to the development of a subdivision at this site. See Figure 1 Location of the study area and Figure 2 Plan of proposed subdivision.



Figure 1: Location of study area

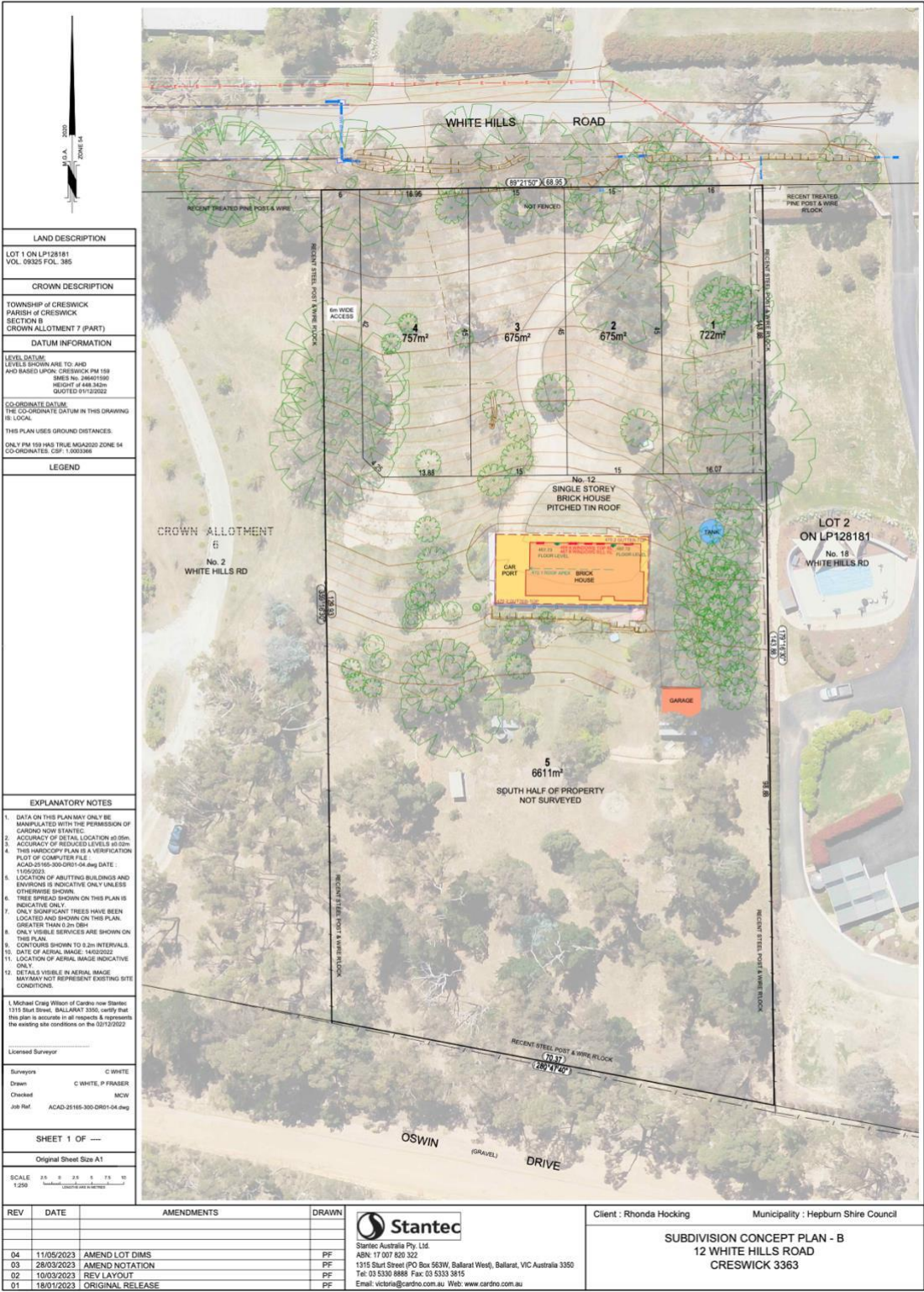


Figure 2: Plan of proposed subdivision

1.2 Objectives

The objectives of this assessment are:

- Assess the conservation significance of the habitat
- Map the extent, type, and condition of the native vegetation
- Assess potential impacts of the proposed development on ecological values
- Consider measures that could avoid or reduce any impacts
- Assess and quantify measures to offset impacts and achieve a Net Gain

1.3 Study Area

The property is located at 12 White Hills Road Creswick within the municipality of the Hepburn Shire Council, and is zoned General Residential (GRZ).

The following Planning Scheme Overlays pertain to this project:

Table 1 Planning Scheme Overlays

| Clause Number | Name | Associated Schedules |
|---------------|--|----------------------|
| 32.08 | General Residential | Schedule 1 (GRZ1) |
| 44.06 | Bushfire Management Overlay (BMO) | |
| 42.01 | Environmental Significance Overlay (ESO) | Schedule 1 (ESO1) |

The property falls into the Central Victorian Uplands Bioregion and North Central Catchment Management Authority. The Department of Energy, Environment, and Climate Action (DEECA) and Planning (DEECA) Native Vegetation Regulation Map (NVR map)¹ list the 1750 Ecological Vegetation Classes (EVC's) as: 20 Heathy Dry Forest. See Figure 3 EVC Map.

2 DESCRIPTION OF METHODS

2.1 Field Survey

The EVC was identified using state-wide EVC mapping and then ground truthed on 20 October 2023. The entire site was traversed by foot. Records were taken of all indigenous vascular plant species. Native vegetation areas were recorded and mapped.

2.2 Defining and Assessing Vegetation

Native vegetation in Victoria has been defined by DELWP as belonging to two categories. These are:

REMNANT PATCH

¹ DEECA 2023. Native vegetation Regulation Map (NVR Map) sourced at <https://www.environment.vic.gov.au/native-vegetation/NVRMap>

A remnant patch of native vegetation is either:

- any area of vegetation where at least 25 per cent of the total perennial understorey plant cover is native
- any area with three or more native canopy trees where the dripline of at least one other tree, forming a continuous canopy, or
- any mapped wetland included in the Current wetlands map, available in DELWP systems and tools.

SCATTERED TREE

A scattered tree is:

- a native canopy tree that does not form part of a remnant patch.²

HABITAT HECTARE

Habitat hectare (Vegetation Quality Assessment) is a site-based measure that combines extent and condition of native vegetation. The current condition of native vegetation is assessed against a benchmark for its Ecological Vegetation Class (EVC). EVCs are classifications of native vegetation types. The benchmark for an EVC describes the attributes of the vegetation type in its mature natural state, which reflects the pre-settlement circumstances. The condition score of native vegetation at a site can be determined through undertaking a habitat hectare assessment.

The habitat hectare assessment takes the following features into account: large trees; tree canopy cover; under-storey; cover of weeds; regeneration; organic litter; logs (condition score); patch size; neighbourhood; distance to core area (viability score)

The habitat hectares of native vegetation are calculated by multiplying the current condition of the vegetation (condition score) by the extent of native vegetation.

Due to the small nature of this assessment, the Native vegetation information management (NVIM) tool was used to determine vegetation quality based on modelled values.

2.3 Special Considerations

The habitat hectare survey was done in Spring. There are numerous planted natives on this site, including tree species appropriate to this bioregion but not typically found within this soil type or part of the landscape. There is some remnant understorey present under the trees along the road reserve and the understory in the open clear zones comprise mostly introduced species – many broad leaf weeds these zones are considered lawn. There is not considered to be any significant limitations to this study.

3 FLORA

The following Ecological Vegetation Class (EVC) from the Central Victorian Uplands were identified in this study using the DEECA Native Vegetation Regulation (NVR) map and field assessment:

² DELWP 2017. Guidelines for the removal, destruction or lopping of native vegetation
<https://www.environment.vic.gov.au/native-vegetation/native-vegetation>

3.1 Pre-European Settlement – 1750 Map of Victorian Goldfields EVCs Present in Study Area

3.1.1 Ecological Vegetation Class: 20 – Heathy Dry Forest.

Grown on shallow, rocky skeletal soils on a variety of geologies and on a range of landforms from gently undulating hills to exposed aspects on ridge tops and steep slopes at a range of elevations. The overstorey is a low, sparse to dense layer of ericoid-leaved shrubs including heaths and peas. Graminoids and grasses are frequently present in the ground layer, but do not provide much cover. (See Figure 3).

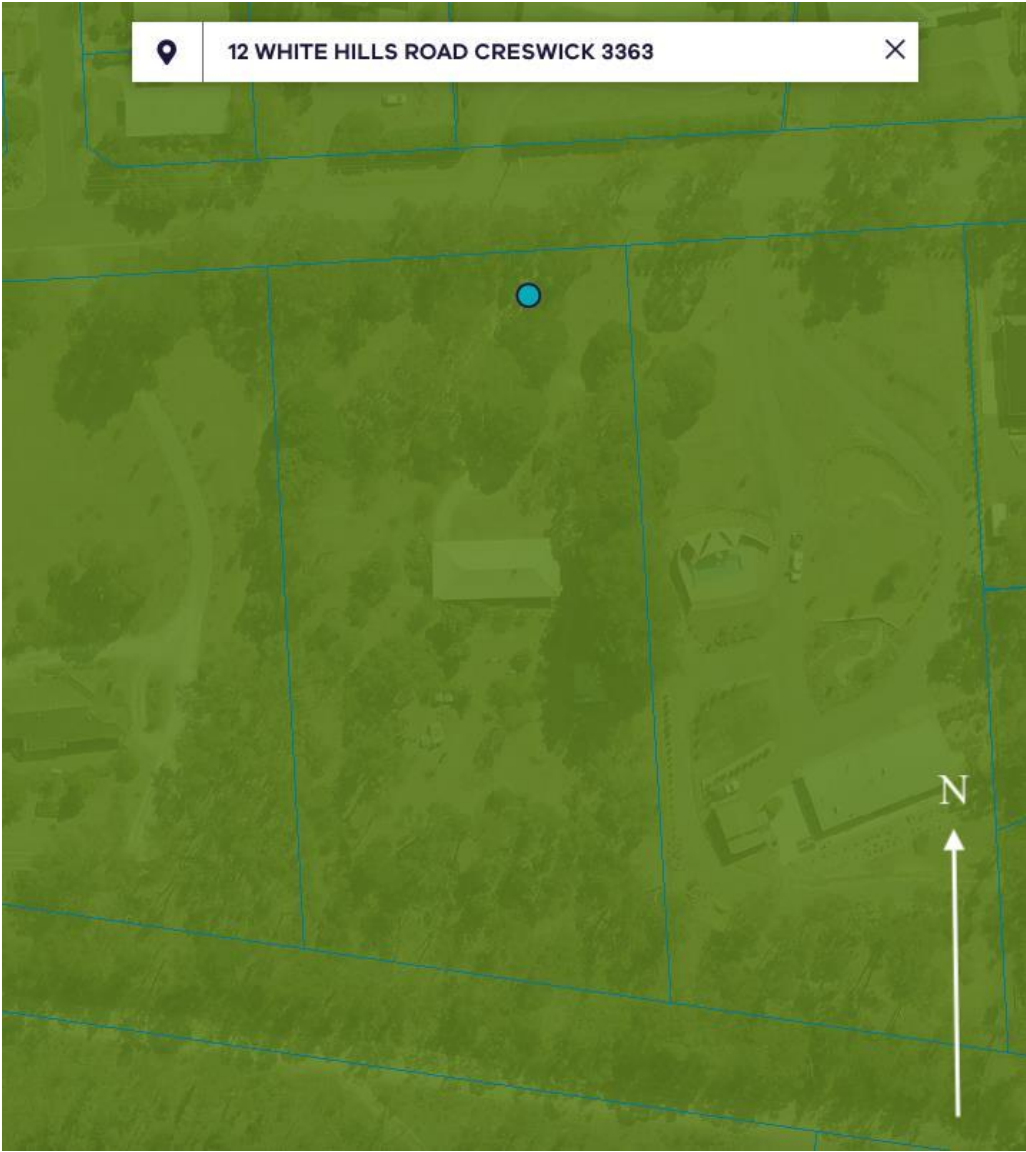


Figure 3: Pre-1750 Ecological Vegetation Class(es) modelled for the study area

LEGEND

| Colour Key | EVC No. | Name | Bioregion | Status |
|---|---------|-------------------|-----------------|---------------|
|  | 20 | Heathy Dry Forest | Central Uplands | Least Concern |

4 FAUNA

4.1 Species found by survey

No threatened fauna species surveys were undertaken, and no threatened species were recorded through field work on site as part of this study.

5 RESULTS

5.1 Description of native vegetation assessed considered lost

Two patches of vegetation were assessed as part of this proposal and two scattered trees. See Figure 4 and results Appendix 1, Native vegetation removal (NVR) report.

Table 3 Description of trees assessed

| Tree No. | Common name | Species | DBH (CM) | TPZ (M) | Hollow | Indigenous /planted | Impacted by design Or retained | Photo |
|----------|-----------------|---------------------------------|----------|---------|--------|---------------------|--------------------------------|----------|
| 1 | Red Stringybark | <i>Eucalyptus macrorhyncha</i> | 71.5 | 8.58 | No | Indigenous | Patch 1 Tree A | 1,2, 3 |
| 2 | Red Stringybark | <i>Eucalyptus macrorhyncha</i> | 88.5 | 10.62 | No | Indigenous | Patch 1 Tree B | 1,3, |
| 3 | Red Stringybark | <i>Eucalyptus macrorhyncha</i> | 117 | 14.04 | No | Indigenous | Patch 1 Tree C | 2,3,4 |
| 4 | Red Stringybark | <i>Eucalyptus macrorhyncha</i> | 107 | 12.84 | No | Indigenous | Patch 1 Tree D | 2,4 |
| 5 | Red Stringybark | <i>Eucalyptus macrorhyncha</i> | 54 | 6.48 | No | Indigenous | Patch 1 | 4,5,8 |
| 6 | Red Stringybark | <i>Eucalyptus macrorhyncha</i> | 41 | 4.92 | No | Indigenous | Patch 1 | 5,8 |
| 7 | Red Stringybark | <i>Eucalyptus macrorhyncha</i> | 94 | 11.28 | No | Indigenous | Patch 1 Tree E | 5,8 |
| 8 | Red Stringybark | <i>Eucalyptus macrorhyncha</i> | 20 | 2.4 | No | Indigenous | Patch 1 | 5,8 |
| 9 | Red Stringybark | <i>Eucalyptus macrorhyncha</i> | 54 | 6.48 | No | Indigenous | Patch 1 | 4,5,6, 8 |
| 10 | Blackwood | <i>Acacia melanoxylon</i> | 46.5 | 5.58 | No | Indigenous | Patch 1 | 5,6 |
| 11 | Red Stringybark | <i>Eucalyptus macrorhyncha</i> | 92.5 | 11.1 | No | Indigenous | Patch 2 Tree F | 9 |
| 12 | Blackwood | <i>Acacia melanoxylon</i> | 55.5 | 6.66 | No | Indigenous | Patch 2 | 9,10 |
| 13 | Blackwood | <i>Acacia melanoxylon</i> | 14.5 | 2.00 | No | Indigenous | ST H | 6,9 |
| 14 | Blue Gum | <i>Eucalyptus globulus</i> | 92 | 11.04 | No | Planted | Planted | 10 |
| 15 | Blackwood | <i>Acacia melanoxylon</i> | 16.5 | 2.00 | No | Indigenous | ST G | 11 |
| 16 | Red gum | <i>Eucalyptus camaldulensis</i> | 58 | 6.96 | No | Planted | Planted | 13, 14 |



Figure 5: Location of trees assessed (1-15) and location of Planted trees (P).

5.2 Quantification of Losses for Scattered Trees

There are two small, scattered trees (ST) in this assessment, See Table 3 for the description of these trees and Figure 4 & 5 for their location.

5.3 Vegetation not included in the assessment

- *Planted natives and exotic trees were not included in this assessment.* Some of the vegetation falls into this category. See Figure 5 for the location of the planted vegetation some are planted natives some are planted exotics.
- *Areas with < 25 % native vegetation.* The open areas without overstorey trees are dominated by introduced species, grasses, and broad leaf weeds and considered a lawn.
- *Regrowth: Native vegetation that is to be removed, destroyed, or lopped that has naturally established or regenerated on land lawfully cleared of native vegetation and is less than 10 years old.* There is blackwood regrowth on site. Scattered trees H & G are both small diameter Blackwood trees of undetermined age and maybe less than 10 years of age, but they have been included in this assessment. There are young blackwood's under the more

mature trees in Patch 2 and some near the Blue gum tree 14 all of which are less than 10 years of age.

5.4 Flora and Fauna Guarantee Act 1988 (Victoria)

5.4.1 Protected Flora

The FFG Act lists 'Protected Flora'. Protected flora includes whole families or genera, not just plant species, such as daisies, heaths, orchids, and most acacias. These species and genera are not necessarily regarded as threatened but require an approved 'protected flora licence/permit' from DEECA prior to their removal from public land. There is no FFG listed flora located on the White Hills road reserve.

6 IMPLICATION FOR DEVELOPMENT

6.1 Avoiding Impacts on Native Vegetation and Defendable Space

The zoning is General Residential (GRZ). The land use proposed is as expected. The services are adjacent to this site. Due to the small lot sizes <4000m² all native vegetation is included and considered lost.

The Bushfire Management Overlay covers this property.

6.2 Minimising Impacts on Native Vegetation

As per section 6.1., where trees can be retained on site they will be retained for aesthetic reasons and other values. Access can occur under the road reserve trees to the proposed lots; however, they have been assumed lost due to tree protection zone (TPZ) impact. Tree 1 & 2 will require removal for the proposed new access to the existing dwelling.

No feasible opportunities exist to further avoid removal or minimise impacts without compromising the proposed development.

6.3 Offset Statement

The client will purchase a third party offset from the credit register. Indications of the availability of offset; the type and amount of offset have been found on the native vegetation credit register. See Appendix 3 for evidence of availability.

6.4 Offsets required as per DELWP Native Vegetation Removal (NVR) report

- Offset required is 0.059 general habitat units.
- Offset vicinity is within North Central Catchment Management Authority (CMA) or Hepburn Shire Council where the clearing takes place.
- Minimum strategic biodiversity score 0.326
- 6 Large tree

See Appendix 1- DEECA Native vegetation removal report.

7 SUMMARY OF APPLICANT REQUIREMENTS/DECISION GUIDELINES

Table 4 Requirements

| Number | Decision guideline to be considered | Response |
|--------|---|---|
| 1 | <p>Information about the native vegetation to be removed, including:</p> <p>The assessment pathway and reason for the assessment pathway[^]. This includes the location category of the native vegetation to be removed.</p> <p>A description of the native vegetation to be removed.</p> <p>Maps showing the native vegetation and property in context.</p> <p>The offset requirement that will apply if the native vegetation is approved to be removed[^].</p> | <p>See Section 5</p> <p>This project is mapped as Location 1. The total area of removal is 0.197ha.</p> <p>See Section 5</p> <p>See Figure 1 Location of study area, Figure 2 Plan of proposed subdivision, Figure 3 EVC map Figure 4 Assessed zone, Figure 5 Location of trees assessed and Appendix 1- Native vegetation removal report.</p> <p>See Appendix 1-Native vegetation removal report. 6.3 Offset statement & Appendix 3 evidence of offset availability.</p> |
| 2 | <p>Topographic and land information relating to the native vegetation to be removed, showing ridges, crests and hilltops, wetlands and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion, as appropriate.</p> | <p>The land slopes gently downward from the south towards the north. See Contours shown in Figure 2 Plan of subdivision and Appendix 4.</p> <p>There is no erosion or evidence of salinisation on site.</p> |
| 3 | <p>Recent, dated photographs of the native vegetation to be removed</p> | <p>See Appendix 2, Photos 1 – 14.</p> |
| 4 | <p>Details of any other native vegetation approved to be removed, or that was removed without the required approvals, on the same property or on contiguous land in the same</p> | <p>N/A</p> |

| | | |
|----|---|--|
| | ownership as the applicant, in the five-year period before the application for a permit is lodged | |
| 5 | An avoid and minimise statement. The statement describes any efforts to avoid the removal of and minimise the impacts on the biodiversity and other values of native vegetation, and how these efforts focussed on areas of native vegetation that have the most value. | See 6.1 & 6.2 |
| 6 | Property Vegetation Plan applies. | No |
| 7 | Where the removal of native vegetation is to create defensible space, a written statement explaining why the removal of native vegetation is necessary. | The Bushfire Management Overlay this property. |
| 8 | Clause 52.16 applications- Native Vegetation Precinct Plan (NVPP) | |
| 9 | An offset statement providing evidence that an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured. | See Section 6.3 |
| 10 | A site assessment report of the native vegetation to be removed, completed by an accredited native vegetation assessor. | This ecological report compiled by Heather Beever accredited native vegetation assessor. |
| 11 | Information about impacts on rare or threatened species habitat. | See Appendix 1 Native vegetation removal report where it states that this is not applicable in the Intermediate Pathway. |

8 RECOMMENDATIONS/ CONCLUSIONS

The proposal is designated Location 1, it does not cover an endangered Ecological Vegetation Class (EVC), the EVC is categorised as 'Least Concern'. The study area is not considered high quality, the modelling suggests the lowest and second lowest categories of vegetation quality and lowest and mid value strategic biodiversity value. This assessment is to cover off on assumed loss due to the ruling of subdivisions resulting in Lots $\leq 4000\text{m}^2$ requiring all remnant native vegetation to be considered lost at subdivision. The zoning is for General Residential, and these services are located nearby. Provided the offset is met and other council planning requirements are met, the proposal seems sound.

9 REFERENCES

DEECA 2023. Biodiversity EVC Benchmarks Central Victorian Uplands Bioregion. Sourced at <https://www.environment.vic.gov.au/biodiversity/bioregions-and-evc-benchmarks>

DEECA 2023. Native vegetation Regulation Map (NVR Map) sourced at <https://www.environment.vic.gov.au/native-vegetation/NVRMap>

Department of Transport & Planning 2023. VicPlan Sourced at <https://mapshare.vic.gov.au/vicplan/>

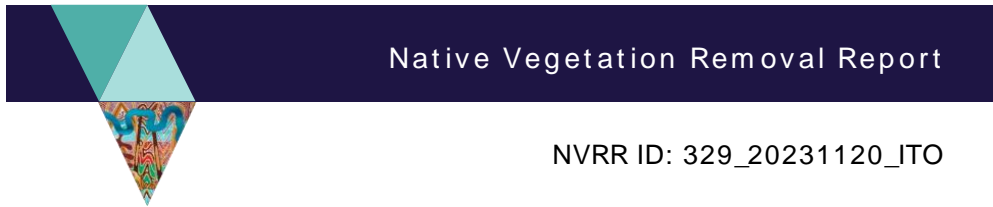
DELWP 2017. Applicant's guide – Applications to remove, destroy or lop native vegetation sourced, https://www.environment.vic.gov.au/_data/assets/pdf_file/0024/90762/Applicants-guide-applications-to-remove,-destroy-or-lop-native-vegetation.pdf

DEWLP 2017. Guidelines for the removal, destruction or lopping of native vegetation sourced, https://www.environment.vic.gov.au/_data/assets/pdf_file/0021/91146/Guidelines-for-the-removal,-destruction-or-logging-of-native-vegetation,-2017.pdf

DEWLP 2017. Assessor's handbook – Applications to remove, destroy or lop native vegetation, sourced, https://www.environment.vic.gov.au/_data/assets/pdf_file/0022/91255/Assessors-handbook-Applications-to-remove,-lop-or-destroy-native-vegetation-V1.0.pdf

DSE 2004. Native Vegetation: sustaining a living landscape. Vegetation Quality Assessment Manual- Guidelines for applying habitat hectares scoring method Version

APPENDIX 1 - DEECA Native vegetation removal (NVR) report



This report provides information to support an application to remove, destroy or lop native vegetation in accordance with the [Guidelines for the removal, destruction or lopping of native vegetation](#) (the Guidelines). This report is not an assessment by DEECA of the proposed native vegetation removal. Offset requirements have been calculated using modelled condition scores.

Report details

Date created: 20/11/2023

Local Government Area: HEPBURN SHIRE

Registered Aboriginal Party: Dja Dja
Wurrung

Coordinates: 143.89431, -37.43638

Address:

18 WHITE HILLS ROAD CRESWICK 3363

12 WHITE HILLS ROAD CRESWICK 3363

2 WHITE HILLS ROAD CRESWICK 3363

Summary of native vegetation to be removed

| | | | |
|---|--|---|-------|
| Assessment pathway | Intermediate Assessment Pathway | | |
| Location category | Location 1 The native vegetation extent map indicates that this area is not typically characterised as supporting native vegetation. It does not meet the criteria to be classified as Location Category 2 or 3. The removal of less than 0.5 hectares of native vegetation in this area will not require a Species Offset. | | |
| Total extent including past and proposed removal (ha) Includes endangered EVCs (ha): 0 | 0.197 | Extent of past removal (ha) | 0 |
| | | Extent of proposed removal - Patches (ha) | 0.144 |
| | | Extent of proposed removal - Scattered Trees (ha) | 0.053 |
| No. Large Trees proposed to be removed | 6 | No. Large Patch Trees | 6 |
| | | No. Large Scattered Trees | 0 |
| No. Small Scattered Trees | 2 | | |



Offset requirements if approval is granted

Any approval granted will include a condition to secure an offset, before the removal of native vegetation, that meets the following requirements:

| | |
|---|--|
| General Offset amount ¹ | 0.059 General Habitat Units |
| Minimum strategic biodiversity value score ² | 0.326 |
| Large Trees | 6 |
| Vicinity | North Central CMA or HEPBURN SHIRE LGA |

NB: values within tables in this document may not add to the totals shown above due to rounding

The availability of third-party offset credits can be checked using the Native Vegetation Credit Register (NVCr) Search Tool - <https://nvcr.delwp.vic.gov.au>

1. The General Offset amount required is the sum of all General Habitat Units in Appendix 1.
2. Minimum strategic biodiversity value score is 80 per cent of the weighted average score across habitat zones where a General Offset is required. Page 2



Application requirements

Applications to remove, destroy or lop native vegetation must include all the below information. If an appropriate response has not been provided the application is not complete.

Application Requirement 1 - Native vegetation removal information

If the native vegetation removal is mapped correctly, the information presented in this Native Vegetation Removal Report addresses Application Requirement 1.

Application Requirement 2 - Topographical and land information

This statement describes the topographical and land features in the vicinity of the proposed works, including the location and extent of any ridges, hilltops, wetlands and waterways, slopes of more than 20% gradient, low-lying areas, saline discharge areas or areas of erosion.

Application Requirement 3 - Photographs of the native vegetation to be removed

Application Requirement 3 is not addressed in this Native Vegetation Removal Report. All applications must include recent, timestamped photos of each Patch, Large Patch Tree and Scattered Tree which has been mapped in this report.

Application Requirement 4 - Past removal

If past removal has been considered correctly, the information presented in this Native Vegetation Removal Report addresses Application Requirement 4.

Application Requirement 5 - Avoid and minimise statement

This statement describes what has been done to avoid and minimise impacts on native vegetation and associated biodiversity values.

Application Requirement 6 - Property Vegetation Plan

This requirement only applies if an approved Property Vegetation Plan (PVP) applies to the property
Does a PVP apply to the proposal?

Application Requirement 7 - Defendable space statement

Where the removal of native vegetation is to create defendable space, this statement:

- Describes the bushfire threat; and



- Describes how other bushfire risk mitigation measures were considered to reduce the amount of native vegetation proposed for removal (this can also be part of the avoid and minimise statement).

This statement is not required if, the proposed defensible space is within the Bushfire Management Overlay (BMO), and in accordance with the 'Exemption to create defensible space for a dwelling under Clause 44.06 of local planning schemes' in Clause 52.12-5.

Application Requirement 8 - Native Vegetation Precinct Plan

This requirement is only applicable if you are removing native vegetation from within an area covered by a Native Vegetation Precinct Plan (NVPP), and the proposed removal is not identified as 'to be removed' within the NVPP.

Does an NVPP apply to the proposal?

Application Requirement 9 - Offset statement

This statement demonstrates that an offset is available and describes how the required offset will be secured. The Applicant's Guide provides information relating to this requirement.



Next steps

Applications to remove, destroy or lop native vegetation must address all the application requirements specified in the Guidelines. If you wish to remove the mapped native vegetation you are required to apply for approval from the responsible authority (e.g. local Council). This Native vegetation removal report must be submitted with your application and meets most of the application requirements. The following requirements need to be addressed, as applicable.

Application Requirement 3 - Photographs of the native vegetation to be removed

Recent, dated photographs of the native vegetation to be removed **must be provided** with the application. All photographs must be clear, show whether the vegetation is a Patch of native vegetation, Patch Tree or Scattered Tree, and identify any Large Trees. If the area of native vegetation to be removed is large, provide photos that are indicative of the native vegetation.

Ensure photographs are attached to the application. If appropriate photographs have not been provided the application is not complete.

Application Requirement 6 - Property Vegetation Plan

If a PVP is applicable, it must be provided with the application.



Appendix 1: Description of native vegetation to be removed

General Habitat Units for each zone (Patch, Scattered Tree or Patch Tree) are calculated by the following equation in accordance with the Guidelines.

General Habitat Units = extent without overlap x condition score x general landscape factor x 1.5, where the general landscape factor = 0.5 + (strategic biodiversity value score/2)

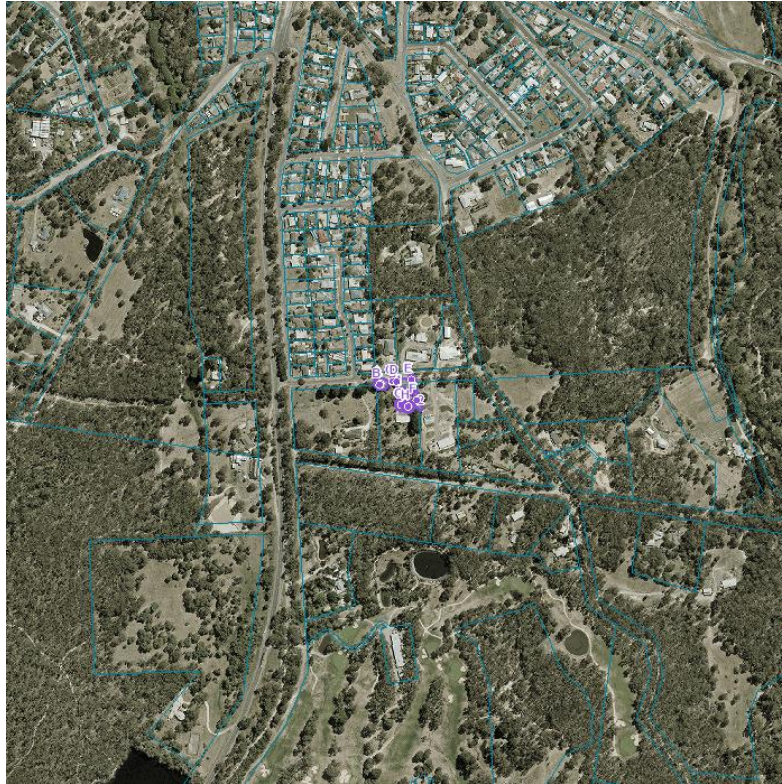
The General Offset amount required is the sum of all General Habitat Units per zone.

Native vegetation to be removed

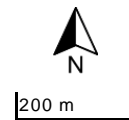
| Information provided by or on behalf of the applicant | | | Information calculated by NVR Map | | | | | | | |
|---|----------------|----------|-----------------------------------|---------------------------------|---------------|----------------------------|---------------------|-----------------------------|-----------|-----------------------|
| Zone | Type | DBH (cm) | EVC code (modelled) | Bioregional conservation status | Large Tree(s) | Condition score (modelled) | Polygon extent (ha) | Extent without overlap (ha) | SBV score | General Habitat Units |
| 1 | Patch | - | CVU_0020 | Least Concern | 5 | 0.331 | 0.111 | 0.111 | 0.302 | 0.036 |
| 2 | Patch | - | CVU_0020 | Least Concern | 1 | 0.265 | 0.033 | 0.033 | 0.560 | 0.010 |
| G | Scattered Tree | 5 | CVU_0020 | Least Concern | - | 0.200 | 0.031 | 0.027 | 0.542 | 0.006 |
| H | Scattered Tree | 5 | CVU_0020 | Least Concern | - | 0.200 | 0.031 | 0.026 | 0.531 | 0.006 |

Appendix 2: Images of mapped native vegetation

1. Property in context

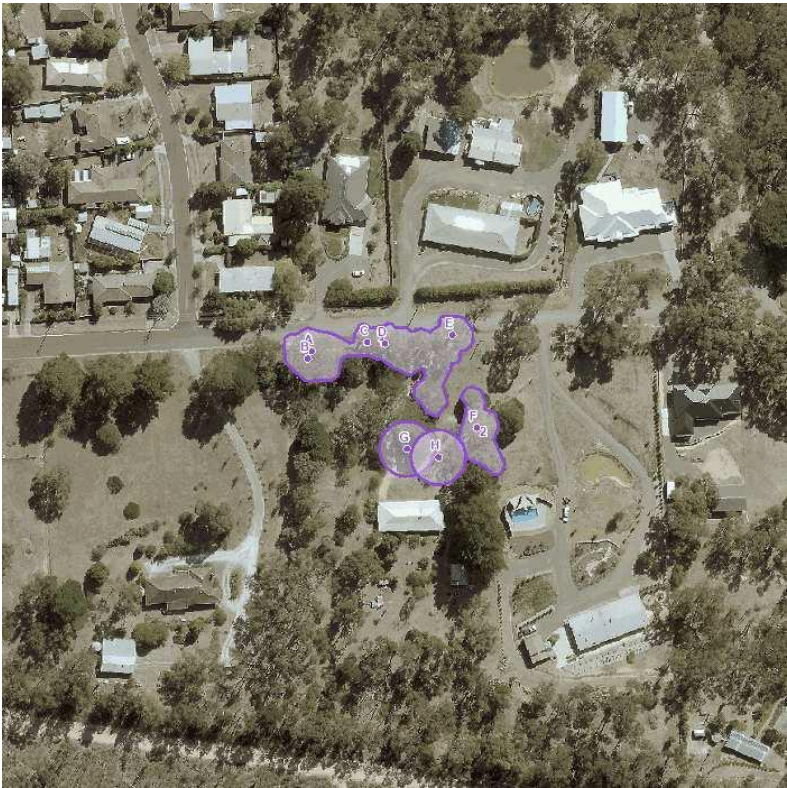


- Proposed Removal
- Property Boundaries





2. Aerial photograph showing mapped native vegetation



Proposed Removal





3. Location Risk Map





4. Strategic Biodiversity Value Score Map





5. Condition Score Map





6. Endangered EVCs

Not Applicable

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APPENDIX 2 – Photos of Study Area

Photo 1: Patch 1 (Trees 1 & 2)

Looking south at trees 1 & 2 located in Patch 1 impacted by access to existing dwelling with subdivision design.

Photo taken: 20/10/23



Photo 2: Patch 1 (Trees 1, 2, 3 & 4)

Looking south at Patch 1 which consists of trees along the road reserve impacted with access to lots.

Photo taken: 20/10/23



Photo 3: Patch 1 – Understorey plants and Tree 1, 2 & 3.

Looking southwest Trees and understorey plants on the road reserve in Patch 1. There are no FFG protected flora plants impacted.

Photo taken: 20/10/23



Photo 4: Patch 1 – Tree, 3, 4, 5, 9 & 10

Looking southeast Patch 1, Trees 3, 4 & 5 on the road reserve and trees 9 & 10 within the property. Trees, 3, 4 & 5 are impacted to provide access (TPZ impact) and trees 9 & 10 are considered lost on Lots <4000m².

Photo taken: 20/10/23



Photo 5: Patch 1 – Trees, 5, 6, 7, 8, 9 & 10

Patch 2 Blackwoods.

Looking south at existing access which could be used for Lot 2. The trees within the property are considered lost with creation of lots <4000m².

Photo taken: 20/10/23



Photo 6: Patch 2

Looking south at Patch 2 which has 4 small Blackwood wattles and trees 11 & 12 behind it. Tree 13 Scattered tree (ST) H (distance right).

Photo taken: 20/10/23



Photo 7: Patch 2 and Trees 9, 10 & 13

Looking southwest from the northeast corner of the study area. across the proposed development site. Trees considered lost within the study area due to lots created <4000m2.

Photo taken: 20/10/23



Photo 8: Patch 1

Looking west across road reserve and northern zone of the property. There are no FFG protected flora species impacted associated with this patch which covers crown land and private land.

Photo taken: 20/10/23



Photo 9: Patch 2 – Trees 11 & 12 and Tree 13 ST H.

Looking southeast at part of Patch 2 Trees 11 & 12 and Tree 13 (ST H). There are exotic trees planted in this area.

Photo taken: 20/10/23



Photo 10: Tree 14

Looking southeast at Tree 14 a planted Blue Gum located just south of the proposed new boundary considered exempt. Tree 12 forming part of Patch 2 that is considered lost on lots <4000m². Young Blackwood's are located within Patch 2 and under Tree 14 considered less than 10 years of age and exempt.

Photo taken: 20/10/23



Photo 11: Tree 15 (ST G)

Looking northwest Tree 15 (ST G) and Trees 1 & 2 part of Patch 1 can be seen right distance. All other trees are planted.

Photo taken: 20/10/23



Photo 12: Southern boundary Lots 1-4.

Looking west across the southern boundary of the new proposed lots 1-4. The boundary follows the zone of the driveway just out from the lawn. Trees in view are all planted exotics.

Photo taken: 20/10/23



Photo 13: Tree 15 and row of Pines.

Looking west at Tree 15 which is a planted Red gum not expected in EVC 20 Heathy Dry Forest. Tree 15 and the pines are impacted by the new proposed driveway to the existing dwelling.

Photo taken: 20/10/23



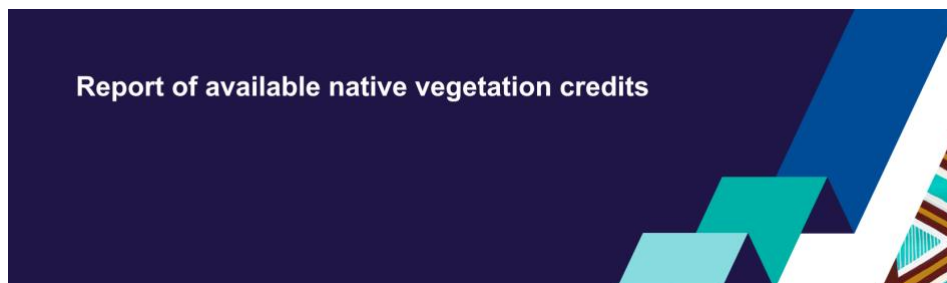
Photo 14: Garden Plantings

Looking north along western zone of the study area. All trees within the property on the western side of the existing driveway are planted.

Photo taken: 20/10/23



APPENDIX 3 – Evidence of Offset availability



This report lists native vegetation credits available to purchase through the Native Vegetation Credit Register.

This report is **not evidence** that an offset has been secured. An offset is only secured when the units have been purchased and allocated to a permit or other approval and an allocated credit extract is provided by the Native Vegetation Credit Register.

Date and time: 21/11/2023 10:31

Report ID: 21859

What was searched for?

General offset

| General habitat units | Strategic biodiversity value | Large trees | Vicinity (Catchment Management Authority or Municipal district) | |
|-----------------------|------------------------------|-------------|---|---------------|
| 0.059 | 0.326 | 6 | CMA | North Central |

Details of available native vegetation credits on 21 November 2023 10:31

These sites meet your requirements for general offsets.

| Credit Site ID | GHU | LT | CMA | LGA | Land owner | Trader | Fixed price | Broker(s) |
|-----------------|--------|------|---------------|--------------------------|------------|--------|-------------|--------------|
| BBA-0737 | 0.143 | 14 | North Central | Northern Grampians Shire | Yes | Yes | No | Bio Offsets |
| BBA-3031 | 5.881 | 150 | North Central | Pyrenees Shire | Yes | Yes | No | VegLink |
| BBA-3052_01 | 7.006 | 174 | North Central | Northern Grampians Shire | Yes | Yes | No | VegLink |
| TFN-C1702 | 16.952 | 16 | North Central | Gannawarra Shire | Yes | Yes | No | TFN |
| VC_CFL-3071_01 | 3.299 | 148 | North Central | Loddon Shire | Yes | Yes | No | VegLink |
| VC_CFL-3076_01 | 8.895 | 47 | North Central | Pyrenees Shire | Yes | Yes | No | Bio Offsets |
| VC_CFL-3773_01 | 1.580 | 1097 | North Central | Macedon Ranges Shire | Yes | Yes | No | VegLink |
| VC_CLO-2451_01 | 3.692 | 32 | North Central | Greater Bendigo City | No | Yes | No | Ethos |
| VC_CLO-3046_01 | 0.059 | 22 | North Central | Greater Bendigo City | No | Yes | No | Contact NVOR |
| VC_TFN-09554_01 | 13.877 | 405 | North Central | Macedon Ranges Shire | Yes | Yes | No | Bio Offsets |

These sites meet your requirements using alternative arrangements for general offsets.

| Credit Site ID | GHU | LT | CMA | LGA | Land owner | Trader | Fixed price | Broker(s) |
|----------------|-----|----|-----|-----|------------|--------|-------------|-----------|
|----------------|-----|----|-----|-----|------------|--------|-------------|-----------|

There are no sites listed in the Native Vegetation Credit Register that meet your offset requirements when applying the alternative arrangements as listed in section 11.2 of the Guidelines for the removal, destruction or lopping of native vegetation.

These potential sites are not yet available, land owners may finalise them once a buyer is confirmed.

| Credit Site ID | GHU | LT | CMA | LGA | Land owner | Trader | Fixed price | Broker(s) |
|----------------|--------|-----|--------------------------------|----------------------|------------|--------|-------------|-------------|
| VC_CFL-3701_01 | 10.574 | 18 | Goulburn Broken, North Central | Greater Bendigo City | Yes | Yes | No | Bio Offsets |
| VC_CFL-3742_01 | 12.301 | 410 | North Central | Loddon Shire | Yes | Yes | No | VegLink |

LT - Large Trees

CMA - Catchment Management Authority

LGA - Municipal District or Local Government Authority

Next steps

If applying for approval to remove native vegetation

Attach this report to an application to remove native vegetation as evidence that your offset requirement is currently available.

If you have approval to remove native vegetation

Below are the contact details for all brokers. Contact the broker(s) listed for the credit site(s) that meet your offset requirements. These are shown in the above tables. If more than one broker or site is listed, you should get more than one quote before deciding which offset to secure.

Broker contact details

| Broker Abbreviation | Broker Name | Phone | Email | Website |
|---------------------|-------------------------------------|--------------------------------|---|--|
| Abezco | Abezco Pty. Ltd. | (03) 9431 5444 | offsets@abezco.com.au | www.abezco.com.au |
| Baw Baw SC | Baw Baw Shire Council | (03) 5624 2411 | bawbaw@bawbawshire.vic.gov.au | www.bawbawshire.vic.gov.au |
| Bio Offsets | Biodiversity Offsets Victoria | 0452 161 013 | info@offsetsvictoria.com.au | www.offsetsvictoria.com.au |
| Contact NVOR | Native Vegetation Offset Register | 136 186 | nativevegetation.offsetregister@delp.vic.gov.au | www.environment.vic.gov.au/native-vegetation |
| Ecocentric | Ecocentric Environmental Consulting | 0410 564 139 | ecocentric@me.com | Not available |
| Ethos | Ethos NRM Pty Ltd | (03) 5153 0037 | offsets@ethosnrm.com.au | www.ethosnrm.com.au |
| Nillumbik SC | Nillumbik Shire Council | (03) 9433 3316 | offsets@nillumbik.vic.gov.au | www.nillumbik.vic.gov.au |
| TFN | Trust for Nature | 8631 5888 | offsets@tfn.org.au | www.trustfornature.org.au |
| VegLink | Vegetation Link Pty Ltd | (03) 8578 4250 or 1300 834 546 | offsets@vegetationlink.com.au | www.vegetationlink.com.au |
| Yarra Ranges SC | Yarra Ranges Shire Council | 1300 368 333 | biodiversityoffsets@yarraranges.vic.gov.au | www.yarraranges.vic.gov.au |

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For more information contact the DEECA Customer Service Centre 136 186 or the Native Vegetation Credit Register at nativevegetation.offsetregister@delp.vic.gov.au

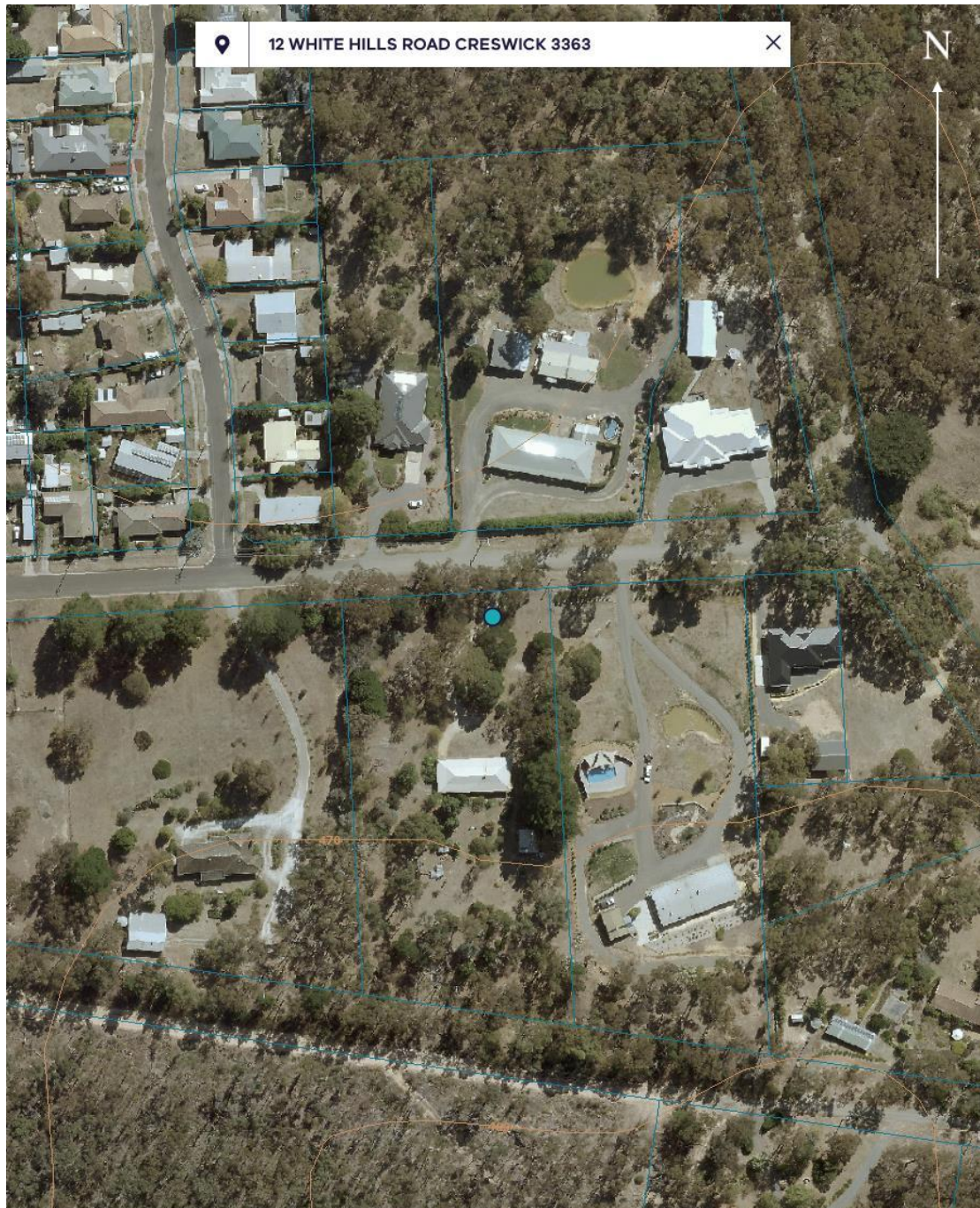
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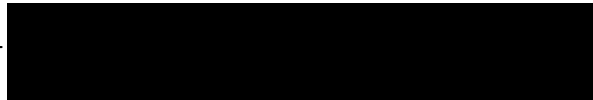
Obtaining this publication does not guarantee that the credits shown will be available in the Native Vegetation Credit Register either now or at a later time when a purchase of native vegetation credits is planned.

Notwithstanding anything else contained in this publication, you must ensure that you comply with all relevant laws, legislation, awards or orders and that you obtain and comply with all permits, approvals and the like that affect, are applicable or are necessary to undertake any action to remove, top or destroy or otherwise deal with any native vegetation or that apply to matters within the scope of Clauses 52.16 or 52.17 of the Victoria Planning Provisions and Victorian planning schemes.

APPENDIX 4 – Contour Map of study area



Name and address of the submitter/objector –
Creswick, 3363



Reason(s) for the submission/objection -

Our concerns are with the road and drainage of White Hills Road.

By having this sub-division with the additional blocks, the water run off to the road there is NO adequate drainage in the street for the water to be captured. With more traffic the state of the road is also inadequate.

We met with the Exec Director of Infrastructure in 2022 and he said to us that any future sub-divisions in the area would need to upgrade the road and drainage and reading the application we can't find anything to reflect this in the application.

We live [REDACTED] Creswick VIC 3363 , directly opposite the proposed subdivision

The reasons for our objection is that we will be significantly impacted by this development.

Firstly the runoff from this development needs to be managed. We're impacted by runoff from the 2022 floods and would need to be convinced that this development does not have an adverse affect. It is untrue to say that kerb and channel is not required or in line with the local area. Kerb and channel comes right to the edge of that property . The local community has been requesting this and the road sealed for several years and this should be the opportunity to advance those plans to get controlled runoff both sides of whitehills road. There will also be increased traffic volume both during construction and once the new dwellings are inhabited.

Another factor is the visual pollution to us as well as noise and dust during construction. We would be concerned about traffic management and parking during the construction period with multiple tradespeople parking potentially on the nature strip.

There will be removal of trees that are long established and in character with the local environment.

We would also be concerned about what types of dwellings can be installed, eg 2 storey, moving an old building to site etc and no evidence of any control in the application

Regards

[REDACTED]

ATTACHMENT 11.1.9

Hepburn
SHIRE COUNCIL

Please use block letters

Planning & Environment Act 1987

WHO

Name

Propose

Posta

Tel:...

WHAT APPLICATION DO YOU OBJECT TO?

Permit application no. PLN 23/0101

Proposal: 5 LOT SUBDIVISION

Who has applied for the permit: CARDNO NOW STANTIC

WHAT ARE THE REASONS FOR YOUR OBJECTION?

1. Increased vehicle traffic along an already poorly maintained road.
2. Drainage from these extra properties could cause excess run off.
3. Over developement of the area.

HOW WILL YOU BE AFFECTED BY THE GRANT OF A PERMIT?

If this developement goes through Hepburn Shire Engineers must do due diligence with the drainage situation as my street Caddy Drive does not want another storm (such as Jan 5th 22) to cause so much damage in our area.

This quiet area will be ruined forever



by the increased traffic. The road need to be attended to and the turn onto White Hills Rd from the midland H/W is already very dangerous and should be discussed with Vic Roads.

If insufficient space, please attach separate sheet

Privacy Collection Notice

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If you do not provide your name and address, Hepburn Shire Council will not be able to consider your objection.

Your objection will be available at the Hepburn Shire Council office for any person to inspect and copies may be made available on request to any person for the relevant period set out in the PE Act.

You must not submit any personal information or copyright material of third parties without their informed consent. By submitting the material, you agree that the user has the right to privacy and copyright.

IMPORTANT NOTES ABOUT OBJECTIONS TO PLANNING PERMIT APPLICATIONS

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10. If despite your objection the Responsible Authority decided to grant the permit, you can appeal against the decision. Details of the appeal procedures are set out on the back of the Notice of Decision which you will receive. An appeal must be made on a prescribed form (obtainable from the Victorian Civil and Administrative Tribunal) and accompanied by the prescribed fee. A copy must be given to the Responsible Authority. The closing date for appeals is 21 days of the Responsible Authority giving notice of its decision.
11. If the Responsible Authority refuses the application, the applicant can also appeal. The provisions are set out on the Refusal of Planning Application which will be issued at that time.

Hepburn
SHIRE COUNCIL

WHAT APPLICATION DO YOU OBJECT TO?Permit application no. PLN23/0101Proposal: 5 LOT SUBDIVISIONWho has applied for the permit: CARDNO Now STANTEC**WHAT ARE THE REASONS FOR YOUR OBJECTION?**

1. The additional run off from the increased hard surface.
2. The effect of additional traffic on Whitehills Road especially vehicles turn from the Midland Highway into Whitehills Road.
3. The loss of open space with a additional blocks/buildings at the front of an existing large bush block.

HOW WILL YOU BE AFFECTED BY THE GRANT OF A PERMIT?

- 1) My main concern is the impact this subdivision will have on the drainage capabilities of stormwater drains in Caddy Drive and Wright Court. This area was severely impacted in the storm event of January 15, 2022. If subdivisions are permitted to go ahead on this block or adjacent blocks substantial drainage upgrades must be undertaken to ensure that existing residents are not adversely impacted in the future.



21. Turning off the Midland H/W onto Whitehill Road is very hazardous with the current level of traffic. If further development proceeds then consideration of and planning for turning lanes needs to be factored into the developments. This area is a serious accident waiting to happen.

If insufficient space, please attach separate sheet

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Proposed Expiry: - 7 AUG 2023

Road By: KI - CRESWICK

Action By:

Reg No:

Place:

WH

Name:

Prop:

Pos:

Tel:

WHAT APPLICATION DO YOU OBJECT TO?

Permit application no. P/LN 23/0101

Proposal: SUBDIVISION AT 12 WHITE HILLS RD/LOT 1 LP128181 TSH TCR

Who has applied for the permit: CARDNO NOW STANTEC

WHAT ARE THE REASONS FOR YOUR OBJECTION?

1. INADEQUATE DRAINAGE. THERE IS NO PROPOSAL TO INSTALL KERING AND CHANNELLING. URBANISATION INCREASES RUN-OFF FROM ROOFS, PAVING. THE TABLE DRAIN IN FRONT OF THE PROPOSED SUBDIVISION IS INADEQUATE. IT DRAINS INTO A 40CM STORMWATER RECENTLY INSTALLED ON THE UPPER SIDE OF WHITE HILLS RD/WHITE HILLS RD. IN FRONT OF THE PROPOSED SUBDIVISION IS GRAVEL, AND IN PREVIOUS HIGH RAINFALL EVENTS, WATER HAS OVERFLOWED THE ROAD TO THE NORTH, WITH CONSEQUENT ADVERSE EFFECTS DOWNHILL AND ACROSS INTO PROPERTIES ON THE EAST SIDE OF CADDY DRIVE.
2. AMENITY - DEVELOPMENT WILL REQUIRE REMOVAL OF LONG ESTABLISHED TREES WHICH INTERCEPT RAINFALL. 3. INCREASED TRAFFIC WILL REQUIRE MORE FREQUENT MAINTENANCE OF THE GRAVEL SURFACE. 4. SEE ATTACHED

HOW WILL YOU BE AFFECTED BY THE GRANT OF A PERMIT?

WE WILL HAVE INCREASED CONCERN FOR OUR PROPERTY WHEN THERE ARE INEVITABLE HIGH RAINFALL EVENTS. WE WERE BADLY IMPACTED BY THE JANUARY 5TH 2022, STORM WHEN STORM WATER BROKE THROUGH OUR REAR FENCE AT THE NE CORNER, AND FLOODED OUR HOME, ALSO SMASHING DOWN A BRICK WALL BEHIND OUR CARPORT AND BURSTING A CONNECTING COLOUR BOND FENCE TO THE SIDE FENCE. SUCH SEVERE STORM EVENTS ARE SELF-EVIDENTLY BECOMING MORE FREQUENT WITH CLIMATE CHANGE. MANY OTHER CADDY DRIVE

PROPERTIES WERE ALSO IMPACTED BY THE JANUARY 5TH 2022
STORM, FROM STORM WATER OFF THE HILL TO THE
SOUTH OF WHITE HILLS RD.

If insufficient space, please attach separate sheet

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available on request to any person for the purpose of exercising their right to access to information.

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11. If the Responsible Authority refuses the application, the applicant can also appeal. The provisions are set out on the Refusal of Planning Application which will be issued at that time.

4. OBJECTION TO RETICULATED WASTE WATER PROPOSAL . ATTACHMENT 11.1.9

THE TOWN SEWERAGE FINISHES NEAR TO WHITE HILLS RD AND RUNS SOUTH - NORTH BEHIND THE EAST CADDY DRIVE PROPERTIES.

WHY IS THIS NOT PROPOSED FOR EXTENSION TO SERVICE THE PROPOSED SUBDIVISION?

HEALTH HAZARD: IN THE EVENT OF SEVERE STORMS AND HEAVY RAINFALL, OVERFLOW OF UNTREATED SEWERAGE WOULD IMPACT STORM WATER, AND COULD IMPACT CADDY DRIVE PROPERTIES.

11.2 PLN22/0117 – APPLICATION FOR A DWELLING AT 4/4935 MIDLAND HIGHWAY, DAYLESFORD

Go to 01:00:00 in the meeting recording to view this item.

EXECUTIVE MANAGER DEVELOPMENT

In providing this advice to Council as the Statutory Planner, I Julie Lancashire have no interests to disclose in this report.

ATTACHMENTS

1. PL N 220117 - 4935 Midland Highway Dry Diggings - Redacted [**11.2.1** - 117 pages]
2. PL N 220117 - Referral Response - CFA - Conditional Consent - 4719 Midland Highway Daylesford - Prop [**11.2.2** - 1 page]
3. PL N 220117 - Referral Response - DEECA - Conditional Consent - 4935 Midland Highway Dry Diggings - [**11.2.3** - 1 page]
4. PL N 220117 - Referral Response - CHW - No Objection - Midland Highway Dry Diggings - Property 2039 [**11.2.4** - 1 page]
5. PL N 220117 - Referral Response - Goulburn Murray Water - Conditional Consent - 4935 Midland Highway [**11.2.5** - 1 page]

EXECUTIVE SUMMARY

The site is located in a Farming Zone. The site is subject to the Bushfire Management Overlay and Environmental Significance Overlay – Schedule 1 and 2.

A planning permit is sought for the use and development of a dwelling, removal of native vegetation and access to a road in a Transport Zone. Public notification of the application was not required. It is recommended that the application is refused.

It is considered that the application does not result in an acceptable outcome. The approval of a dwelling on the land will result in an increase in bushfire risk on the land and will have a significant detrimental impact on vegetation and biodiversity.

The application was also referred to Council's Strategic Planners and Biodiversity Officer, with both teams raising concerns about the proposal.

OFFICER'S RECOMMENDATION

That Council, having complied with the relevant sections of the Planning and Environment Act 1987, issue a Notice of Refusal to Grant a Permit for application No. PLN22/0117 for the use and development of the land for a dwelling, access to a road in a Transport Zone 2 and removal of native vegetation at 4935 Midland Highway, Dry Diggings based upon the following grounds of refusal:

1. *The proposed use and development does not meet the purpose and objectives of the Farming Zone.*

2. *The proposal results in a significant loss of vegetation on the land, fragmenting habitat and potentially reducing the biodiversity value of the nearby Hepburn Regional Park, which is contrary to Clause 13.02-1S – Bushfire Planning, Clause 12.01-1L – Native Vegetation and Habitat Protection, and Clause 02.03-2 – Environmental and Landscape Values, resulting in unacceptable biodiversity impacts.*
3. *The proposal does not meet the objective of Clause 13.02-1S - Bushfire Planning and Clause 71.02-3 – Integrated decision making as it does not prioritise the protection of human life or strengthen community resilience to bushfire.*
4. *The proposal is contrary to the policy at Clause 02.03-3 – Environmental Risks and Amenity which notes that the development of existing small lots dispersed across rural landscapes are at highest risk from bushfires.*

MOTION

That Council, having complied with the relevant sections of the Planning and Environment Act 1987, issue a Notice of Refusal to Grant a Permit for application No. PLN22/0117 for the use and development of the land for a dwelling, access to a road in a Transport Zone 2 and removal of native vegetation at 4935 Midland Highway, Dry Diggings based upon the following grounds of refusal:

1. *The proposed use and development does not meet the purpose and objectives of the Farming Zone.*
2. *The proposal results in a significant loss of vegetation on the land, fragmenting habitat and potentially reducing the biodiversity value of the nearby Hepburn Regional Park, which is contrary to Clause 13.02-1S – Bushfire Planning, Clause 12.01-1L – Native Vegetation and Habitat Protection, and Clause 02.03-2 – Environmental and Landscape Values, resulting in unacceptable biodiversity impacts.*
3. *The proposal does not meet the objective of Clause 13.02-1S - Bushfire Planning and Clause 71.02-3 – Integrated decision making as it does not prioritise the protection of human life or strengthen community resilience to bushfire.*
4. *The proposal is contrary to the policy at Clause 02.03-3 – Environmental Risks and Amenity which notes that the development of existing small lots dispersed across rural landscapes are at highest risk from bushfires.*

Moved: Cr Don Henderson
Seconded: Cr Lesley Hewitt
Lost

Voted for: Cr Brian Hood, Cr Don Henderson and Cr Lesley Hewitt
Voted against: Cr Jen Bray, Cr Juliet Simpson, Cr Tessa Halliday and Cr Tim Drylie
Abstained: Nil

THAT COUNCIL, HAVING COMPLIED WITH THE RELEVANT SECTIONS OF THE PLANNING AND ENVIRONMENT ACT 1987, ISSUES A PLANNING PERMIT IN RESPECT OF APPLICATION NO. PLN22/0117 FOR THE USE AND DEVELOPMENT OF A DWELLING GENERALLY IN ACCORDANCE WITH THE ENDORSED PLANS AT 4935 MIDLAND HIGHWAY, DRY DIGGINGS SUBJECT TO THE FOLLOWING CONDITIONS:

Amended Plans

1. BEFORE THE COMMENCEMENT OF THE DEVELOPMENT, AMENDED PLANS 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 PLANS SUBMITTED WITH THE APPLICATION, BUT MODIFIED TO INCLUDE:

A. A VEGETATION MANAGEMENT PLAN, DRAWN TO SCALE, WHICH:

- Shows the location of all trees within the defendable space area, accessways and effluent fields;*
- Provides detail about the height, health and species of vegetation within the defendable space area, access ways and effluent disposal fields;*
- Shows which vegetation will be removed to provide for the development;*
- Details vegetation removal and retention to comply with the requirements of the Bushfire Management Plan to be endorsed under this permit;*
- Is consistent with the requirements of the Department of Energy, Environment and Climate Change.*

When approved, the plan will be endorsed and will form part of this Planning Permit.

Endorsed Plans

2. *THE USE AND DEVELOPMENT AS SHOWN ON THE ENDORSED PLANS MUST NOT BE ALTERED OR MODIFIED UNLESS OTHERWISE AGREED IN WRITING BY THE RESPONSIBLE AUTHORITY.*

Vegetation Removal

3. *VEGETATION REMOVAL MAY ONLY BE UNDERTAKEN IN ACCORDANCE WITH THE PLANS ENDORSED UNDER THIS PLANNING PERMIT UNLESS OTHERWISE AGREED IN WRITING BY THE RESPONSIBLE AUTHORITY.*

Tree Protection During Construction

4. *BEFORE ANY CONSTRUCTION AND EARTHWORKS START:*
 - A. *TREE PROTECTION ZONES MUST BE DELINEATED AROUND THE TREES IDENTIFIED TO BE RETAINED IN THE VEGETATION MANAGEMENT PLAN;*
 - B. *THE TREE PROTECTION ZONES MUST BE FENCED AND SIGNED TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY IN A MANNER THAT DOES NOT COMPROMISE THE TREE'S ROOT ZONES;*
 - C. *CONSTRUCTION, RELATED ACTIVITIES AND ENCROACHMENTS INCLUDING EARTHWORKS SUCH AS TRENCHING THAT DISTURBS THE ROOT ZONE MUST BE EXCLUDED FROM THE TREE PROTECTION ZONES;*
 - D. *THE RESPONSIBLE AUTHORITY MUST HAVE ADVISED IN WRITING THAT THE FENCING AND OTHER TREE PROTECTION MEASURES ARE TO ITS SATISFACTION.*
5. *DURING CONSTRUCTION WORKS:*
 - A. *THE AREAS WITHIN THE FENCED OFF TREE PROTECTION ZONES MUST NOT BE USED FOR ANY OTHER PURPOSE, INCLUDING STORAGE OR BUILDING MATERIALS OR MACHINERY, EXCEPT AS PROVIDED FOR IN THIS PERMIT.*

- B. ALL CONTRACTORS AND SUBCONTRACTORS ENGAGED TO UNDERTAKE CONSTRUCTION WORK ON THE SITE MUST HAVE INCLUDED IN THEIR CONTRACT A REFERENCE TO THE RETENTION OF TREES AND THESE PLANNING PERMIT REQUIREMENTS FOR THEIR PROTECTION.*
- C. SIGNS TO THE SAME EFFECT MUST BE DISPLAYED AT ALL TIMES ON THE TREE PROTECTION ZONE FENCES.*

Conditions required for a dwelling in the Farming Zone

- 6. ACCESS TO THE DWELLING MUST BE PROVIDED VIA AN ALL-WEATHER ROAD WITH DIMENSIONS ADEQUATE TO ACCOMMODATE EMERGENCY VEHICLES.*
- 7. THE DWELLING MUST BE CONNECTED TO RETICULATED SEWERAGE, IF AVAILABLE. IF RETICULATED SEWERAGE IS NOT AVAILABLE ALL WASTEWATER FROM EACH DWELLING MUST BE TREATED AND RETAINED WITHIN THE LOT IN ACCORDANCE WITH THE REQUIREMENTS OF THE ENVIRONMENT PROTECTION REGULATIONS UNDER THE ENVIRONMENT PROTECTION ACT 2017 FOR AN ON-SITE WASTEWATER MANAGEMENT SYSTEM.*
- 8. THE DWELLING MUST BE CONNECTED TO A RETICULATED POTABLE WATER SUPPLY OR HAVE AN ALTERNATIVE POTABLE WATER SUPPLY WITH ADEQUATE STORAGE FOR DOMESTIC USE AS WELL AS FOR FIRE FIGHTING PURPOSES.*
- 9. THE DWELLING MUST BE CONNECTED TO A RETICULATED ELECTRICITY SUPPLY OR HAVE AN ALTERNATIVE ENERGY SOURCE.*

Condition required by the Bushfire Management Overlay

- 10. THE BUSHFIRE PROTECTION MEASURES FORMING PART OF THIS PERMIT OR SHOWN ON THE ENDORSED PLANS, INCLUDING THOSE RELATING TO CONSTRUCTION STANDARDS, DEFENDABLE SPACE, WATER SUPPLY AND ACCESS, MUST BE MAINTAINED TO THE SATISFACTION OF THE RESPONSIBLE AUTHORITY ON A CONTINUING BASIS. THIS CONDITION CONTINUES TO HAVE FORCE AND EFFECT AFTER THE DEVELOPMENT AUTHORISED BY THIS PERMIT HAS BEEN COMPLETED.*

Conditions required by the Country Fire Authority

- 11. BEFORE THE DEVELOPMENT STARTS, THE BUSHFIRE MANAGEMENT PLAN DETAILS OF PLAN PREPARED BY REGIONAL PLANNING AND DESIGN PTY LTD,*

REF NO. 23.317, VERSION B, DATED 1/11/2023 MUST BE ENDORSED BY THE RESPONSIBLE AUTHORITY. ONCE ENDORSED THE PLAN MUST NOT BE ALTERED UNLESS AGREED TO IN WRITING BY CFA AND THE RESPONSIBLE AUTHORITY.

Conditions required by Department of Energy, Environment and Climate Action

12. BEFORE WORKS START, THE PERMIT HOLDER MUST ADVISE ALL PERSONS UNDERTAKING VEGETATION REMOVAL OR WORKS ON SITE OF ALL RELEVANT PERMIT CONDITIONS AND ASSOCIATED STATUTORY REQUIREMENTS OR APPROVALS.
13. THE NATIVE VEGETATION PERMITTED TO BE REMOVED, DESTROYED OR LOPPED UNDER THIS PERMIT, AS IDENTIFIED IN NATIVE VEGETATION REMOVAL REPORT ID NO. BEC_2023_012 (DATED 2 JUNE 2023) IS COMPRISED OF:
 - A. 0.081 HECTARES OF NATIVE VEGETATION WITH A STRATEGIC BIODIVERSITY VALUE OF 0.452. INCLUDING:
 - B. ONE LARGE TREE IN A PATCH; AND
 - C. NO SCATTERED TREES.
14. BEFORE WORKS START, A PLAN TO THE SATISFACTION OF HEPBURN SHIRE COUNCIL IDENTIFYING ALL NATIVE VEGETATION TO BE RETAINED AND DESCRIBING THE MEASURES TO BE USED TO PROTECT THE IDENTIFIED VEGETATION DURING CONSTRUCTION, MUST BE PREPARED AND SUBMITTED TO AND APPROVED BY THE HEPBURN SHIRE COUNCIL. WHEN APPROVED, THE PLAN WILL BE ENDORSED AND WILL FORM PART OF THIS PERMIT. ALL WORKS CONSTRUCTED OR CARRIED OUT MUST BE IN ACCORDANCE WITH THE ENDORSED PLAN.
15. EXCEPT WITH THE WRITTEN CONSENT OF THE HEPBURN SHIRE COUNCIL, WITHIN THE AREA OF NATIVE VEGETATION TO BE RETAINED AND ANY TREE OR VEGETATION PROTECTION ZONE ASSOCIATED WITH THE PERMITTED USE AND/OR DEVELOPMENT, THE FOLLOWING IS PROHIBITED:
 - A. VEHICULAR ACCESS;
 - B. TRENCHING OR SOIL EXCAVATION;
 - C. STORAGE OR DUMPING OR ANY SOILS, MATERIALS, EQUIPMENT, VEHICLES, MACHINERY OR WASTE PRODUCTS;

- D. ENTRY AND EXIT PITS FOR THE PROVISION UNDERGROUND SERVICES;*
 - E. ANY OTHER ACTIONS OR ACTIVITIES THAT MAY RESULT IN ADVERSE IMPACTS TO RETAINED NATIVE VEGETATION.*
- 16. TO OFFSET THE REMOVAL OF 0.081 HECTARES OF NATIVE VEGETATION, THE PERMIT HOLDER SECURE A NATIVE VEGETATION OFFSET IN ACCORDANCE WITH THE GUIDELINES FOR THE REMOVAL, DESTRUCTION OR LOPPING OF NATIVE VEGETATION (DELWP 2017), THE PERMIT HOLDER MUST SECURE THE FOLLOWING OFFSETS:*
- A. A GENERAL OFFSET OF 0.054 GENERAL HABITATS UNITS:*
 - I. LOCATED IN THE NORTH CENTRAL CATCHMENT MANAGEMENT AUTHORITY BOUNDARY OR HEPBURN SHIRE COUNCIL MUNICIPAL AREA;*
 - II. WITHIN A MINIMUM STRATEGIC BIODIVERSITY VALUE OF LEAST 0.45; AND*
 - III. THE OFFSET(S) SECURED MUST ALSO PROTECT ONE LARGE TREE.*
- 17. BEFORE ANY NATIVE VEGETATION IS REMOVED, EVIDENCE THAT THE REQUIRED OFFSET FOR THE SUBDIVISION HAS BEEN SECURED MUST BE PROVIDED TO THE SATISFACTION OF RESPONSIBLE AUTHORITY. THIS EVIDENCE MUST BE 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 ACTION AND ONGOING MANAGEMENT OF THE SITE, AND/OR*
 - B. CREDIT EXTRACTS ALLOCATED TO THE PERMIT FROM THE NATIVE VEGETATION CREDIT REGISTER.*
- 18. A COPY OF THE OFFSET EVIDENCE WILL BE ENDORSED BY THE RESPONSIBLE AUTHORITY AND FORM PART OF THIS PERMIT.*

Notes

- 19. BEFORE ANY WORKS ON PUBLIC LAND START, A PERMIT TO TAKE PROTECTED FLORA UNDER THE FLORA AND FAUNA GUARANTEE (FFG) ACT 1988 MAY BE REQUIRED. AN APPLICATION CAN BE OBTAINED FROM*

WWW.ENVIRONMENT.VIC.GOV.AU/CONSERVING-THREATENED-SPECIES/PROTECTED-FLORA-AND-LISTED-FISH, UNDER PROTECTED FLORA PERMIT. TO OBTAIN AN FFG PERMIT OR FURTHER INFORMATION, PLEASE CONTACT A NATURAL ENVIRONMENT PROGRAM OFFICER IN THE GRAMPIANS REGION ON GRAMPIANS.ENVIRONMENT@DELWP.VIC.GOV.AU.

20. BEFORE ANY WORKS ON PUBLIC LAND START, THE APPLICANT MUST COMPLY WITH APPLICABLE COMMONWEALTH, STATE AND LOCAL LEGISLATION, REGULATIONS AND PERMITS.

Conditions required by Goulburn Murray Water

21. ALL CONSTRUCTION AND ONGOING ACTIVITIES MUST BE IN ACCORDANCE WITH SEDIMENT CONTROL PRINCIPLES OUTLINED IN 'CONSTRUCTION TECHNIQUES FOR SEDIMENT POLLUTION CONTROL' (EPA, 1991).
22. ALL WASTEWATER FROM THE DWELLING MUST BE TREATED TO A STANDARD OF AT LEAST 20MG/L BOD AND 30MG/L SUSPENDED SOLIDS USING A PACKAGE TREATMENT PLANT OR EQUIVALENT. THE SYSTEM MUST HAVE A CERTIFICATE OF CONFORMITY ISSUED BY THE CONFORMITY ASSESSMENT BODY (OR EQUIVALENT APPROVAL) AND BE INSTALLED, OPERATED AND MAINTAINED IN ACCORDANCE WITH THE RELEVANT AUSTRALIAN STANDARD AND EPA CODE OF PRACTICE.
23. ALL WASTEWATER MUST BE APPLIED TO LAND VIA PRESSURE-COMPENSATING SUB-SURFACE IRRIGATION INSTALLED ALONG THE CONTOUR.
24. THE WASTEWATER DISPOSAL AREA MUST BE LOCATED AT LEAST: 100M FROM ANY WATERWAYS, 40M FROM ANY DRAINAGE LINES, 60M FROM ANY DAMS, AND 20M FROM ANY BORES. *WHERE WASTEWATER IS TREATED TO AT LEAST A SECONDARY STANDARD, THE DISTANCE MAY BE REDUCED IN ACCORDANCE WITH THE CURRENT EPA CODE OF PRACTICE – ONSITE WASTEWATER MANAGEMENT. HOWEVER WHERE POSSIBLE SETBACK DISTANCES MUST BE MAXIMISED.
25. THE WASTEWATER MANAGEMENT SYSTEM MUST BE APPROPRIATELY DESIGNED TO MANAGE THE POTENTIAL VOLUME OF WASTEWATER GENERATED UNDER FULL OCCUPANCY (BASED ON A MINIMUM 3 BEDROOMS), INCLUDING AN APPROPRIATELY SIZED DISPOSAL AREA BASED ON A FULL WATER BALANCE SPECIFIC TO THE PROPOSAL AND SUBJECT LAND IN ACCORDANCE WITH THE REQUIREMENTS OF THE CURRENT EPA CODE OF PRACTICE – ONSITE WASTEWATER MANAGEMENT.

26. *THE WASTEWATER DISPOSAL AREA MUST BE KEPT FREE OF STOCK, BUILDINGS, DRIVEWAYS AND SERVICE TRENCHING AND MUST BE PLANTED WITH APPROPRIATE VEGETATION TO MAXIMISE ITS PERFORMANCE. STORMWATER MUST BE DIVERTED AWAY. A RESERVE WASTEWATER DISPOSAL FIELD OF EQUIVALENT SIZE TO THE PRIMARY DISPOSAL FIELD MUST BE PROVIDED FOR USE IN THE EVENT THAT THE PRIMARY FIELD REQUIRES RESTING OR HAS FAILED.*
27. *NO BUILDINGS ARE TO BE CONSTRUCTED WITHIN 30 METRES OF ANY WATERWAYS OR ON ANY DRAINAGE LINES.*

Notes:

- *FOR WORKS ON WATERWAYS, IT IS RECOMMENDED THAT APPLICANT CONTACT THE NORTH CENTRAL CATCHMENT MANAGEMENT AUTHORITY AS A LICENCE MAY BE REQUIRED TO UNDERTAKE THESE WORKS.*
- *THE SUBJECT PROPERTY IS LOCATED WITHIN AN AREA OF CULTURAL HERITAGE SENSITIVITY. SHOULD THE ACTIVITY ASSOCIATED WITH PROPOSED DEVELOPMENT REQUIRE A CULTURAL HERITAGE MANAGEMENT PLAN (CHMP), PLANNING PERMITS, LICENCES AND WORK AUTHORITIES CANNOT BE ISSUED UNLESS A CHMP HAS BEEN APPROVED FOR THE ACTIVITY.*

Expiry

28. *THIS PERMIT WILL EXPIRE IF ONE OF THE FOLLOWING CIRCUMSTANCES APPLIES:*
- A. *THE DEVELOPMENT HAS NOT COMMENCED WITHIN TWO YEARS OF THE DATE OF THIS PERMIT.*
 - B. *THE DEVELOPMENT IS NOT COMPLETED WITHIN FOUR YEARS OF THE DATE OF THIS PERMIT.*
 - C. *THE USE HAS NOT COMMENCED WITHIN FOUR YEARS OF THE DATE OF THIS PERMIT.*

In accordance with section 69 of the Planning and Environment Act 1987, the Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of the permit expiry date, where the development allowed by the permit has not yet started; or within 12 months of the permit expiry date, where the development has lawfully started before the permit expires.

Moved: Cr Tessa Halliday

Seconded: Cr Jen Bray
Carried

Voted for: Cr Jen Bray, Cr Tessa Halliday, Cr Tim Drylie, Cr Juliet Simpson
Voted against: Cr Brian Hood, Cr Don Henderson and Cr Lesley Hewitt
Abstained: Nil

Cr Don Henderson called for a division.

Voted for: Cr Jen Bray, Cr Tessa Halliday, Cr Tim Drylie, Cr Juliet Simpson
Voted against: Cr Brian Hood, Cr Don Henderson and Cr Lesley Hewitt
Abstained: Nil

BACKGROUND

Subject site

The heavily vegetated 2.35 hectare site is located on the west side of Midland Highway at 4935 Midland Highway, Dry Diggings (Lot 4 on TP 826164A).

Wild Cat Creek traverses the site in an east-west direction in the eastern part of the site.

The subject site and surrounds are heavily vegetated, as can be seen in the image below. The subject site is highlighted in red below in Figure 1.

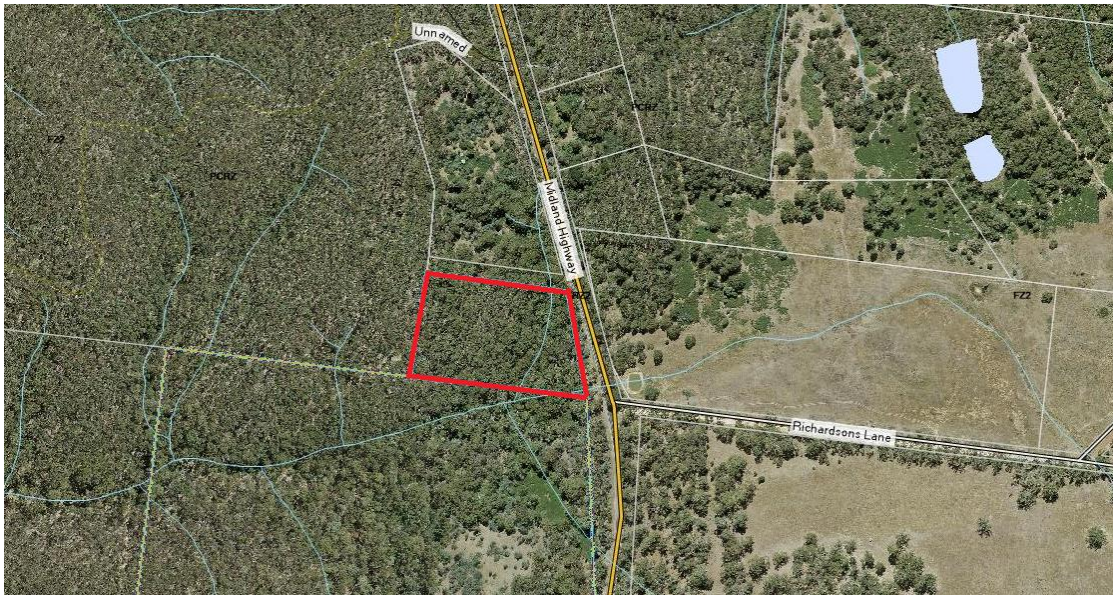


Figure 1: Aerial image; site outlined in red.

Surrounding area

The site is surrounded by land in the Farming Zone, but it abuts a Public Conservation and Resource Zone to the west. Land to the west and north is generally public land forming part of Dry Diggings State Forest and Hepburn Regional Park.

Some land to the east, with a larger lot size pattern, is cleared and used for agricultural purposes.

A planning permit for the development of land for a dwelling was issued in 2023 for Lot 5 to the immediate south of the subject site. Due to the size of Lot 5, which is larger than 40 hectares, a planning permit was not required for the use of the land, unlike this application for Lot 4. It is noted that Lot 5 and Lot 4 are under the same ownership.

Proposal

It is proposed to use and develop the site for a dwelling and create access to a road in a Transport Zone 2. The site is heavily vegetated and requires the removal of native vegetation to provide for the dwelling, internal driveway, defensible space and effluent field. There is currently no cleared area on the site to accommodate these.

The proposed dwelling is single storey in scale with three bedrooms, two bathrooms, kitchen and living areas (refer to Figure 2)

A new access point to Midland Highway is proposed with an internal driveway in excess of 100 metres in length.

A Land Capability Assessment (LCA), Land Management Plan, Ecological Assessment and Bushfire Management Plan (BMP) have been submitted in support of the application. The BMP details a construction standard of BAL-40 for the proposed dwelling.

The Ecological Assessment identified the major of the site as containing Grassy Dry Forest vegetation, and provided an overall habitat score of 68 out of 100. The Assessment includes site photos showing the vegetation proposed to be removed. The avoid and minimise statement provided simply states that “As the property is covered with native vegetation, avoiding impacts to native vegetation is not possible...Reductions in impacts to native vegetation has been achieved by:

- *Designing a modest sized dwelling,*
- *Locating all effluent and domestic activities within the defensible space area,*
- *Redesigning the driveway to avoid impacts greater than 10% to tree protection zones.*
- *Providing defensible space to a higher BAL of BAL 29 to reduce impacts to vegetation.*

Figure 2 of the Assessment identifies the surveyed vegetation and Appendix 4 lists the vegetation to be retained or removed.

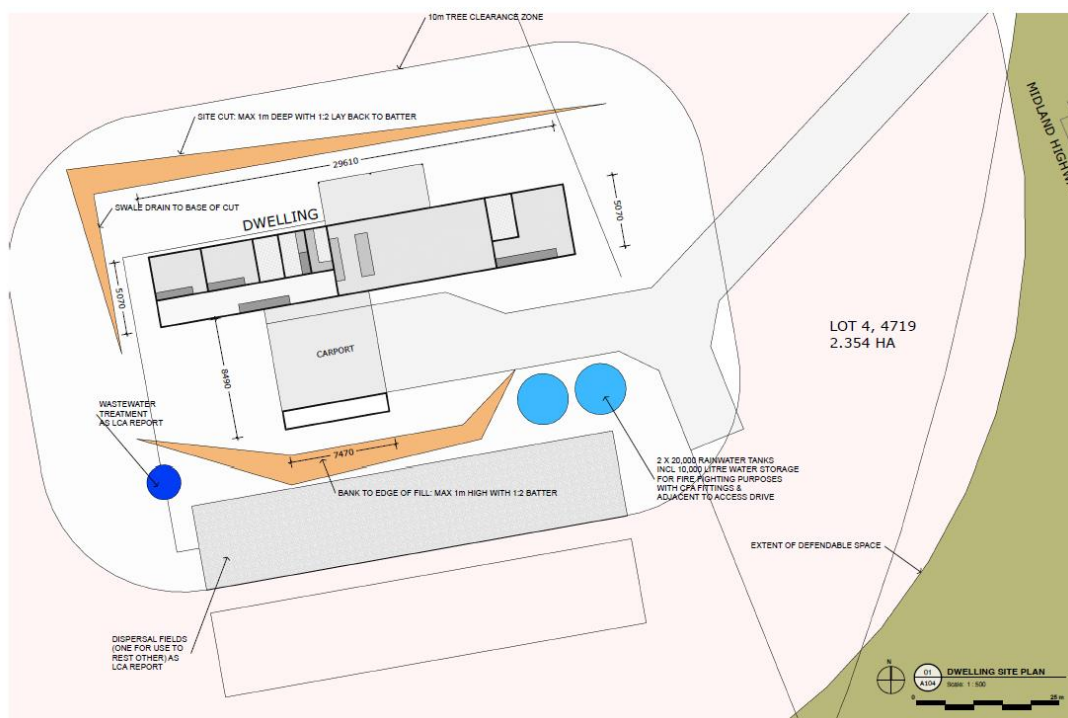


Figure 2: Dwelling plan from submitted plan set

It is noted that the plan set submitted with the application contains slightly different driveway siting to that shown in later reports provided during the application process (e.g. BMS and Ecological Assessment).

Permit History

There is no recorded planning history for Lot 4. The Title Plan provided is dated 2006.

Referrals

The following external referrals were undertaken.

Section 55, determining referral authorities

| | |
|-------------------------|--|
| Authority | Goulburn Murray Water |
| Outcome: | Conditional consent |
| Officer comment: | If Council determines that a Planning Permit should issue, the conditions of Goulburn Murray Water must be included on the Planning Permit |

| | |
|-------------------------|--|
| Authority | Country Fire Authority |
| Outcome: | Conditional consent |
| Officer comment: | If Council determines that a Planning Permit should issue, the conditions of the Country Fire Authority should be included |

| | |
|--|------------------------|
| | on the Planning Permit |
|--|------------------------|

| | |
|-------------------------|--------------------------------|
| Authority | Central Highlands Water |
| Outcome: | No objection |
| Officer comment: | Noted |

| | |
|-------------------------|---|
| Authority | Department of Energy, Environment and Climate Action |
| Outcome: | Conditional consent |
| Officer comment: | If Council determines that a Planning Permit should issue, the conditions of the Department must be included on the Planning Permit |

| | |
|-------------------------|--------------------------------|
| Authority | Department of Transport |
| Outcome: | No response received |
| Officer comment: | Noted |

Internal referrals

The following internal referrals were undertaken.

| | |
|-------------------------|---------------------|
| Department | Engineering |
| Outcome: | Conditional consent |
| Officer comment: | Noted |

| | |
|-----------------------------|---|
| Department | Strategic Planning |
| Summarised response: | Concerns raised include that the application is for 'pseudo rural living' and does not support agricultural land uses. It was not considered relevant that the site is 'not currently in agricultural production'. Continued fragmentation of FZ land will lead to longer term food production and agricultural issues in the Shire. |
| Officer comment: | Noted |

| | |
|-----------------------------|--|
| Department | Biodiversity |
| Summarised response: | Concerns raised about vegetation loss and impact on biodiversity |
| Officer comment: | Noted |

Public notification

Public notification of the application was not required, as it was considered that there would be no detrimental impacts on neighbouring properties due to the layout, size and orientation of the subject site.

Planning Scheme

The site is located in the Farming Zone (FZ). It is subject to the following overlays:

- Bushfire Management Overlay (BMO)
- Environmental Significance Overlay – Schedule 1 and 2 (ESO1 and ESO2)

Site access is proposed from the Midland Highway which is in a Transport Road Zone 2 (TRZ2).

A planning permit is required for this application pursuant to the following clauses of the Hepburn Planning Scheme:

- Clause 35.07-1 - Use the land for a dwelling in the FZ;
- Clause 35.07-4 - Buildings and works in the FZ;
- Clause 44.06-2 - Buildings and works associated with accommodation in the BMO;
- Clause 42.01-2 - Buildings and works in ESO1 and ESO2;
- Clause 52.29-2 - Create or alter access to a road in a TRZ2.

KEY ISSUES

The application has been assessed as follows.

Planning Policy Framework

02.03-1 - Settlement

The Shire's settlement pattern consists of a range of distinct townships and settlements set within the landscape. Creswick and Daylesford are regional service hubs while the other townships are focussed on meeting the needs of the local community and visitors. Development capacity outside township boundaries is limited due to servicing requirements, on site effluent disposal, and surface groundwater quality and quantity and bushfire concerns. A number of settlements and rural living areas have high risk of bushfire with some requiring restructure and potentially abandonment to reduce the threats to life and property.

Council's relevant strategic directions for settlement are to:

- *Concentrate development into defensible parts of existing township boundaries and settlements to mitigate bushfire risk, protect agricultural land and limit natural and environmental risks.*
- *Direct rural residential development that is not associated with rural enterprises into established townships and settlements.*

Response

The proposed development is considered to represent an unreasonable bushfire risk, does not protect agricultural land and is not associated with a rural enterprise.

02.03-2 - Environmental and landscape values

Vegetation in Hepburn Shire is important for habitat, landscape and Dja Dja Wurrung Clans cultural values, and as a land and water management resource. Almost half the Shire is covered in native vegetation with just over half of this area located on private land. Significant areas of public and private land remain forested or as sites of remnant grasslands.

A rich diversity of plants, animals and habitats exist across the Shire. Many species are under threat from activities such as land clearing, invasive flora and fauna, climate change and bushfire management. Reducing habitat fragmentation across the landscape for wildlife and plant dispersal and protecting large old trees on private and Council land are among key focus areas for Council.

Council's relevant strategic directions for environmental and landscape values are to:

- *Protect indigenous vegetation across the Shire including on Council managed reserves and private property.*
- *Protect biodiversity and environmental values of local, regional and state significance.*
- *Retain existing habitat and create new habitat corridors, that increases the resilience of existing stands of native vegetation.*
- *Minimise wholesale clearing of significant vegetation in areas of high bushfire risk.*

Response

The proposed development will result in the removal of native vegetation not only for the driveway and building footprint but also for the defensible space. This results in an unacceptable outcome for biodiversity and landscape values.

02.03-3 - Environmental risks and amenity

The Shire will continue to be subject to the risks of environmental challenges such as bushfire, flooding erosion and salinity. Bushfire poses a significant risk to life and property in Hepburn shire. Bushfire risk is exacerbated by topography, dispersed townships, ad-hoc development and lack of infrastructure in some locations. Potential development of existing small lots dispersed across rural landscapes and on the edges of towns are at highest risk from bushfire.

Council's strategic directions for environmental risks and amenity are to:

- *Contain future growth within township boundaries to protect environmental values and to limit the risk of life and property from bushfire.*
- *Avoid development that through its location or design increased exposure to bushfires.*

Response

If approved the proposed development would result in a risk to environmental values and also represents a risk to life and property from bushfire.

02.03-4 - Natural resource management

The rural areas of the municipality form part of Melbourne's hinterland. Careful planning is required to maintain rural and agricultural land uses and to prevent unrelated housing and other urban development negatively impacting upon or reducing this resource. The Shire's high quality agricultural land is part of a region supplying important horticulture including vegetables, vines, seeds and notably potatoes. emerging rural industries include locally sourced produce, value added food manufacturing and related products and rural tourism. To maintain the economic and social value of the municipality's rural land, the productivity and versatility of agricultural land needs protection. Landscape and environmental values also form a significant part of the value and character of rural areas.

Council's relevant strategic directions for natural resource management are to:

- *Protect high quality productive agricultural land for agriculture uses over the long term.*
- *Protect rural land for agricultural uses and compatible rural uses.*

Response

Even though the land is not currently used for agricultural purposes, likely due to the extent of native vegetation on site, the introduction of a dwelling has the potential to introduce a conflict of land uses given the site's location in a Farming Zone and agricultural uses within the area and will permanently remove the land from any opportunities to be included within a larger holding into the future.

11.01-1R - Settlement – Central Highlands

Relevant strategies include:

- Limit outward growth of Daylesford to minimise environmental impacts and exposure to natural hazards.

11.01-1L - Townships and settlements

This policy applies to land within townships identified in the maps to this clause and the municipality's settlements.

Relevant strategies include:

- Discourage development in settlements unless the risk from environmental hazards can be mitigated to an acceptable level.

Response

The proposed use and development of a dwelling presents an environmental risk from bushfire and the extent of vegetation removal to provide defensible space to mitigate this risk presents an unacceptable environmental outcome and negative impact upon biodiversity.

12.01-S - Protection of biodiversity

The objective is to protect and enhance Victoria's biodiversity.

Relevant strategies include:

- Ensure that decision making takes into account the impacts of land use and development on Victoria's biodiversity, including consideration of:
 - Cumulative impacts
 - Fragmentation of habitat
 - The spread of pest plants, animals and pathogens into natural ecosystems.
- Avoid impacts of land use and development on important areas of biodiversity.

Response

The subject site abuts the Dry Diggings State Forest and Hepburn Regional Park, and the associated removal of native vegetation has the potential to fragment habitat adjacent to these important areas of biodiversity. These concerns were highlighted by Council's Biodiversity Officer:

- Development of a dwelling will have a cumulative impact due to disturbance by humans, pets and machinery on disturbance-intolerant fauna species such as Powerful Owl, impact of domestic pets on predation-sensitive species such as Brush-tailed Phascogale and potential weed invasion facilitated by soil disturbance, nutrient enhancement, direct introduction and inadvertent introduction due to increased frequency and access of human aided weed dispersal.
- The development would contribute to habitat fragmentation as it inserts deeply into a currently contiguous bushland block formed by the Hepburn Regional Park and bushland on adjoining properties, approximately 120 metres from the current interface on the Midland Highway.
- The development would facilitate weed spread of pest plants and pathogens, through soil disturbance, nutrient enhancement, direct introduction and inadvertent introduction of pest plants due to increased frequency and access of human-aided weed-dispersal.

- The bushland habitat of the property is contiguous with that of the Hepburn Regional Park and so the bushland on the property contributes to extent and buffering of the reserve. The development, with associated disturbance will reduce the biodiversity value of the adjoining conservation reserve through the clearing, establishing a house site and associated disturbance within 30 metres of the Regional Park boundary that is currently over 150 metres from substantial human disturbance (Midland Highway).
- The strategy at Clause 12.01-1L to retain native vegetation and habitat significant to threatened fauna and locally significant species is relevant as the habitat quality of the site and its contiguity with the Hepburn Regional Park indicate that the property has the potential to be significant to the survival of the threatened fauna and locally significant species. The clause lists the following species which have all been recorded within five kilometres of the property within the past 30 years: Brush-tailed Phascogale, Speckled Warbler, Square-tailed Kite, Koala and Powerful Owl. Two other species, Gang-gang Cockatoo and Little Eagle have been recorded within five kilometres of the site and suitable habitat for these species on the site will be impacted.

Department of Energy, Environment and Climate Action (DEECA) requested a vegetation assessment for the vegetation to be removed to construct the driveway. The native vegetation assessment recognised that only the vegetation to be removed for the driveway requires a planning permit as Clause 52.12 exempts the vegetation removal for the dwelling and defensible space from a planning permit. This is discussed later in this report.

The native vegetation assessment identified a total loss of 0.081ha requiring an offset of 0.054 general habitat units and the offset needs to be provided in the Shire or the Northern Central Catchment.

DEECA also provided conditional consent.

12.01-1L - Native vegetation and habitat protection

The objective is to protect and enhance the Shire's native vegetation and habitats.

Relevant strategies include:

- *Protect identified remnant vegetation and habitat across the Shire as shown on the Native vegetation and habitat protection map.*
- *Enhance linkages between habitat on private land, roadsides, waterway and public land for wildlife and plant dispersal.*
- *Protect large old native trees on private and public land.*
- *Protect native vegetation and habitat significant to the survival of the listed threatened species identified in the clause.*

Response

The *Native Vegetation and Habitat Protection* map in Clause 12.01-1L of the planning scheme identifies the subject site as being included in an area of *Forests and woodlands, predominantly of the Goldfields*. It is a strategy to protect various threatened species in this area including:

- *Spiny Rice-flower*
- *Button Wrinklewort*
- *Matted Flax-lily*
- *Swift Parrot*
- *Painted Honeyeater*
- *Brush-tailed Phascogale*
- *Hooded Robin*
- *Speckled Warbler*
- *Barking Owl*
- *Square-tailed Kite*
- *Crested Bellbird*
- *Koala*

12.01-2S - Native vegetation management

The objective is to ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

Relevant strategies include:

- *Avoid the removal, destruction or lopping of native vegetation.*
- *Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.*
- *Provide an offset to compensate for the biodiversity impact from the removal, destruction or lopping of native vegetation.*

Response

The Bushfire Management Statement submitted with the application identifies the need for a defensible space of 39 metres around the proposed dwelling.

13.02-1S - Bushfire planning

The objective is to strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Relevant strategies include:

- *Protection of human life*
- *Bushfire hazard identification and assessment.*
- *Settlement planning*
- *Areas of biodiversity conservation value*

- *Ensure settlement growth and development approvals can implement bushfire protection measures without unacceptable biodiversity impacts by discouraging settlement growth and development in bushfire affected areas that are important areas of biodiversity.*
- *Use and development control in a Bushfire Prone Area.*

Response

A Bushfire Management Statement (BMS) was submitted with the planning permit application. The BMS identifies that a defendable space of 39 metre together with a BAL 40 and a static water supply of 10,000L will reduce the overall bushfire risk.

The BMS also recognises that trying to evacuate in a fire event would be hazardous and occupants should leave well in advance of the arrival of a fire front.

It is noted the CFA has provided conditional consent should a planning permit be issued.

On balance, given the measures to mitigate bushfire risk and evacuation risks identified in the BMS provided by the applicant, and the consequential impact on biodiversity should a dwelling be developed, the proposed use and development is not considered to provide an acceptable planning and land use outcome.

14.01-2 Protection of agricultural land

The objective is to protect the state's agricultural base by preserving productive farmland.

Relevant strategies include:

- *Protect productive agricultural land from unplanned loss due to permanent changes in land use.*
- *Prevent inappropriately dispersed urban activities in rural areas.*
- *Limit new housing development in rural areas by:*
 - *Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses.*
- *In considering a proposal to use, subdivide or develop agricultural land, consider the:*
 - *Desirability and impacts of removing the land from primary production, given its agricultural productivity.*
 - *Compatibility between the proposed or likely development and existing use of the surrounding land.*

Response

The proposed dwelling represents an urban development in a Farming Zone and has the potential to introduce a conflict of land uses. This could be the introduction of

domestic animals or the impact of farming activities on the future occupants of the proposed dwelling.

14.01-1L - Protection of agricultural land

The objective is to protect the Shire's high quality productive agricultural land from the encroachment of incompatible uses and development.

Relevant strategies include:

- *Retain existing Farming Zone land and discourage fragmentation from residential use and development.*
- *Allow a dwelling on a rural lot that either:*
 - *Meets the minimum subdivision area of the relevant rural zone.*
 - *Is directly associated with a rural enterprise where:*
 - *Agricultural production will be maximised.*
 - *The land has low agricultural value.*
 - *There will be no loss of productive agricultural land.*
 - *Native vegetation will be retained and managed.*
- *Minimise the adverse impacts that a new dwelling, accommodation use, or subdivision may have upon water quality and quantity, native vegetation and biodiversity and the productivity and operation of agricultural land.*

Response

At 2.59ha the subject site is well below the minimum lot size of 40ha. It is acknowledged that the site is not currently used for agricultural purposes and given its size and the heavily vegetated nature, the site has low agricultural value.

However, on balance the introduction of a residential use on Farming Zoned land and impact on biodiversity due to the impact on vegetation will result in an unacceptable planning outcome.

Zones and Overlays

35.07 Farming Zone

The purpose of the Farming Zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for the use of land for agriculture.*
- *To encourage the retention of productive agricultural land.*
- *To ensure non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.*
- *To encourage the retention of employment and population to support rural communities.*

- *To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.*
- *To provide for the use and development of land for the specific purposes identified in a schedule to this zone.*

Relevant decision guidelines include the consideration of:

- *How the use or development relates to sustainable land management.*
- *Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.*
- *Whether the use or development will support and enhance agricultural production.*
- *The potential for the proposal to lead to a concentration of proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.*
- *The impact of the use or development on the flora and fauna on the site and its surrounds.*
- *The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.*
- *The impact of the siting, design, height, bulk, colours and materials to be used on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.*
- *The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.*

Response

The proposal to use and develop the site for a dwelling is not considered to meet the purpose of the FZ and does not address many of the decision guidelines in the FZ.

The Farming Zone seeks to avoid approving dwellings on land where:

- The impact on flora and fauna is not minimised.
- There is no nexus between the need for a dwelling and the agricultural use of the land.
- It will not support and enhance agricultural production.
- There should be no impact on nearby agricultural land uses as the result of non-agricultural related dwellings.

For these reasons the proposal is not considered to achieve an appropriate planning outcome.

44.06 Bushfire Management Overlay

The purpose of the BMO is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.*
- *To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.*
- *To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.*

Response

As identified in the BMS provided by the applicant a defensible space of 39 metres is required and a BAL of 40 to mitigate bushfire risk. The BMS also notes that trying to evacuate in a fire event would be hazardous and occupants should leave well in the advance of the arrival of a fire front.

The measures to achieve what is put forward as acceptable to reduce bushfire to an acceptable level, present issues for Council regarding the impact on biodiversity.

42.01 Environmental Significance Overlays

The purpose of the ESO is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework*
- *To identify areas where the development of land may be affected by environmental constraints.*
- *To ensure that development is compatible with identified environmental values.*

Schedule 1 Special Water Supply Catchment Protection

The environmental objective to be achieved is to ensure all development is undertaken in a manner that protects, restores and enhances natural resources and environmental systems and seeks to eliminate detrimental impacts on the quality and quantity of water in the catchment, to ensure the long-term plentiful supply of quality water.

Schedule 2 Mineral Springs and Groundwater Protection

The environmental objective to be achieved is to protect the mineral springs, their aquifers and their environs, private domestic bores and water bores that provide town water supply from the impacts of effluent and drainage.

Response

There have been no objections to the application from the relevant water authorities and Council's Environmental Health Officer.

The proposal meets the relevant considerations of both the ESO1 and ESO2 and will not negatively impact on groundwater quality and mineral springs.

Particular Provisions

52.12 Bushfire Protection Exemptions

A relevant purpose is:

- *To facilitate the removal of vegetation in specified circumstances to support the protection of human life and property from bushfire.*

52.12-5 – Exemption to create defensible space for a dwelling under Clause 44.06

Removal, destruction or lopping of vegetation is exempt from a planning permit if it is included in a defensible space for a dwelling under Clause 44.06 of the planning scheme.

Response

As noted elsewhere in this report a defensible space of 39 metres is required. This will require vegetation (and other flammable materials) to be modified and managed. As identified in the BMS submitted by the applicant this includes measures such as:

- Plants greater than 10 centimetres in height must not be located within 3m of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5sqm in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least five metres.
- There must be a clearance of at least two metres between the lowest tree branches and ground level.

Although a planning permit is not required under Clause 52.12-5 to remove, destroy or lop vegetation in the defensible space, such activity represents unacceptable biodiversity outcomes.

The exemption does not apply for the removal of native vegetation to create the driveway.

Clause 52.29 – Land Adjacent to the Principal Road Network

The relevant purpose is:

- *To ensure appropriate access to the Principal Road Network or land planned to form part of the Principal Road Network.*

A planning permit is required to create or alter access to a road in a Transport Zone 2 and an application must be referred to the specified referral authority (Department of Transport and Planning).

Response

The development of an accessway from the highway is considered an acceptable outcome and will not impact on the efficiency of the principal transport network.

Conclusion

This proposal presents some challenging issues which primarily relate to:

- Bushfire risk and the protection of human life and property.
- Not meeting the purpose of the Farming Zone and proposing a dwelling that has no nexus with an agricultural use of the land.
- The removal of native vegetation and the impact upon biodiversity.

Use of the site for a dwelling is considered inappropriate as it is introducing a residential use into the Farming Zone that has the potential to create a conflict of land uses. This has the potential to negatively impact other sites in the nearby area from the normal agricultural use of their land. Any new dwelling in a Farming Zone subject to a planning permit should only be supported if it is necessary to enhance and manage the agricultural use of the land.

Development of the site for a dwelling is also considered inappropriate as the approval of a dwelling on the land will result in an increase in bushfire risk on the land. The site is located in a high to very high bushfire risk area, and a BAL of 40, pose very high risks that cannot be balanced, and which have a significant detrimental impact on vegetation and biodiversity.

It is recommended that the application is refused.

POLICY AND STATUTORY IMPLICATIONS

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

GOVERNANCE ISSUES

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

SUSTAINABILITY IMPLICATIONS

The approval of the development would result in a significant loss of vegetation on the land, fragmenting habitat and potentially reducing the biodiversity value of the nearby Hepburn Regional Park.

FINANCIAL IMPLICATIONS

The applicant will have appeal rights at the Victorian Civil and Administrative Tribunal, to challenge Council's decision.

RISK IMPLICATIONS

No risks to Council other than those already identified.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

The application was not advertised.

Application for a Planning Permit

If you need help to complete this form, read MORE INFORMATION at the end of this form.

Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*. If you have any questions, please contact Council's planning department.

Questions marked with an asterisk (*) must be completed.

If the space provided on the form is insufficient, attach a separate sheet.

Click for further information.

Clear Form

The Land

Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

Street Address *

| | | |
|------------------------------------|----------------------|----------------------------------|
| Unit No.: LG | St. No.: 4719 | St. Name: MIDLAND HIGHWAY |
| Suburb/Locality: DAYVESFORD | | Postcode: 3460 |

Formal Land Description *

Complete either A or B.

This information can be found on the certificate of title.

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

A Lot No.: **4** ☐ Lodged Plan ☒ Title Plan ☐ Plan of Subdivision No. **826164A**

OR

B Crown Allotment No.: Section No.:

Parish/Township Name:

The Proposal

You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application.

For what use, development or other matter do you require a permit? *

NEW DWELLING: BUILDING & WORKS IN ZONE & OVERLAYS; CREATE ACCESS TO A ROAD ZONE; DWELLING USE IN A FARMING ZONE AS A LOT LESS THAN THE AREA SPECIFIED IN THE ZONE; REMOVAL OF NATIVE VEGETATION.

Provide additional information about the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

Estimated cost of any development for which the permit is required *

Cost \$ **750,000**

You may be required to verify this estimate. Insert '0' if no development is proposed.

Existing Conditions

ATTACHMENT 11.2.1

Describe how the land is used and developed now *

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

VACANT

☒ Provide a plan of the existing conditions. Photos are also helpful.

Title Information

Encumbrances on title *

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

☐ Yes (If 'yes' contact Council for advice on how to proceed before continuing with this application.)

☐ No

☒ Not applicable (no such encumbrance applies).

☒ Provide a full, current copy of the title for each individual parcel of land forming the subject site. The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.

Applicant and Owner Details

Provide details of the applicant and the owner of the land.

Applicant *

The person who wants the permit.

Name:

Title:

First Name: A H K

Surname: JIMMS SKLONINKA

Organisation (if applicable):

Postal Address:

If it is a P.O. Box, enter the details here:

Please print contact pt.

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Contact person's details*

Same as applicant ☐

Name:

Title:

First Name: BRAD

Surname: HOOPER

Organisation (if applicable):

BRAD HOOPER ARCHITECT

Owner *

The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Same as applicant ☒

Name:

Title:

First Name:

Surname:

Organisation (if applicable):

Postal Address:

If it is a P.O. Box, enter the details here:

Unit No.:

St. No.:

St. Name:

Suburb/Locality:

State:

Postcode:


Owner's Signature (Optional):

Date:

day / month / year

Declaration

This form must be signed by the applicant *

 Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

I declare that I am the applicant, and that all the information in this application is true and correct, and the owner (if not myself) has been notified of the permit application.

Signature

[Handwritten Signature]
AGENT OF APPLICANT

Date:

07/04/2022
day / month / year

If completing this form electronically, please tick the box to the right, include a date and type your name above to serve as a declaration that all the information in this application is true and correct, and the owner (if not myself) has been notified of the permit application.

☐

Need help with the Application?

General information about the planning process is available at planning.vic.gov.au

Contact Council's planning department to discuss the specific requirements for this application and obtain a planning permit checklist. Insufficient or unclear information may delay your application.

Has there been a pre-application meeting with a council planning officer?

☒ No

☐ Yes

If 'Yes', with whom?:

Date:


day / month / year

Checklist

Have you:

☒ Filled in the form completely?

☒ Paid or included the application fee?

 Most applications require a fee to be paid. Contact Council to determine the appropriate fee.

☒ Provided all necessary supporting information and documents?

☒ A full, current copy of title information for each individual parcel of land forming the subject site.

☒ A plan of existing conditions.

☒ Plans showing the layout and details of the proposal.

☒ Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.

☒ If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts).

☒ Completed the relevant council planning permit checklist?

☒ Signed the declaration above?

*** PLEASE INVOICE APPLICANT FOR REQUIRED FEES**

Lodgement

Lodge the completed and signed form, the fee and all documents with:

Planning Department
Hepburn Shire Council
PO Box 21
Daylesford VIC 3460

Customer Service Centre
Cnr Duke & Albert Streets
Daylesford VIC 3460

Contact information:

Phone: (03) 5348 1577

Email: shire@hepburn.vic.gov.au

Deliver application in person, by post or by electronic lodgement.

Privacy Statement

Your application and the personal information on this form is collected by council for the purposes of the planning process as set out in the Planning and Environment Act 1987 (PE Act). If you do not provide your name and address, council will not be able to consider your application. Your application will be available at the council office for any person to inspect and copies may be made available on request to any person for the relevant period set out in the PE Act.

You must not submit any personal information or copyright material of third parties without their informed consent. By submitting the material, you agree that the use of the material as detailed above does not breach any third party's right to privacy and copyright. You can request access to your personal information by contacting Councils Governance Department.

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| | |
|---|-------------------------|
| Document Type | Plan |
| Document Identification | TP826164A |
| Number of Pages (excluding this cover sheet) | 3 |
| Document Assembled | 08/04/2022 13:17 |

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| TITLE PLAN | | EDITION 2 | TP 826164A | | | |
|--|--|---|---|-----------------------------|---|---|
| Location of Land Parish : WOMBAT Section : 3 Crown Portion : 3 (PT) Crown Allotment : 1 (PT) & 4 (PT) Section : 8 Crown Allotment : 1F (PT), 3 (PT) & 4 (PT) Base record : DCMB Last Plan Reference : - Derived From : VOL. 9239 FOL. 578 Depth Limitation : NIL | | Notations ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN | | | | |
| Description of Land/ Easement Information ENCUMBRANCES As to part of the land - - - - - THE RIGHTS of The Mayor Councillors- - and Burgesses of the Borough of- - - Daylesford under Deed of Compromise- - made by Henry Henty and Thomas Colles- of the one part and The Mayor - - - Councillors and Burgesses of the - - - Borough of Daylesford of the other - - part registered Book 395 No.894 - - - | | | THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA FOR TITLE DIAGRAM PURPOSES COMPILED: Date 6/01/06 VERIFIED: A. DALLAS <i>Assistant Registrar of Titles</i> | | | |
| <h1 style="margin: 0;">FOR DIAGRAM SEE SHEET 2</h1> | | | | | | |
| <table border="1" style="margin: auto; border-collapse: collapse;"> <tr> <th style="padding: 5px;">TABLE OF PARCEL IDENTIFIERS</th> </tr> <tr> <td style="padding: 5px; font-size: small;"> WARNING: Where multiple parcels are referred to or shown on the Title Plan this does Not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962 </td> </tr> <tr> <td style="padding: 5px;"> LOT 1 = CA 1 (PT) SECTION 3 LOT 2 = CA 4 (PT) SECTION 3 LOT 3 = CP 3 (PT) SECTION 3 LOT 4 = CA 1F (PT) SECTION 8 LOT 5 = CA 3 (PT) SECTION 8 LOT 6 = CA 4 (PT) SECTION 8 </td> </tr> </table> | | | | TABLE OF PARCEL IDENTIFIERS | WARNING: Where multiple parcels are referred to or shown on the Title Plan this does Not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962 | LOT 1 = CA 1 (PT) SECTION 3 LOT 2 = CA 4 (PT) SECTION 3 LOT 3 = CP 3 (PT) SECTION 3 LOT 4 = CA 1F (PT) SECTION 8 LOT 5 = CA 3 (PT) SECTION 8 LOT 6 = CA 4 (PT) SECTION 8 |
| TABLE OF PARCEL IDENTIFIERS | | | | | | |
| WARNING: Where multiple parcels are referred to or shown on the Title Plan this does Not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962 | | | | | | |
| LOT 1 = CA 1 (PT) SECTION 3 LOT 2 = CA 4 (PT) SECTION 3 LOT 3 = CP 3 (PT) SECTION 3 LOT 4 = CA 1F (PT) SECTION 8 LOT 5 = CA 3 (PT) SECTION 8 LOT 6 = CA 4 (PT) SECTION 8 | | | | | | |
| LENGTHS ARE IN METRES | | Metres = 0.3048 x Feet Metres = 0.201168 x Links | | | | |
| Sheet 1 | | | | | | |

PLAN NUMBER

TP826164A

[illegible]

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

Page 1 of 1

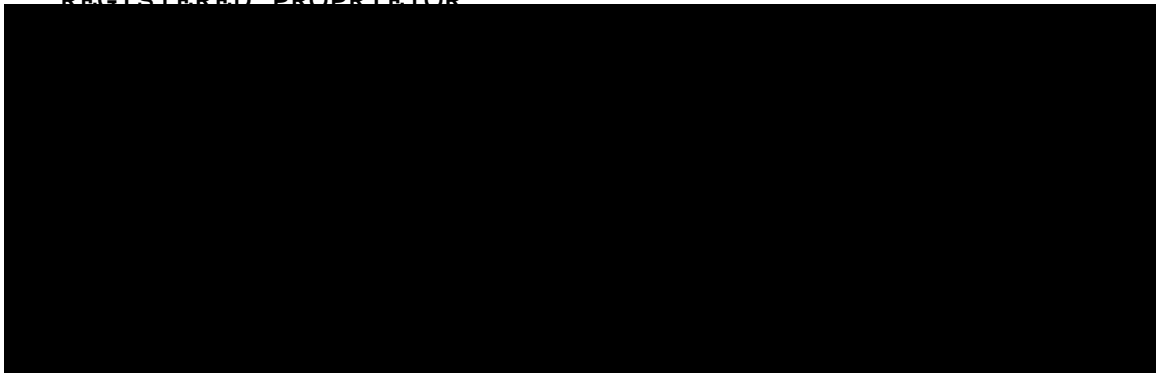
VOLUME 12297 FOLIO 880

Security no : 124096724140T
Produced 08/04/2022 01:15 PM

LAND DESCRIPTION

Lot 4 on Title Plan 826164A.
PARENT TITLE Volume 09239 Folio 578
Created by instrument AU128771M 11/03/2021

REGISTERED PROPRIETOR



Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

RIGHTS as to part Book 395 No.894

DIAGRAM LOCATION

SEE TP826164A FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

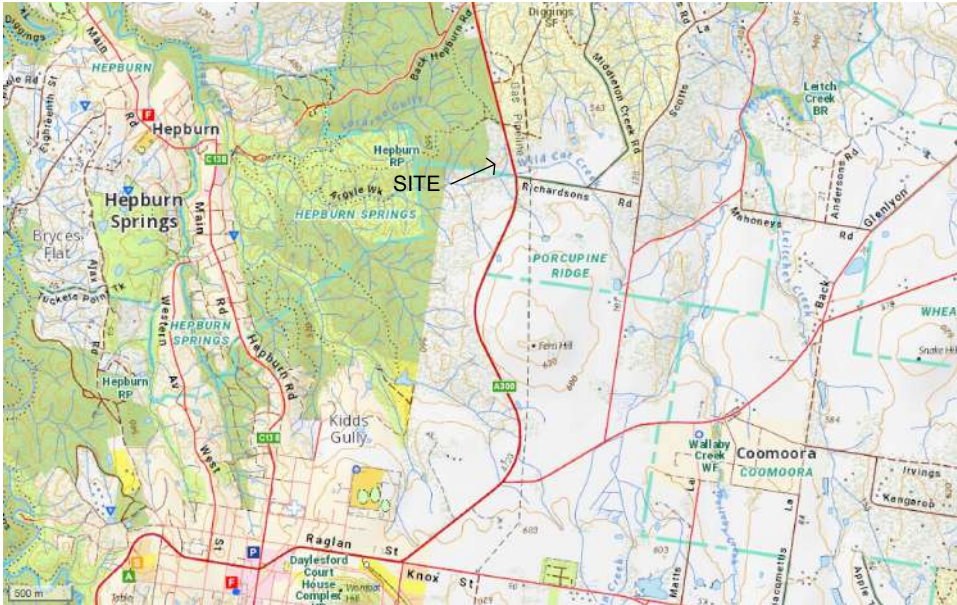
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ADMINISTRATIVE NOTICES

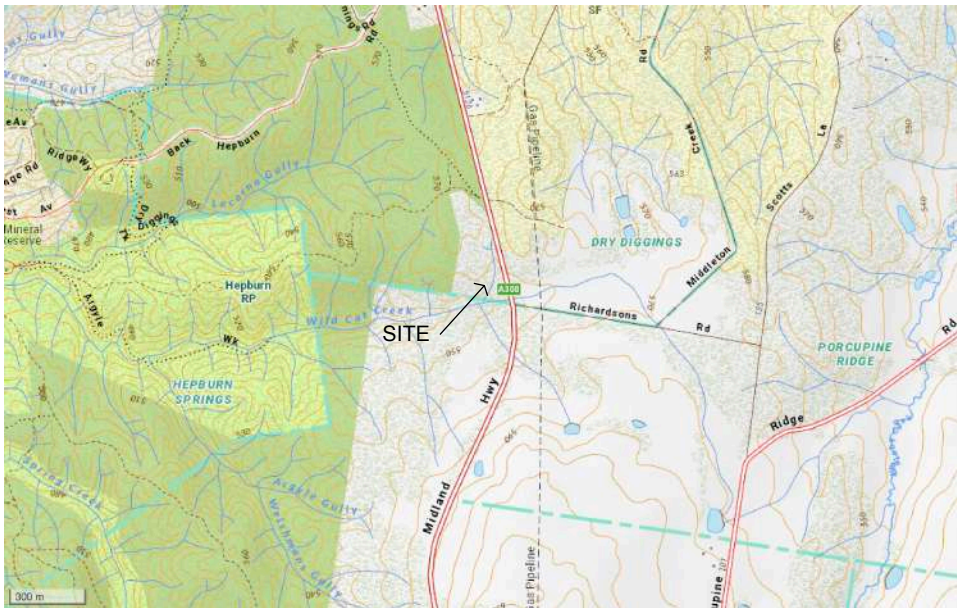
NIL

eCT Control 15940N COMMONWEALTH BANK OF AUSTRALIA
Effective from 17/05/2021

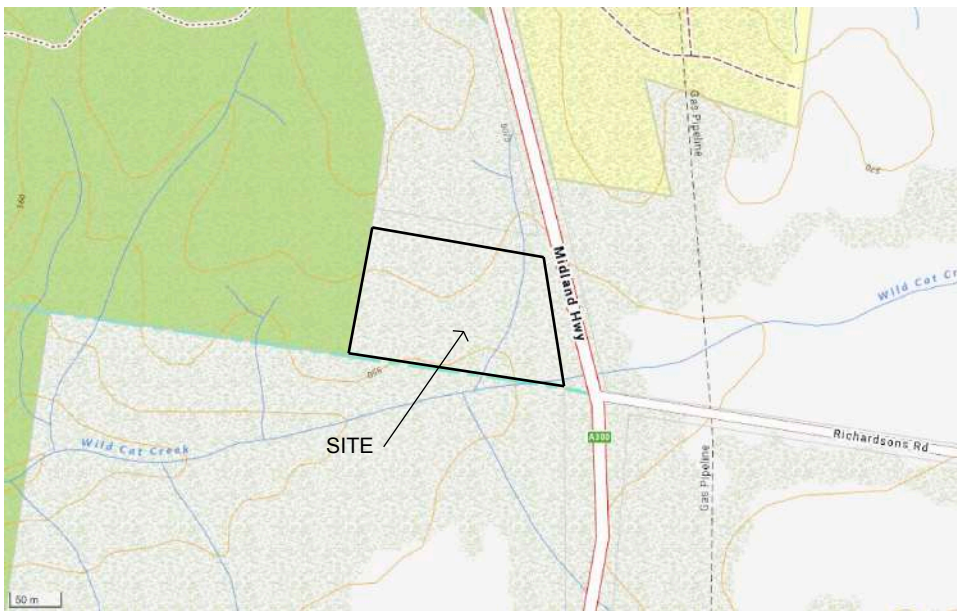
DOCUMENT END



**LOCALITY PLAN
TOPO MAP EXTRACT**
Scale: REFER TO BAR



**PLAN
TOPO MAP EXTRACT**
Scale: REFER TO BAR



**SITE PLAN
TOPO MAP EXTRACT**
Scale: REFER TO BAR

SITE DETAILS

ADDRESS: LOT 4 4719 MIDLAND HIGHWAY DAYLESFORD 3460
LOT AND PLAN NUMBER: LOT 4 TP826164
STANDARD PARCEL IDENTIFIER (SPI): 41TP826164
LOCAL GOVERNMENT AREA (COUNCIL): HEPBURN
COUNCIL PROPERTY NUMBER:
DIRECTORY REFERENCE: VICROADS 582 GP

LOT AREA: 2.354 Ha
FARMING ZONE (FZ)
SCHEDULE TO THE FARMING ZONE (FZ)
BUSHFIRE MANAGEMENT OVERLAY (BMO)
ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)
ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 1 (ESO1)
ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 2 (ESO2)
SITE IS AN AREA OF ABORIGINAL CULTURAL HERITAGE SENSITIVITY
SITE IS TERMITE DESIGNATED AREA - TBC
SITE IS DESIGNATED BUSHFIRE PRONE AREA

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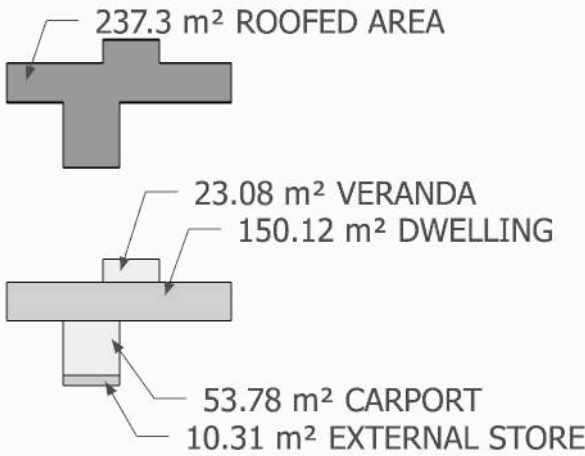
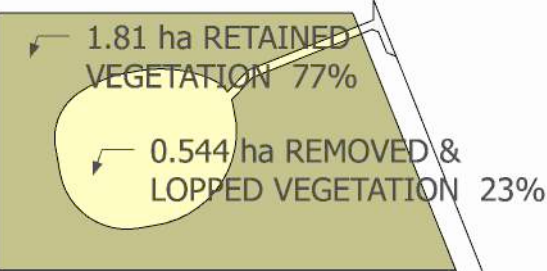
brad hooper architect
35-37 Main Street Maldon VIC 3463
0418 105 954
bradhooperarchitect@gmail.com
reg vic. 13521 abn 44077185149

PROJECT ADDRESS
LOT 4, 4719 MIDLAND HIGHWAY DAYLESFORD VIC 3460
PROJECT NO.
4-4719
PROJECT STAGE
PLANNING PERMIT

PROJECT NAME
NEW DWELLING
DATE ISSUED
05/04/2022

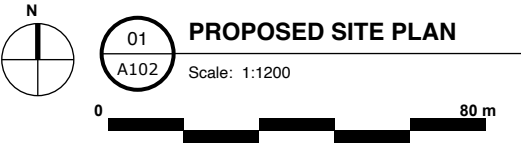
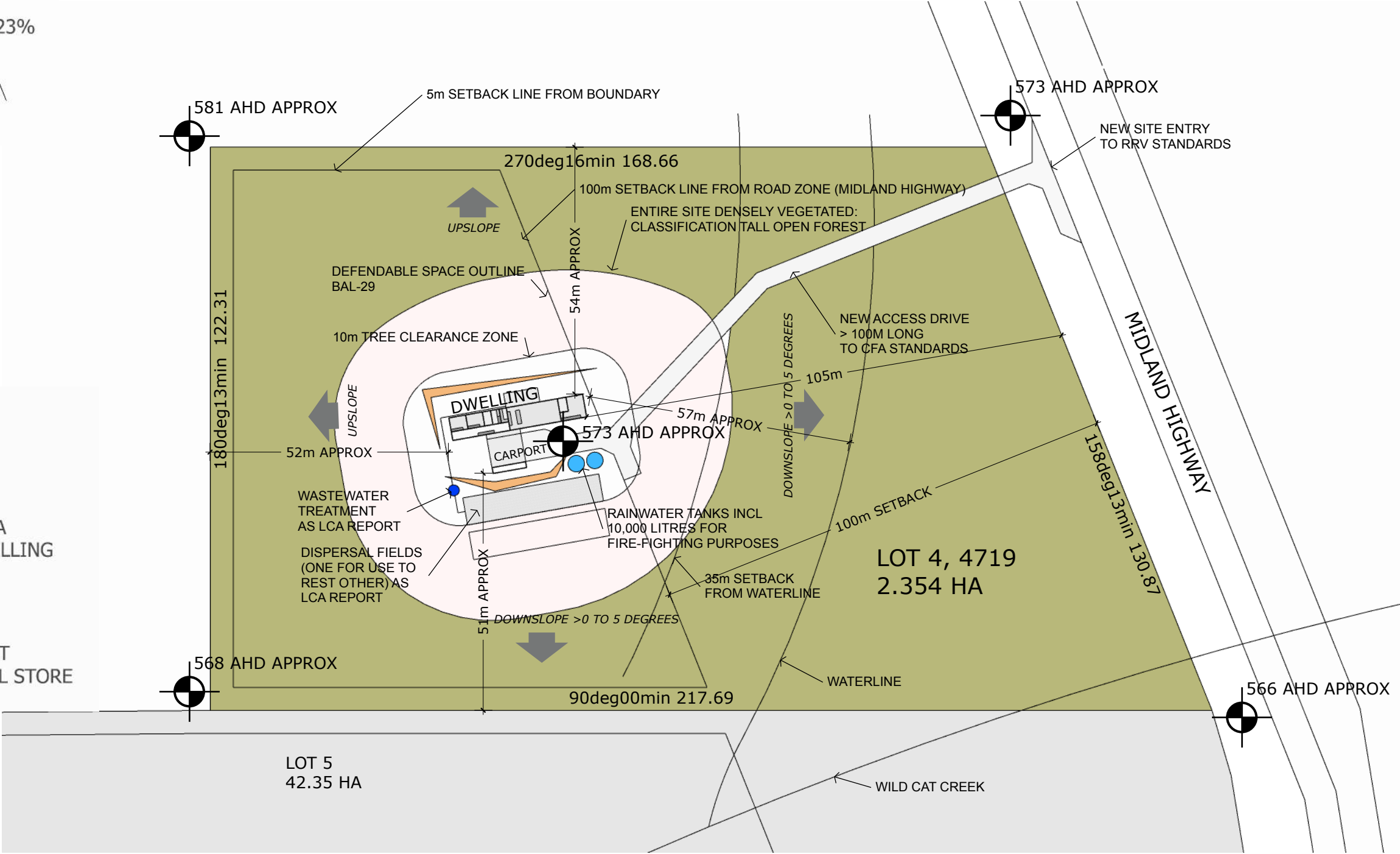
DRAWING NUMBER
A101
DRAWING TITLE
SITE CONTEXT

REVISION
-



AREAS m2

| | |
|----------|-----|
| DWELLING | 150 |
| CARPORT | 54 |
| STORE | 10 |
| VERANDA | 23 |



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PROJECT ADDRESS
LOT 4, 4719 MIDLAND HIGHWAY DAYLESFORD VIC 3460
PROJECT NO.
4-4719
PROJECT STAGE
PLANNING PERMIT

PROJECT NAME
NEW DWELLING
DATE ISSUED
05/04/2022

DRAWING NUMBER
A102
DRAWING TITLE
SITE PLANS

REVISION
-

Defendable space is provided and is managed in accordance with the following requirements unless specified in a schedule or otherwise agreed to in writing to the satisfaction of the relevant fire authority:

- The building will be designed and constructed to a minimum Bushfire Attack Level of BAL-29.

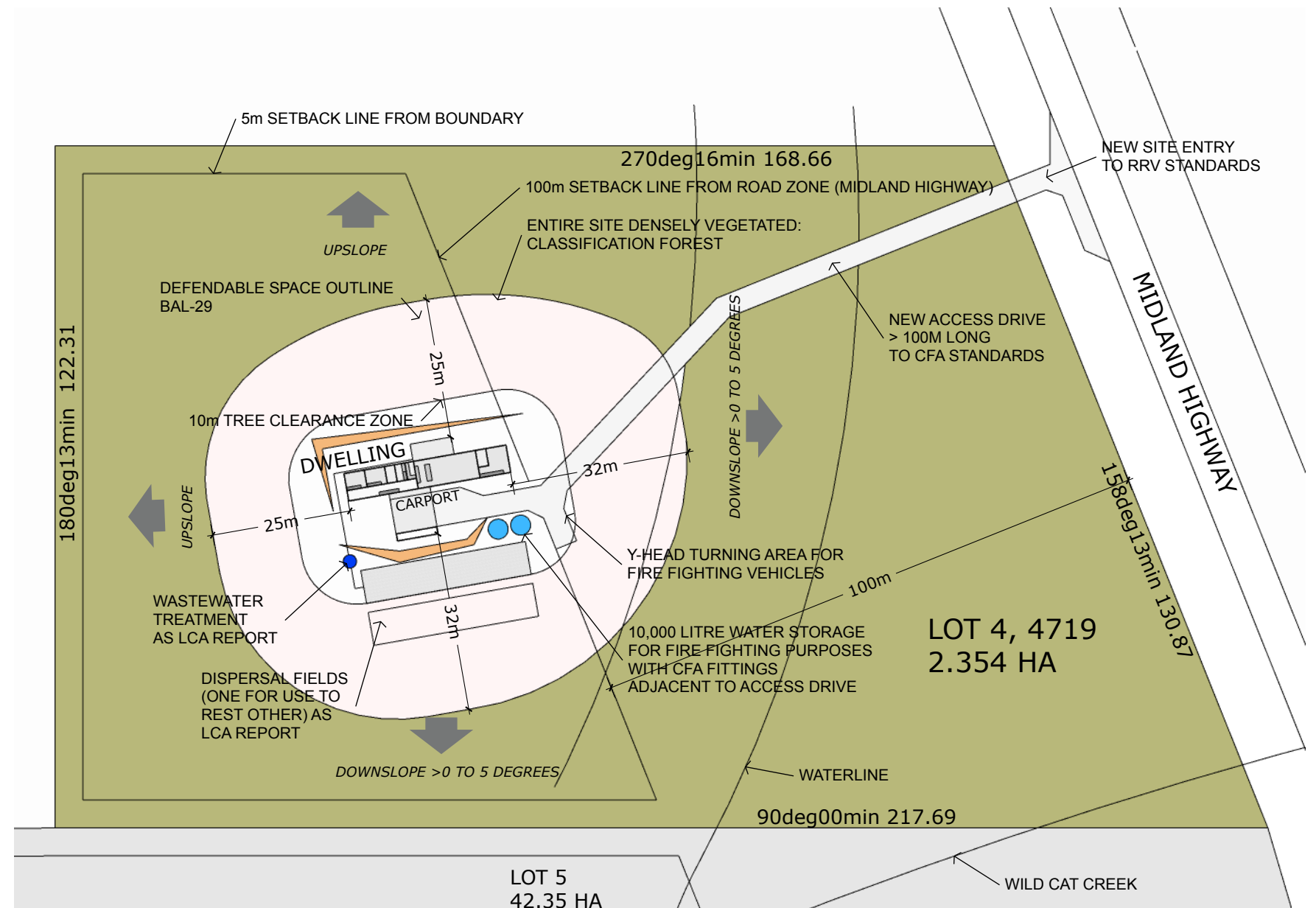
Unless otherwise agreed in writing by the relevant fire authority, the water supply must:

- Where a 10,000 litre water supply is required, fire authority fittings and access must be provided as follows:

- Access for firefighting purposes which meets the following requirements:

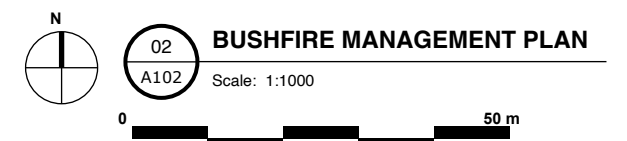
- All-weather construction.
- A load limit of at least 15 tonne.
- Provide a minimum trafficable clearance width of 3.5 metres.
- Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically.
- Curves must have a minimum inner radius of 10 metres.
- The average grade must be no more than 1 in 7 (14.4%)(8.1 degrees) with a maximum grade of no more than 1 in 5 (20%)(11.3 degrees) for no more than 50 metres.
- Dips must have no more than a 1 in 8 (12.5%)(7.1 degrees) entry and exit angle.
- For length of access greater than 100 metres a turning area for fire fighting vehicles must be provided close to the building: a Y-turning head to Austroad Design for an 8.8 metre Service Vehicle

Forested land to south with downslope to creek then upslope beyond
Forested land & public forest lands to the south, west and north.
One major road egress to east: sealed, connects to north and south giving alternative travel options.
Major threat is forested land to west extending to Hepburn Springs area with gully terrain.



| Direction | Defendable space |
|-----------|------------------|
| Northern | 25m |
| Southern | 32m |
| Eastern | 32m |
| Western | 25m |

BUILDINGS TO BE
CONSTRUCTED TO
BAL-29 STANDARD



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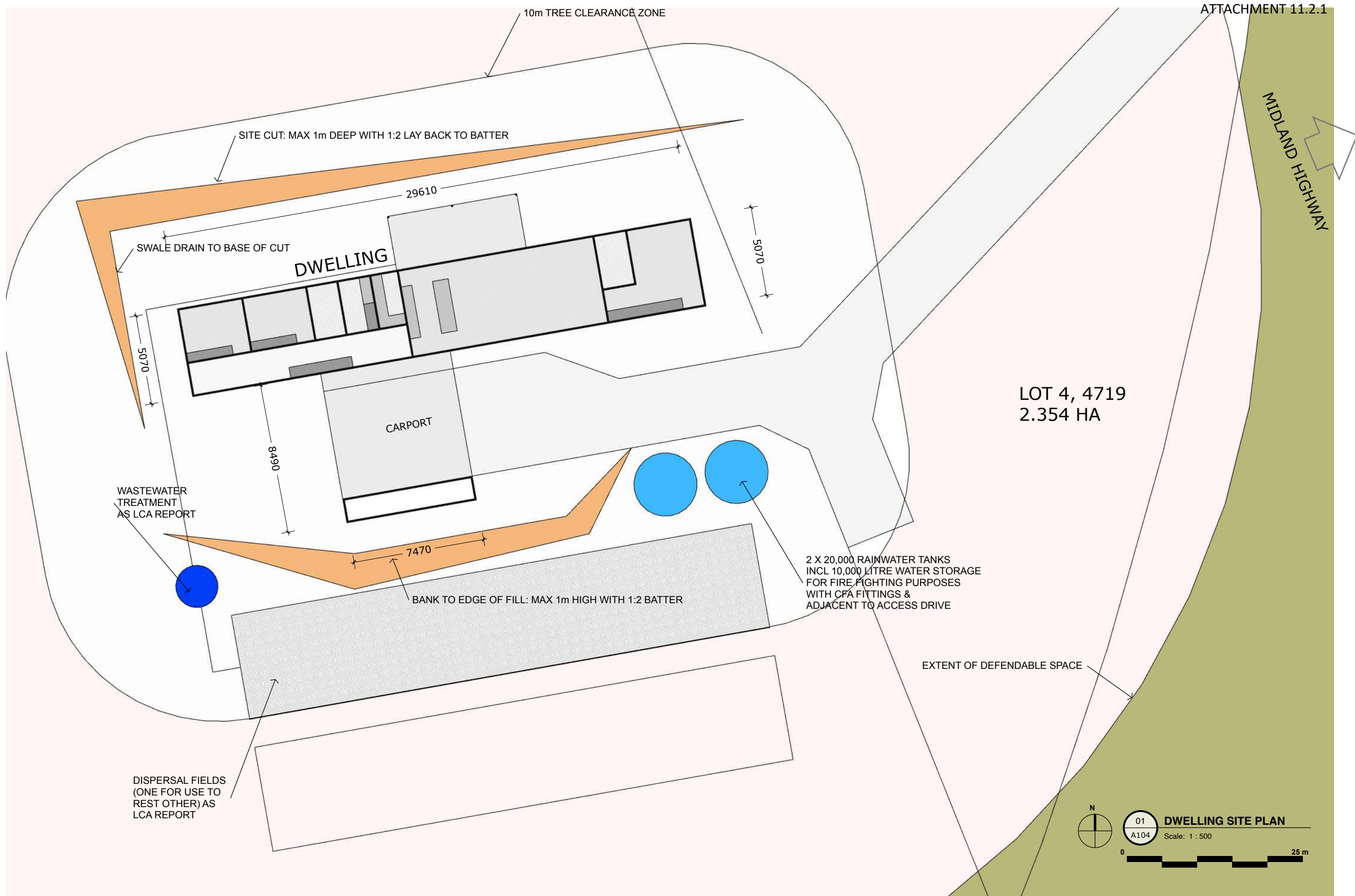
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0418 105 954
 bradhooperarchitect@gmail.com
 reg vic 13521 abn 44077185149

| | |
|---|--------------|
| PROJECT ADDRESS | |
| LOT 4, 4719 MIDLAND HIGHWAY DAYLESFORD VIC 3460 | |
| PROJECT NO. | PROJECT NAME |
| 4-4719 | NEW DWELLING |
| PROJECT STAGE | DATE ISSUED |
| PLANNING PERMIT | 05/04/2022 |

PROJECT NAME
NEW DWELLING

DATE ISSUED
05/04/2022

| | |
|---------------------------------|----------|
| DRAWING NUMBER | REVISION |
| A103 | - |
| DRAWING TITLE | |
| BUSHFIRE MANAGEMENT PLAN | |



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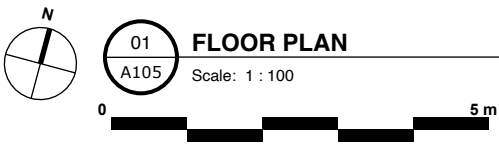
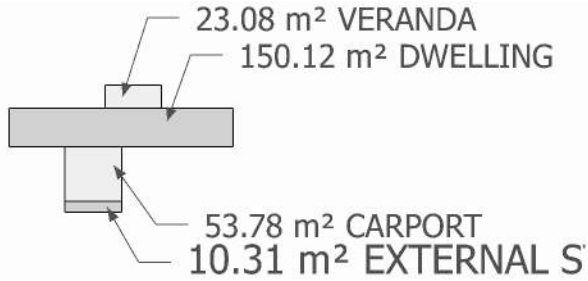
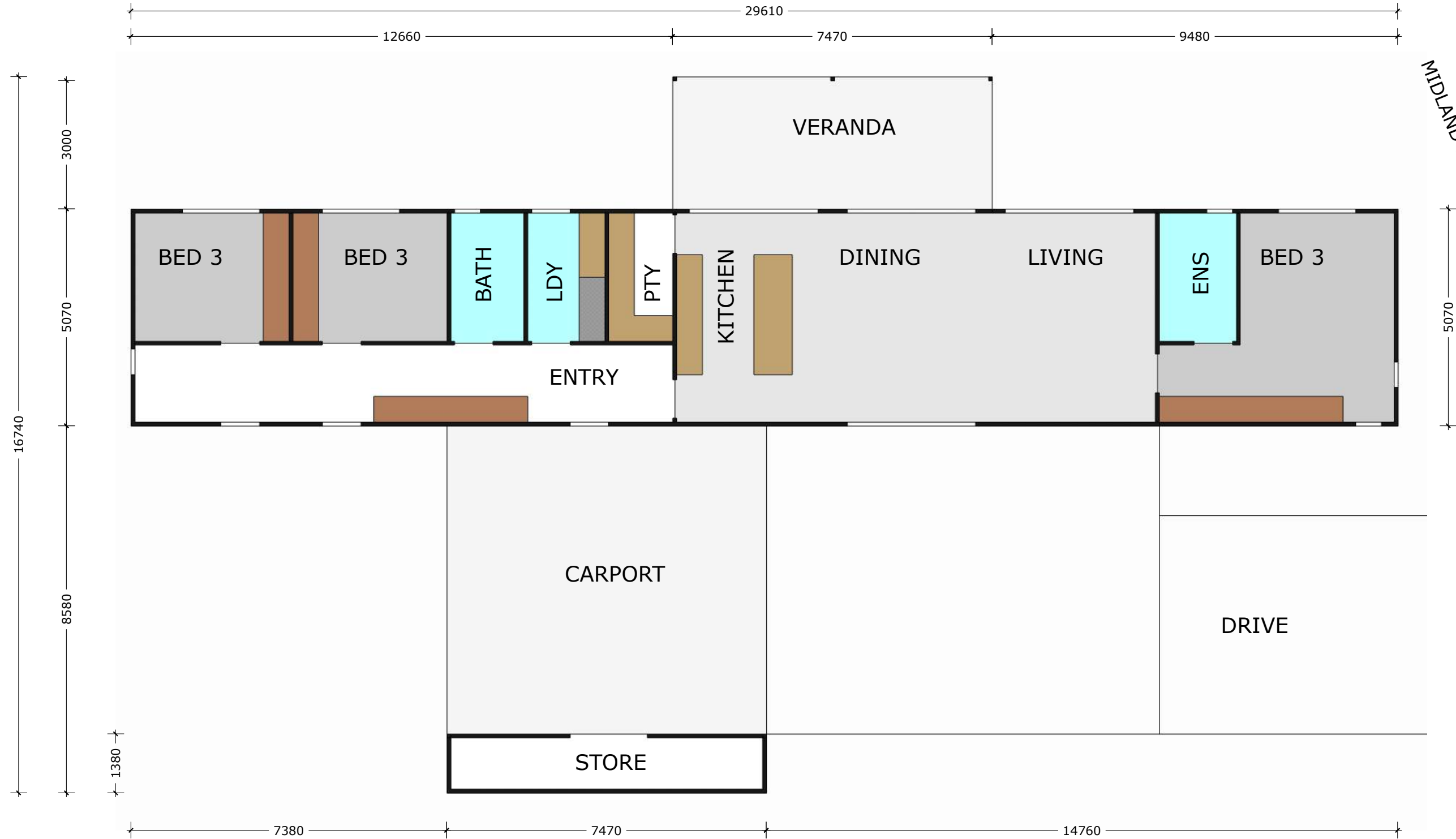
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bradhooperarchitect@gmail.com
reg vic 13521 abn 44077185149

PROJECT ADDRESS
LOT 4, 4719 MIDLAND HIGHWAY DAYLESFORD VIC 3460
PROJECT NO.
4-4719
PROJECT STAGE
PLANNING PERMIT

PROJECT NAME
NEW DWELLING
DATE ISSUED
05/04/2022

DRAWING NUMBER
A104
DRAWING TITLE
DWELLING SITE PLAN

REVISION



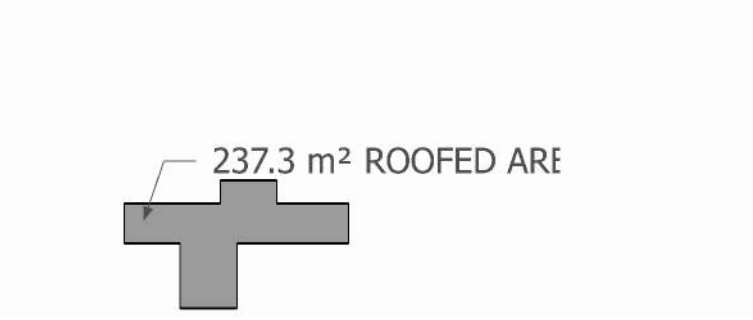
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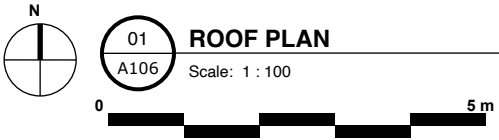
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PROJECT NO.
4-4719
PROJECT STAGE
PLANNING PERMIT

PROJECT NAME
NEW DWELLING
DATE ISSUED
05/04/2022

DRAWING NUMBER
A105
DRAWING TITLE
FLOOR PLAN



TOTAL ROOFED AREA 295.95 m²

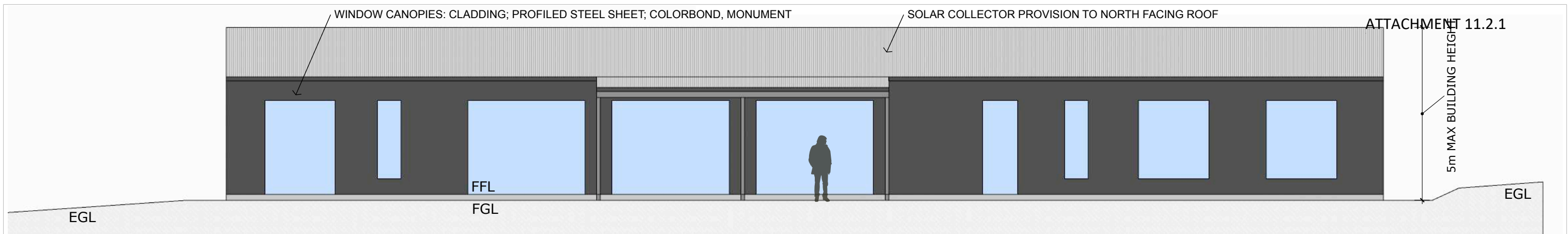


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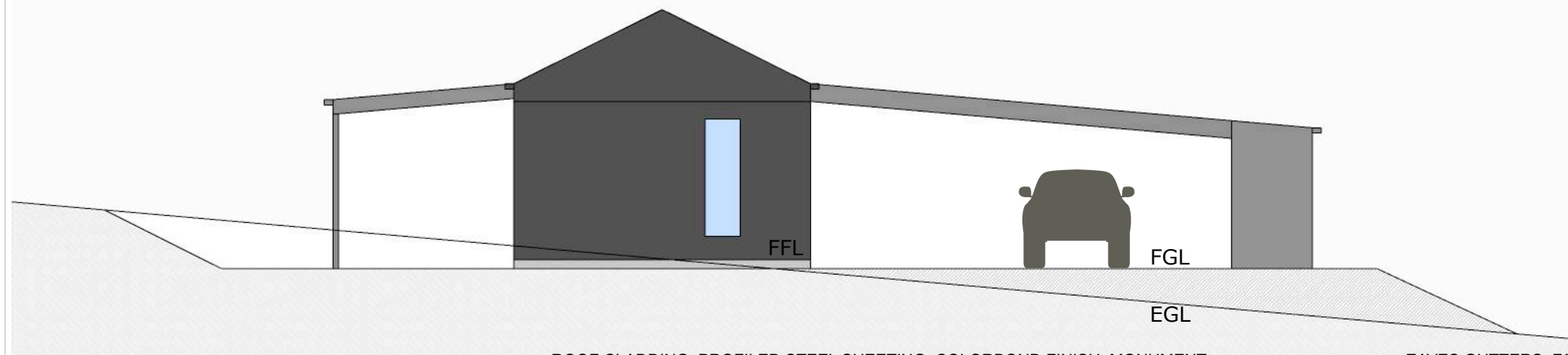
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PROJECT ADDRESS
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PROJECT NO.
4-4719
PROJECT STAGE
PLANNING PERMIT
PROJECT NAME
NEW DWELLING
DATE ISSUED
05/04/2022

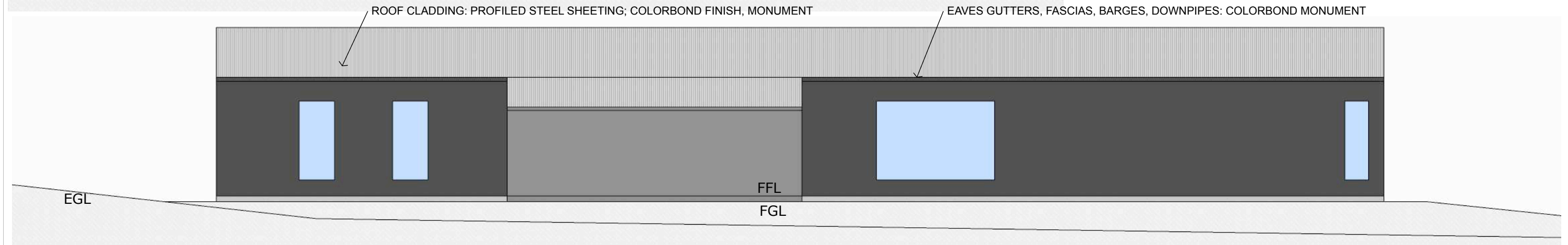
DRAWING NUMBER
A106
DRAWING TITLE
ROOF PLAN
REVISION
-



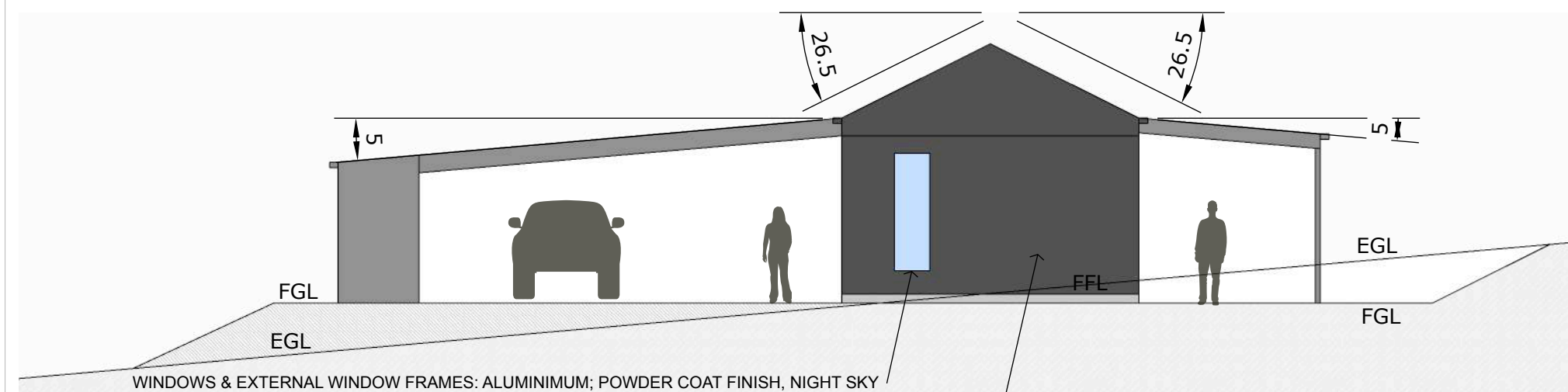
01 NORTH ELEVATION
A201 Scale: 1 : 100
0 5 m



02 WEST ELEVATION
A201 Scale: 1 : 100
0 5 m



03 SOUTH ELEVATION
A201 Scale: 1 : 100
0 5 m



04 EAST ELEVATION
A201 Scale: 1 : 100
0 5 m

WINDOWS & EXTERNAL WINDOW FRAMES: ALUMINIMUM; POWDER COAT FINISH, NIGHT SKY
WALL CLADDING: PROFILED STEEL SHEETING; COLORBOND FINISH, MONUMENT

EGL EXISTING GROUND LINE/LEVEL
FGL FINISHED FLOOR LINE/LEVEL
FFL FINISHED GROUND LINE/LEVEL

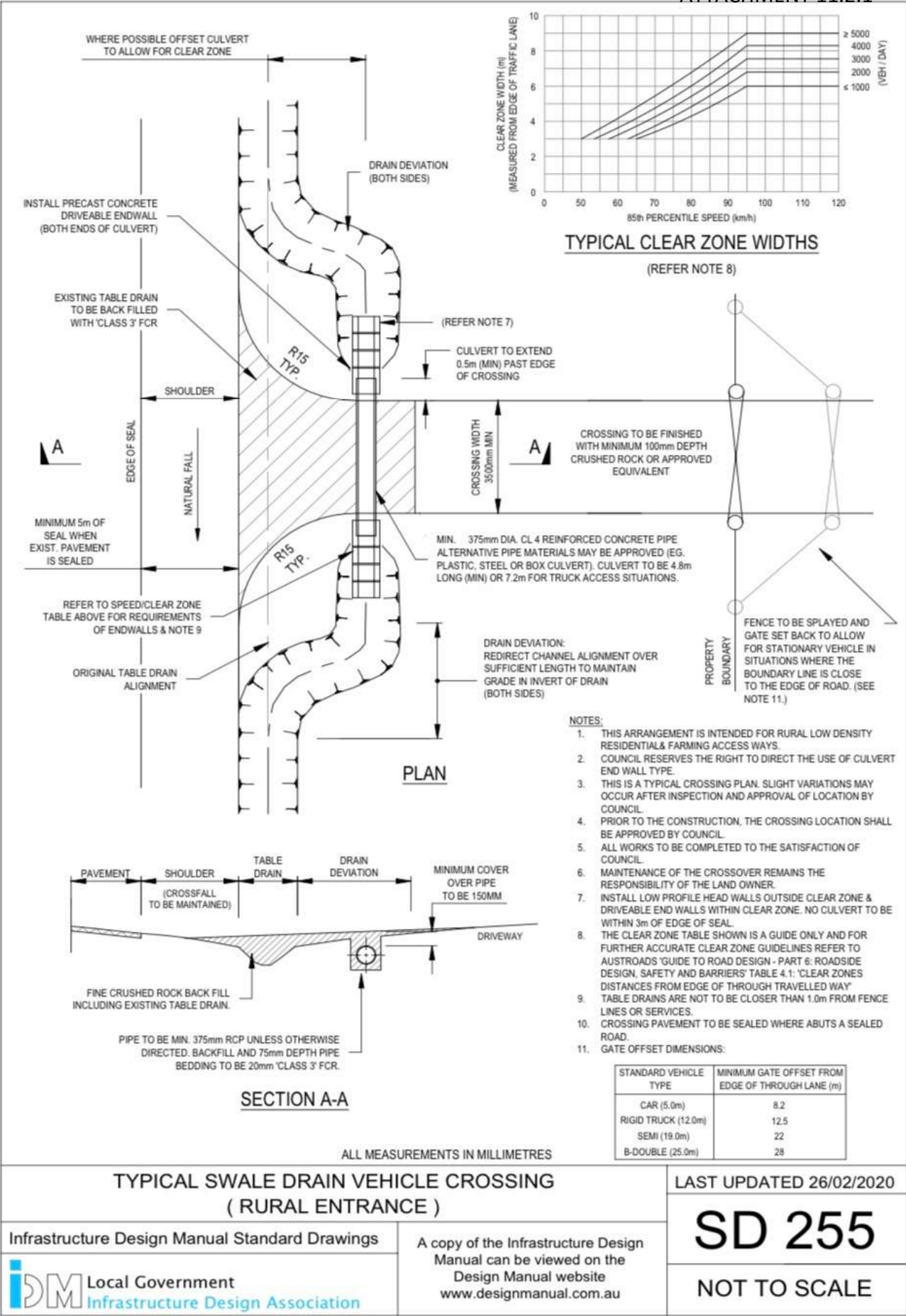
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PROJECT ADDRESS
LOT 4, 4719 MIDLAND HIGHWAY DAYLESFORD VIC 3460
PROJECT NO.
4-4719
PROJECT STAGE
PLANNING PERMIT

PROJECT NAME
NEW DWELLING
DATE ISSUED
05/04/2022

DRAWING NUMBER
A201
DRAWING TITLE
ELEVATIONS
REVISION
-



01 CROSSOVER DETAIL
A401 Scale: NTS

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PROJECT ADDRESS
LOT 4, 4719 MIDLAND HIGHWAY DAYLESFORD VIC 3460
PROJECT NO.
4-4719
PROJECT STAGE
PLANNING PERMIT
PROJECT NAME
NEW DWELLING
DATE ISSUED
05/04/2022

DRAWING NUMBER
A301
DRAWING TITLE
VEHICLE CROSSING DETAIL
REVISION
-

brad hooper architect

fraia | member ARCHITEAM | member ACA | vic 13521 | abn 44077185149
0418 105 954 | bradhooperarchitect@gmail.com | 35-37 main street maldon vic 3463

architecture / urban design / rural design / site planning / permit application & construction documentation / landscape / interiors

PLANNING REPORT

FOR

**NEW DWELLING: BUILDING AND WORKS IN ZONE &
OVERLAYS; CREATE ACCESS TO A ROAD ZONE; DWELLING
USE IN A FARMING ZONE ON A LOT LESS THAN THE AREA
SPECIFIED IN THE ZONE; REMOVAL OF NATIVE VEGETATION**

AT

LOT 4, 4719 MIDLAND HIGHWAY DAYLESFORD VIC 3460

PREPARED BY : BRAD HOOPER
ISSUE DATE : 31/03/2021

Planning report for

Buildings and works for a new dwelling together with associated works; new access to a road zone; buildings and works in several overlays.

Date

31/03/2022

Property details

| | | |
|----------------------------------|---|--|
| Address | : | LOT 4, 4719 MIDLAND HIGHWAY DAYLESFORD VIC 3460 |
| Lot and Plan Number | : | LOT 4 TP826164A |
| Standard Parcel Identifier (SPI) | : | 4\TP826164 |
| Local Government Area (Council) | : | HEPBURN |
| Council property number | : | 102703 |
| Planning Scheme | : | HEPBURN |
| Directory reference | : | VICROADS 582 G9 |

Title details

| | | |
|-----------------|---|--------------------------------|
| Title Volume | : | VOL 12297 FOL 880 |
| Derived from | : | PARENT TITLE VOL 09239 FOL 578 |
| Lot Number | : | 5 |
| Title Plan | : | TP826164 |
| Parish | : | WOMBAT |
| Township | : | - |
| Section | : | 3 |
| Crown Allotment | : | 1 (PT) & 4 (PT) |

Property description

| | | |
|-------------------|---|------------------------|
| Site area | : | 2.354 HA approximately |
| Dimensions | : | Refer to title plan |
| Easements | : | None |
| Adjoining streets | : | - |
| Terrain | : | Generally undulating |

Existing conditions

Vacant land. Largely vegetated with tall, open forest having some small clearings.

What is proposed

Construct a single storey dwelling together with associated works. Earthworks to form pad on for dwelling and rainwater tanks, to construct access driveway, and for wastewater treatment plant and dispersal field(s) are proposed. Clearing of vegetation for the works and to create a defensible space zone. Create access to Midland Highway.

What is not proposed

Non-permitted works and uses.

Planning permit history

There are no current planning permits.

Planning scheme summary

| | |
|-----------|--|
| Zone: | FARMING ZONE (FZ) |
| | SCHEDULE TO THE FARMING ZONE (FZ) |
| Overlays: | BUSHFIRE MANAGEMENT OVERLAY (BMO) |
| | ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO) |
| | ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 1 (ESO1) |
| | ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 2 (ESO2) |

The FZ, BMO & ESO cover the entire property.

Areas of Aboriginal Cultural Heritage Sensitivity

All or part of the lot is within, and is affected by one or more areas of cultural heritage sensitivity as described in the Aboriginal Heritage Regulations 2007. The site of the proposed buildings and works is within the area of cultural heritage sensitivity as shown on planning maps. The proposed activity is also exempt and so a Cultural Heritage Management Plan is not required.

Designated Bushfire Prone Areas

The lot is in a designated bushfire prone area. There is a Bushfire Management Overlay affecting the lot.

The planning controls affecting the land**Reference documents**

AS 3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009)
Building in bushfire-prone areas - CSIRO & Standards Australia (SAA HB36-1993, 1993)

10 PLANNING POLICY FRAMEWORK

The proposal meets the objectives of the relevant policies.

12 ENVIRONMENTAL AND LANDSCAPE VALUES

Particularly; that planning should protect, restore and enhance sites and features of nature conservation, biodiversity, geological or landscape value.

12.01-2S Native vegetation management

Particularly: that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

12.05-2S Landscapes

Particularly: to ensure development does not detract from the natural qualities of significant landscape areas.

12.05-2R Landscapes - Central Highlands

Particularly: to provide clear urban boundaries and maintain distinctive breaks and open rural landscapes between settlements.

13 ENVIRONMENTAL RISKS AND AMENITY

13.02-1S Bushfire planning

Particularly: identify bushfire hazard and undertake appropriate risk assessment.

14 NATURAL RESOURCE MANAGEMENT

14.01-2S Sustainable agricultural land use

Particularly: ensure agricultural and productive rural land use activities are managed to maintain the long-term sustainable use and management of existing natural resources.

14.02-1S Catchment planning and management

Particularly: retain natural drainage corridors with vegetated buffer zones at least 30 metres wide along each side of a waterway.

15 BUILT ENVIRONMENT AND HERITAGE

15.01 BUILT ENVIRONMENT

15.01-6S Design for rural areas

The proposal meets the objective: to ensure development respects valued areas of rural character.

15.02 SUSTAINABLE DEVELOPMENT

15.02-1S Energy and resource efficiency

The development meets the objective: to encourage land use and development that is energy and resource efficient, supports a cooler environment and minimised greenhouse emissions.

20 MUNICIPAL STRATEGIC STATEMENT

21.08 RURAL LAND USE & AGRICULTURE

The proposal meets the Objective 2: to ensure that development in rural areas address important local environment and landscape issues.

21.09 ENVIRONMENT & HERITAGE

The proposal meets Objective 2: to protect surface and groundwater quality at a local and regional level.

The proposal meets Objective 3: to protect remnant vegetation and habitat from unplanned loss while enhancing linkages between habitat areas.

The proposal meets Objective 4: to manage development where significant landscapes and landscape features could be adversely affected.

The proposal meets Objective 5: to manage development where bushfire behaviour is likely to pose a threat to life and property.

The proposal meets Objective 6: to encourage water and energy efficiency in all development, including subdivision, construction of buildings and infrastructure.

35.07 FARMING ZONE

Permit requirements.

35.07-1 Table of uses: A permit is not required for the use 'dwelling': subject to meeting the requirements of Clause 35.07-2; must be the only dwelling on the lot; and the lot must be at least the area specified in a schedule to this zone and if no area is specified the lot must be at least 40 hectares.

The development is for one dwelling.

The schedule to this zone locates the lot in Area 3 which has a minimum area of 20 hectares for which no permit is required to use land for a dwelling.

The lot area is 2.354 hectares. A permit is required as the lot is less than the area specified in the schedule to this zone.

35.07-2 Use of land for a dwelling: A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- Each dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available all wastewater from each dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

The development will meet the above requirements with: compliant emergency vehicle capable access; compliant wastewater treatment; potable water supply harvested on site; and on-site energy supply.

35.07-3 A permit is required to subdivide land.

No subdivision is proposed.

35.07-4 A permit is required to lease or license a portion of the lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation.

No such lease or licence is proposed.

32.06-5 A permit is required to construct or carry out:

- A building or works associated with a use in Section 2 of Clause 35.06-1. This does not apply to:
 - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension does not exceed the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.

No area is specified in the schedule.

- An outbuilding associated with an existing dwelling provided the floor area of the out-building does not exceed the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.

No area is specified in the schedule.

- A rainwater tank.

Rainwater tanks are proposed to be provided.

- Earthworks specified in a schedule to this zone, if on land specified in a schedule.

The proposed earthworks will not change the rate of flow of the discharge point of water across a property boundary.

- A building which is within any of the following setbacks:

- 100 metres from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1.

The development is setback more than 100 metres from the Road Zone Category 1.

- 40 metres from a Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2.

Not applicable.

- 20 metres from any other road.

Not applicable.

- 5 metres from any other boundary.

The development is located more than 5 metres from any boundary

- 100 metres from a dwelling not in the same ownership.

The proposed development is more than 100 metres from a dwelling on adjacent land.

- 100 metres from a waterway, wetlands or designated flood plain.

The proposed development is more than 100 metres from a waterway.

35.07-5 Decision guidelines

Is the land capable of accommodating the proposed use including the disposal of effluent?

Yes. As described in the Land Capability Assessment report separate to this document.

Does the use relate to sustainable land management?

Yes. Occupancy of the land will allow for management of fuel loads, invasive flora and fauna.

Is the use or development compatible with adjoining and nearby land uses?

Yes. There is a dwelling use proposed for the adjacent lot to the south, public land to the west vacant land to the north and farming land to the east. The use dwelling is not likely to cause nuisance and the adjoining uses will not cause nuisance to the dwelling.

Will the use or development support and enhance agricultural production?

No other than by housing potential consumers of local produce.

Will the use or development adversely affect soil quality or permanently remove land from agricultural production?

No. The land is not currently in agricultural production.

What are the agricultural qualities - soil quality, access to water, access to rural infrastructure - of the land?

The land does not have access to permanent water, soil quality for agricultural purpose is to be determined, the land abuts a main road.

Why is a dwelling a suitable use for the land?

The small lot size is an historical anomaly in the farming zone.

There is evidence of previous settlement on the immediately adjacent land in a ruined building and remnant planting from a formal garden. These lots may date from a subdivision and settlement pre-dating the current planning controls of zoning and overlays.

An appropriate use for a small anomalous lot is a properly serviced dwelling.

Will the dwelling use and development result in the loss or fragmentation of productive agricultural land?

No.

Will the dwelling be adversely affected by agricultural activities on adjacent and nearby land?

No. The required setback from the main road also provides for a vegetated buffer. Nearby agricultural activities are not intensive and are generally grazing.

Will the dwelling adversely affect the operation and expansion of adjacent and nearby agricultural uses?

No. There will be significant separation including with a main road, between the dwelling and nearby agricultural uses.

Will the dwelling use and development lead to a concentration or proliferation of dwellings in the area?

No. The extensive public lands surrounding the site are a protection against further subdivision and development.

Will the use dwelling prevent the use of the land for agriculture?

No. The land is forested and complete removal of the native vegetation is unlikely to be permitted and is not a desirable land use and planning outcome.

Will the use dwelling adversely affect the use of the land for agriculture?

No. The land is not suitable for agriculture in its current condition and it is unlikely to be used for agriculture.

Will the use dwelling encourage the retention of employment and population to support rural communities?

Yes. A dwelling will support an increase in local population which in turn will contribute to economic activity in nearby townships, in particular Daylesford. The dwelling may house school-age children who can attend and support local schools and associated institutions.

Will the dwelling use and development have a detrimental impact on the flora and fauna on the site and its surrounds?

Yes. The removal of vegetation cannot avoid an impact however the vegetation removal retains wildlife corridors across and around the cleared area. There is the potential for vegetation offsets. The proposed building site does not impact the watercourse - Wild Cat Creek - to the south.

Will the siting, design, height, bulk, colours and materials have any adverse impacts on the natural environment, major roads, vistas and water features?

No. The building has a low single-storey silhouette, a small and narrow footprint, will be clad in recessive dark coloured materials, is not in a vista line, is not near a water feature and will be separated from the main road by a vegetated buffer.

42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Permit requirements.

42.01-2 Permit requirement

A permit is required for the works.

42.03-1: A permit is required to:

- Construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.

The schedule to this overlay requires a permit for a dwelling not connected to a reticulated sewer system.

- Construct a fence if specified in the schedule to this overlay.
The schedule to this overlay does not require a permit for buildings and works for a sign or fence.
- Construct bicycle pathways and trails.
Not applicable.
- Subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.
Not applicable as no subdivision is proposed.
- Remove, destroy or lop any vegetation. This does not apply:
 - If a schedule to this overlay specifically states that a permit is not required.
 - If the table to Clause 42.01-3 specifically states that a permit is not required.
 - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.
The proposed buildings and works do include removal, destruction or lopping of native vegetation.

42.01-5 Decision guidelines

- The Municipal Planning Strategy and Planning Policy Framework
The development complies with the relevant objectives.
- The statement of environmental significance and the environmental objective contained in a schedule to this overlay: to protect the quality of domestic water supplies within the Shire and the broader region; to maintain and where practicable enhance the quality and quantity of water within watercourses; to prevent increased runoff or concentration of surface water leading to erosion or siltation of watercourses; to prevent erosion of banks, stream beds adjoining land and siltation of watercourses, drains and other features; to prevent pollution and increased turbidity and nutrient levels of water in natural watercourses, water bodies and storages.
The development: does not require or propose extensive earthworks liable to alter or concentrate the natural overland flows such that the risks of erosion and of eroded material being deposited into existing waterways; includes a secondary level wastewater treatment plant capable of dealing with all wastewater generated within the development and the land has area and capability to disperse the treated wastewater away from existing waterways; the development includes adequate storage for rainwater collected from the new roof area and any overflow from this storage is able to be dispersed away from existing waterways.
- The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.
Vegetation needs to be removed for the proposed works as the site for the proposed development is tall open forest.
- Any other matter specified in the schedule to this overlay particularly the Mandatory Requirement of the schedule to this overlay: all on-site wastewater must be treated and disposed of in accordance with the relevant EPA Code of Practice - On Site Wastewater Management; all stormwater must be managed and discharged to the satisfaction of the Responsible Authority and generally in accordance with the principles described in Urban Stormwater: Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999).

The development includes a secondary level wastewater treatment plant capable of dealing with all wastewater generated within the development and the land has area and capability to disperse the treated wastewater away from existing waterways as determined in Land Capability Assessment SR010721, June 7, 2021 by Ballarat Soil Testing; the development includes adequate storage for rainwater collected from the new roof area and any overflow from this storage is able to be dispersed away from existing waterways.

44.06 BUSHFIRE MANAGEMENT OVERLAY

Permit requirements.

44.06-2: A permit is required to construct a building or construct or carry out works associated with the followings uses:

- Accommodation (including a dependent person's unit).

The list of uses that follows accommodation is not applicable.

This does not apply to any of the following:

- If a schedule to this overlay specifically states that a permit is not required.
There is no schedule to this overlay.
- A building or works consistent with an agreement under Section 173 of the Act prepared in accordance with a condition of permit issued under the requirements of Clause 44.06-5.
Not applicable.
- An alteration or extension to an existing building used for a dwelling or a dependent person's unit that is less than 50 percent of the gross floor area of the existing dwelling.
There is no existing dwelling.
- An alteration or extension to an existing building (excluding a dwelling and a dependent person's unit) that is less than 10 percent of the gross floor area of the existing building.
There is no existing building.
- A building or works with a floor area of less than 100 square metres not used for accommodation and ancillary to a dwelling.
Not applicable.
- A building or works associated with timber production provided the buildings or works are not within 150 metres of accommodation or land zoned for residential or rural residential purposes.
Not applicable.

44.06-3: Application requirements:

- A bushfire hazard site assessment.
Provided as a separate document.
- A bushfire hazard landscape assessment.
Provided as a separate document.
- A bushfire management statement.
Provided as a separate document.

44.06-4: Requirements of Clause 53.02.

An application must meet all the requirements of Clause 53.02 unless the application meets all the requirements specified in a schedule to this overlay.

There is no schedule to this overlay.

44.06-8 Decision guidelines

- The Municipal Planning Strategy and Planning Policy Framework
The development complies with the relevant objectives.
- Any other matters specified in a schedule to this overlay.
There is no schedule to this overlay so no other matters.
- The decision guidelines in Clause 53.02 and Clause 65.

52.16 NATIVE VEGETATION PRECINCT PLAN

This clause does not apply to the land as a native vegetation precinct plan does not correspond to the land.

52.17 NATIVE VEGETATION**52.17-1 Permit requirement**

A permit is required to remove, destroy or lop native vegetation, including dead native vegetation.

The table to Clause 52.17-7 does not specifically state that a permit is not required. New dwellings in the Farming Zone have an exemption subject to conditions describing the maximum extent of native vegetation removed, destroyed or lopped in a five year period. The proposed development requires that the minimum extent is exceeded. Therefore a permit is required.

52.17-4 Decision guidelines

Refer to Clause 65.

Is issuing a permit orderly planning of the area?

Yes. As the land is unsuited for agricultural activities being too small and not previously used for agriculture, the least intrusive alternative use is dwelling.

Will the use have an detrimental affect on the amenity of the area?

No. It is a compatible use with abutting uses.

Are there any factors likely to cause or contribute to land degradation, salinity or reduce water quality?

No. The required earthworks are to a minimum, will not result in erosion or salinity issues and there are vegetated buffers between the development and waterlines.

Will the development maintain or improve the quality of stormwater within and exiting the site?

Yes. All stormwater captured on roofs and hard surfaces will be retained on site, mainly stored for domestic and fire-fighting uses.

Will native vegetation be protected, planted or allowed to regenerate?

Native vegetation will be cleared to the minimum extent necessary to create a defensible space around the dwelling. This will not be by wholesale clearing but by selective removal and lopping. The retained vegetation can then be managed and have under storey species revegetated along water lines and in appropriate locations beyond the defensible space zone.

What degree of flood, erosion or fire hazard is associated with the location of the land and the use and does the use, development or management of the land minimise any such hazard?

The land is not flood-prone, erosion risk is small given the terrain slopes and vegetated cover, the fire hazard of the land is typical for land in the locality. The fire risk is to be managed by creating a defensible space, following the bushfire management plan, designing to best practice for structures in bushfire-prone areas, and constructing strictly to the requirements of AS3959:2009 Construction of buildings in bushfire prone areas.

52.17-5 Offset requirements

If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset, in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP, 2017).

The applicant accepts such a condition on permit.

52.29 LAND ADJACENT TO A ROAD ZONE, CATEGORY 1, OR A PUBLIC ACQUISITION OVERLAY FOR A CATEGORY 1 ROAD**52.29-1 Application**

This clause applies to this application and the lot

52.29-2 Permit requirement

A permit is required to create or alter access to a road in a Road Zone Category 1.

52.29-3 Permit not required

None of the exclusions apply.

53.02 BUSHFIRE PLANNING

Provisions in this clause apply to the proposed development to construct one dwelling on a lot.

53.02-1 Application

Clause 53.02-4 applies to this application.

53.02-4 Bushfire protection objectives**53.02-4.1 Landscape, siting and design objectives**

Development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape.

The development site forest classified vegetation with forested to upslopes to north, west and forested downslope to south, and with modified vegetation - pasture - to the east across Midland Highway.

Development is sited to minimise the risk from bushfire.

There is maximum separation distance possible between the building and the bushfire hazard.

The building site is in close and direct proximity to road and is visible from the road for emergency services surveillance.

Development is sited to provide safe access for vehicles, including emergency vehicles.

The building site is in close and direct proximity to road and is visible from the road for emergency services surveillance. The building site is level with clear access and allows for manoeuvring of emergency vehicles

Building design minimises vulnerability to bushfire attack.

The buildings are simple in form with a minimum amount of re-entrant corners to capture embers. The construction of building elements in proximity to re-entrants/ember traps will be fire-resistant and non-combustible materials detailed to deflect embers and prevent entry to the building interior and cavities.

Approved measures

AM 2.1 *Will be met.*

AM 2.2 *Will be met.*

AM 2.3 *Will be met.*

53.02-4.2 Defendable space and construction objective

AM 3.1 *Table 2 Column A and Table 6 to Clause 53.02-5 adopted.*

AM 3.2 *Not applicable.*

53.02-4.3 Water supply and access objectives

AM 4.1 *Will be met.*

AM 4.2 *Not applicable.*

53.02-4.4 Subdivision objectives

Not applicable.

65 DECISION GUIDELINES

65.01 APPROVAL OF AN APPLICATION OR PLAN

65.01 Application

Clause 65.01 applies to this application.

This is not a VicSmart application.

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Lot 4, 4719 Midlands Highway, Daylesford

Land Management Plan 2022-2032



Report for Andrew Timms
October 2022



ACKNOWLEDGEMENTS

Beacon Ecological would like to acknowledge the following people for their contribution to the project:

- **Brad Hooper** (Bradley Hooper Architects) for site and project information.



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Report Version: FINLA V1 17 October 2022

Field assessment: Luke Hynes

Report: Luke Hynes

Photography: Luke Hynes

Mapping: Luke Hynes

Cover Photo: Vegetation within the property.

DISCLAIMER

The authors advise that the information presented in this report, including any management advice, has been prepared with all due diligence and care, and based on the best available knowledge and research.

However the author takes no responsibility for any loss, injury or financial damage resulting from the reliance and/or application of management advice provided in the report.



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1 INTRODUCTION

Beacon Ecological was engaged by [REDACTED] to provide a Land Management Plan (LMP) for Lot 4, 4719 Midlands Highway, Daylesford. A dwelling is proposed at the property which is currently vacant. This LMP is required to satisfy a request for further information from the Hepburn Shire Council to ensure that the property will be managed in a manner to avoid negative environmental impacts on adjoining Hepburn regional Park and agricultural land.

1.1 SCOPE OF WORKS

The following tasks were completed during the preparation of the LMP:

- **Background Review:** A review of government databases and websites pertaining to biodiversity modelling and mapping.
- **Field Assessment:** The study area was traversed and dominant flora species and general vegetation condition recorded.
- **Mapping:** Ecological values and items of interest were mapped using aerial photography and GPS technology. Mapping was undertaken by a qualified and experienced botanist.
- **Report Production:** The findings of the field assessment are documented in this LMP. Recommendations to mitigate threats and protect and enhance ecological values are also provided.

1.2 PROPERTY DETAILS

The property is located at Lot 4, 4719 Midlands Highway, Daylesford (Figure 1) and is an irregularly shape block of 2.35 hectares. The topography is undulating, gently sloping to the south with Wild Cat Creek crossing the southeast corner. The property is bounded by Midland Highway to the east, private property to the north and south and the Hepburn Regional Park to the west dominated by native vegetation.

The property is located within Farming Zone (FZ2) of the Hepburn Shire Council planning scheme and is covered by the Bushfire Management Overlay (BMO), Environmental Significance Overlay (ESO1 - Special Water Supply Catchment), Environmental Significance Overlay (ESO2 – Mineral Springs and Groundwater Protection), (DELWP 2022a). The property is within the Goldfields Bioregion and North Central Catchment Management Authority Boundaries (DELWP 2022b).

2 METHODOLOGY

2.1 LITERATURE REVIEW

Relevant literature, such as Department of Environment, Land, Water and Planning (DELWP) modelling, Bioregional EVC mapping, benchmarks and relevant policies and legislation were reviewed as part of the assessment (DELWP 2022b, DELWP 2022c). *Lot 4, 4719 Midlands Highway, Daylesford. Proposed Site Plan and Bushfire Management Plan* (Brad Hooper Architects 2022) was also reviewed.

Aerial photography was used in conjunction with GIS technology to develop figures of the study area and during the field assessment (Figure 2).

2.2 FIELD ASSESSMENT

The study area was traversed on foot by a qualified and experienced botanist, Luke Hynes, on 14 September 2022 to record dominant flora species and land management issues. Flora nomenclature follows *the Victorian Biodiversity Atlas* (DELWP 2022d).

2.3 LIMITATIONS

Field surveys provide an indication of what is present at the time of survey (i.e. a 'snapshot') and as such may not include species that may be dormant or absent due to seasonal or climatic conditions. For example, annual grasses, herbs and geophytes will often be undetected between the end of one season and the beginning of the next season's growth.

A fauna survey was not included in the scope of works, however an assessment of habitat within the study area was undertaken.

The field assessment and review of existing relevant information is considered sufficient to provide an indication and assessment of the ecological values and land management issues within the study area.

3 RESULTS

3.1 VEGETATION ASSESSMENT

Pre-1750 (prior to European settlement) EVC modelling and 2005 (extant) mapping indicates that the property is likely to be dominated by Heathy Dry Forest (EVC 20) in the north, Grassy Dry Forest (EVC 22) through the centre and Valley Grassy Forest (EVC 47) in the southeast (DELWP 2022a).

The field visit revealed that the property is dominated by native vegetation displaying affinities to Grassy Dry Forest (EVC 22) with Valley Grassy Forest (EVC 47) in the southeast corner (Figure 2). See below for a description of vegetation noted within the property.

Grassy Dry Forest

EVC Number: 22

Grassy Dry Forest typically occurs on a variety of gradients and altitudes and on a range of geologies. The overstorey is dominated by a low to medium height forest of eucalypts to 20 metres tall, sometimes resembling an open woodland with a secondary, smaller tree layer including a number of *Acacia* species. The understorey usually consists of a sparse shrub layer of medium height. Grassy Dry Forest is characterised by a ground layer dominated by a high diversity of drought-tolerant grasses and herbs, often including a suite of fern species (DELWP 2022b).

Within the property this vegetation type is dominated by an overstorey of Messmate *Eucalyptus obliqua* in association with Candlebark *Eucalyptus rubida* and Narrow-leaved Peppermint *Eucalyptus radiata* over a sparse native shrub layer comprising Cherry Ballart *Exocarpos cupressiformis* and Silver Wattle *Acacia dealbata* (Plate 1). The understorey is dominated by native species including Austral Bracken *Pteridium esculentum*, Wattle Mat-rush *Lomandra filiformis*, Kidney Weed *Dichondra repens*, Geranium *Geranium* spp., Weeping Grass *Microlaena stipoides*, Mountain Clematis, *Clematis aristata*, Common Raspwort *Gonocarpus tetragynus*, Variable Stinkweed *Opercularia varia* and Native Violet *Viola hederacea*. Introduced species are restricted to scattered Sweet Vernal Grass *Anthoxanthum odoratum* and Blackberry *Rubus fruticosus* spp. agg. seedlings



Plate 1. Relatively intact Grassy Dry Forest within the property.

Valley Grassy Forest

EVC Number: 47

Valley Grassy Forest occurs under moderate rainfall regimes of 700-800 millimetres per annum on fertile well-drained colluvial or alluvial soils on gently undulating lower slopes and valley floors. The tall, open overstorey to 20 metres tall may carry a variety of eucalypts, usually species which prefer more moist or more fertile conditions over a sparse shrub cover. In season, a rich array of herbs, lilies, grasses and sedges dominate the ground layer but at the drier end of the spectrum the ground layer may be sparse and slightly less diverse, but with the moisture-loving species still remaining (DELWP 2022b).

Valley Grassy Forest was noted in the southeast of the property (Figure 2). This vegetation type is dominated by an overstorey of Candlebark over a sparse native tree cover including Blackwood *Acacia melanoxylon* and Silver Wattle (Plate 2). The understorey is dominated by native species including Tussock Grass *Poa labillardierei*, Weeping Grass, Kidney Weed, Native Violet, Hidden Violet *Viola cleistogamoides*, Austral Bracken, and Groundsel *Senecio* spp. Introduced species includes scattered Sweet Vernal Grass *Anthoxanthum odoratum* and a dense Blackberry infestation extending over the property boundary to the south. A small infestation of Bunchflower Daffodil *Narcissus tazetta* was also noted adjacent to the blackberry infestation.



Plate 2. Valley Grassy Forest vegetation within the property.

4 LAND MANAGEMENT ACTIONS

The objective of the plan is to protect and enhance the ecological values of the property while integrating this with a domestic living zone. Key conservation actions include weed control.

The following land management recommendations detail values and/or threats to values within the study area and actions to protect and enhance ecological values during and post construction. To allow for the straightforward application of land management actions, information below is also listed in table form in Section 5 detailing the following information:

- **Objective:** What is hoped to be achieved.
- **Threat:** What is threatening the objective.
- **Impact:** The potential/actual impact of the threat.
- **Cause:** The source of the threat.
- **Action:** Action to ameliorate the threat and achieve the objective.
- **Measurable Target:** Action outcome that can be easily assessed.
- **Timing:** The timing of the action.

The property has been split into two zones to assist with planning: Domestic Zone and Conservation Zone (Figure 2). These zones have been determined to best separate the domestic activities from conservation activities.

Domestic Zone:

- **Location:** Includes the building envelopes, defensible space associated with bushfire management, effluent disposal areas, landscaping, sheds and pools etc.
- **Objective:** To be used as a residential area including dwelling, landscaping, pools, vegetable gardens.

Conservation zone:

- **Location:** Areas of environmental importance such as remnant vegetation and waterways.
- **Objective:** To protect and enhance ecological values.

4.1 CONSTRUCTION (DOMESTIC ZONE)

Ecological values must be protected during any construction periods. All contractors should be made aware of ecological values on site and penalties imposed for contractors that disturb areas of native vegetation.

Management Actions

During the construction of the proposed dwelling the following actions are recommended to protect retained native vegetation:

1. Exclusion areas and 'no go' zones must be established and protected around areas of existing native vegetation and proposed revegetation. Stockpiles,



machinery and personnel rest areas must be placed in designated areas away from native vegetation.

2. All vehicles, earth-moving equipment and other machinery must be cleaned of soil and plant materials before entering and leaving the site to prevent the spread of weed and soil and plant pathogens such as *Phytophthora cinnamomi*;
3. Inform any contractors of ecological values on site. Drainage lines and damp depressions are areas of ecological value or pathways to areas of ecological values (marine areas).
4. Ensure waste, skips and personnel rest areas are located away from drainage areas to prevent accidental movement of rubbish and construction materials within waterways.
5. Sedimentation and erosion controls must be undertaken to EPA standards (EPA 1991).
6. Ensure that any landscaping is undertaken using locally indigenous species.

4.2 BUSHFIRE MANAGEMENT REQUIREMENTS (DOMESTIC ZONE)

As a Bushfire Management Overlay under the Hepburn Shire Planning Scheme covers the study area, several vegetation management actions are required within a defendable space around the proposed development to reduce risks associated with bushfire threat (Figure 2). The defined defendable space is to be maintained as per requirements in *Lot 4, 4719 Midlands Highway, Daylesford. Bushfire Management plan* (Brad Hooper Architects 2022) and Figure 2:

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level

Management Actions

1. Manage defendable space zone as per requirements.

4.3 DOMESTIC CATS AND DOGS (DOMESTIC ZONE)

Domestic dogs and cats may cause injury and death of native fauna if allowed to roam freely. In some cases the scent left by domestic dogs in bushland areas may discourage native animals from undertaking natural activities.

Roaming domestic cats do tremendous amounts of damage to local wildlife populations. Putting a bell on your cat can help although keeping it inside or building an outdoor caged area for domestic cats is preferable.

Management Actions

1. Ensure that any domestic pets are under effective control and kept out of the area of native vegetation.
2. Monitor for roaming domestic dogs and cats and relocate accordingly (i.e. RSPCA, local vet, animal hospital or pound).

4.4 FAUNA HABITAT (CONSERVATION ZONE)

Areas of native vegetation provide habitat for a variety of native fauna. This habitat includes trees with hollows (dead or alive), fallen logs, branches and organic litter and should be protected to enhance and protect local fauna populations. Collection of fallen logs for firewood purposes should be kept to a minimum and for personal use only.

Management Actions

1. Continue to maintain habitat by retaining rocks, fallen logs and branches, dead trees and trees to provide refuge for fauna species.

4.5 PEST ANIMALS (CONSERVATION ZONE)

While considered low threat at the time of survey, pest animals that may visit the study area are likely to include foxes and feral cats although in low numbers. These animals can cause serious environmental damage through overgrazing causing erosion and biodiversity loss, and predation on native fauna. Any effort to control pest animals within the study area must utilise multiple strategies and be undertaken in a coordinated manner with adjacent landholders to ensure the most effective control possible.

Local action groups may be able to assist in the implementation and coordination of pest animal control.

All methods must comply with relevant agricultural chemical, animal welfare and firearms legislation and be undertaken by appropriately qualified and experienced operators.

Fox Control:

- Baiting: A program using baits several a year, with bait replacement until the take is reduced, is an effective and environmentally conscious form of fox control in most rural areas. Any baiting programs should be implemented in conjunction with neighbouring properties.
- Fencing: Fox-proof fencing is effective for small areas only due to cost and requiring regular maintenance.

- Shooting: Shooting foxes can be beneficial, however it is likely to remove only a small proportion of the local population. Spotlighting can also underestimate fox populations and only foxes that are easily seen are shot.
- Den fumigation: Where den locations are known, fumigation is an efficient way to destroy cubs using carbon monoxide gas.
- Soft Jaw and Cage Trapping: Trapping may be useful for the control of nuisance animals but often not as effective as other fox control methods.

Feral Cat:

- Feral cat control methods are generally restricted to cage trapping for euthanasia or shooting.

Management Actions

1. Monitor rabbit, fox and feral cat populations and take the most appropriate action accordingly. Control of pest animals is most effective when undertaken in conjunction with neighbouring properties.

4.6 PEST PLANTS (ALL ZONES)

Invasive pest plant cover is generally low across the study area. One *regionally controlled* noxious weeds listed under the *Catchment and Land Protection Act 1994*, Blackberry was noted within the study area, non-listed weeds should also be controlled and monitoring for new and emerging weeds should be undertaken, particularly post construction.

Two weed species, Blackberry and Bunchflower Daffodil should be targeted for control:

Blackberry: was noted as small infestations within native vegetation and a larger infestation on the southeast property boundary. Smaller plants may be removed by hand or spot sprayed with herbicide. Control should be applied during Spring and Autumn. As the larger infestation is located within the Wild Cat Creek, care must be taken with herbicides and mechanical removal maybe be a preferred method. Cover of this species will be reduced to less than 1% across the property within 5 years of implementing this plan and maintained at this level.

Bunchflower Daffodil: was noted as a small infestation on the southeast boundary of the property. Given the small size of this infestation, this species can be controlled by hand removing plants, ensuring that all bulbs are removed.

Monitoring of pest plants is vital, as controlling new and emerging weed infestations is considerably more cost effective than controlling established infestations.

Issues to consider when planning and implementing weed control

Timing: Timing of control is critical, as weeds should be controlled before they set seed or spread vegetatively, and when they are at the weakest point of their life cycle. This is often during the flowering period of early spring. Ongoing weed control works are required during spring and autumn, over several years to ensure removal.



Weed Vectors: When controlling weeds, it is important to identify the potential source of the infestation and how weeds are moving across the landscape. Land managers should be aware of weed vectors and act appropriately to avoid reinfestation or spreading of weeds. Correct removal of any pulled or cut weed material must be undertaken to avoid spread and contamination. In situations where invasive weed sources lie outside of the study area it may be appropriate to contact neighbouring landowners to discuss coordinated control.

Native Vegetation: Off-target damage to native vegetation must be avoided. This particularly applies to the use of spray herbicides and access routes to controlled sites (i.e. trampling by contractors and vehicles). Impacts can be minimised by using qualified contractors who are experienced in flora identification and are aware of the ecological values within the study area.

Annual Works Plans: Annual works plans for weed control must be created to allow for the straightforward control of weeds. Works plans must include information such as the timing of control, species to be controlled, location, and preferred control method.

Monitoring and Evaluation: Monitoring and evaluation is necessary to ensure control programs are effective. Recording management actions including dates, type of management, and costs can be used in the evaluation process and are useful as a reference tool for future control.

Management Actions

1. Create annual works plans to treat pest plants within the study area.
2. Continue to implement annual works plan and control weeds using appropriately qualified personnel.
3. Record all weed control works.

4.7 EROSION (ALL ZONES)

The study area is located on sandy, sloping topography and may suffer from erosion and associated problems if not managed appropriately. Erosion is caused through clearing vegetation and overgrazing by stock and/or pest animals. To avoid erosion, groundcover of vegetation should be maintained as close as possible to 100 % including within Bushfire Management Overlay defendable space zones.

Management Actions

1. Maintain adequate cover of vegetation across the site.

4.8 REPORTING AND REVIEW (ALL ZONES)

Following the completion of the dwelling, the landholder will be required to submit a yearly site condition report for each year, for the next five years and thereafter at the reasonable request of the relevant authority. Reports are to be submitted prior to the anniversary date of the endorsement of the Land Management Plan. Landowners must submit photographs that clearly depict management actions undertaken for the previous year. The following must be included in the yearly site condition report:

- Permit holder



- Planning permit number
- Reporting year (1-5)
- Date report is submitted
- Who completed the report
- Condition of site against each management commitment
- Actions taken during the year to achieve the management commitment
- Provide photographs.

Management Actions

1. Reporting and review of this management plan and management actions completed is to occur yearly for the first five years and thereafter at the reasonable request of the relevant authority.

5 LAND MANAGEMENT ACTION TABLE

The table below details management actions from Section 4 and lists them by priority.

| Zone | Objective | Threat | Impact | Cause | Action | Measurable Target | Timing |
|--------------------------|--|---------------------------|--|---|--|---|--|
| Domestic Zone | Protect and enhance native vegetation | Construction | Inadequately informed contractors cause impacts to ecological values | Lack of information, education and awareness | Ensure all contractors are informed of ecological values off site Sedimentation and erosion controls to be undertaken to EPA standards (EPA 1991) | No damage to ecological values. | Prior and during and post construction |
| | | Inappropriate landscaping | Ne weed species impact on Conservation Zone | Introduction of weed species as part of landscaping | Any landscaping is to be undertaken using locally indigenous species | Landscaping implemented using locally indigenous species | Ongoing |
| | Protect human life and study area from bushfire threat | Bushfire | Loss of life, assets and biodiversity | Inadequately maintained bushfire protection measures | Maintain vegetation within defendable space zones as per requirements. | Defendable space maintained as per requirements. | Created prior to cabin construction with ongoing maintenance |
| | Protect and enhance local fauna populations | Domestic Pets | Predation of native fauna, disruption to natural ecological processes | Inadequate control of domestic animals. | Ensure domestic dogs and cats are kept under effective control at all times | No free ranging domestic pets at any time. | Ongoing |
| Conservation Zone | Protect and enhance native vegetation | Pest Plants | Pest plant invasion can replace native plants and inhibit ecological processes | Human vectors and natural movement through birds, wind and water borne seeds. | Monitor for pest plants within areas of native vegetation and control existing weed species, particularly Blackberry and Bunchflower Daffodil. | Cover of Blackberry reduced to less than 1% across property. Bunchflower Daffodil eradicated from property. | Implement annual control during autumn and Spring. Target achieved within 3 years and maintained thereafter. |

| Zone | Objective | Threat | Impact | Cause | Action | Measurable Target | Timing |
|-----------|---|--|---|--|--|---|--|
| | Protect and enhance local fauna populations | Pest Animals | Predation of native fauna, disruption to natural ecological processes | Inadequate control of pest animals. | Monitor fox, and feral cat populations and take appropriate action accordingly. | Pest animal levels continue to be negligible. | Monitor annually and implement appropriate control when required. |
| | | Habitat destruction | Loss of habitat for local fauna | Habitat removed or destroyed through inappropriate management | Maintain habitat by keeping rocks, fallen logs and branches, dead trees and trees with hollows to provide homes for fauna species. | Fauna habitat not damaged. | Ongoing |
| All Zones | Prevent invasion of new pest plants | Introduction of pest plants during construction and beyond | Invasion and displacement of native vegetation by weed species | Inadequate vehicle hygiene. Importation of weed seed through construction materials (gravel, soil, sand) | Ensure all vehicles undergo appropriate hygiene treatment before entering the study area. Ensure any gravel or other materials brought to the study area is free of weed seed. | No new pest plant infestations. | During construction and ongoing |
| | Prevent erosion and landslips | Erosion, Increased water turbidity, landslips | Loss of topsoil, land use and degradation of land | Vegetation removal | Ensure adequate cover of vegetation is retained in slashed areas. | No landslips. | Ongoing |
| | Meet reporting requirements | Non-compliance to LMP | Compliance actions | Lack of reporting | Implement reporting | Reporting completed | Annually for years 1-5 and then at reasonable request by the relevant authority. |

6 FIGURES



Figure 1: Study area location

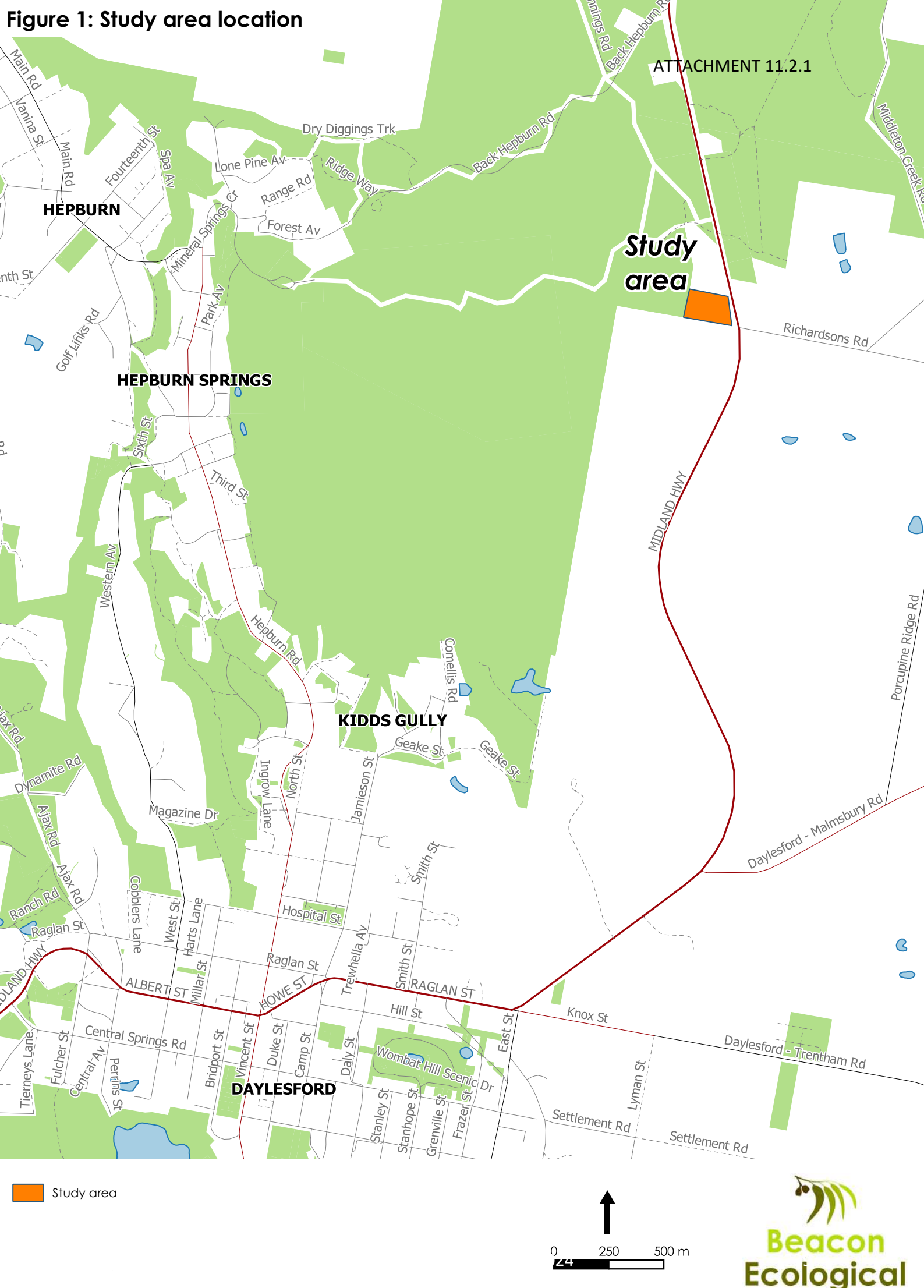
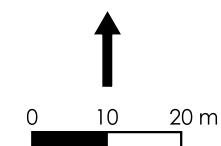


Figure 2: Management actions

ATTACHMENT 11.2.1

MIDLAND HWY



7 REFERENCES

Brad Hooper Architects 2022. *Lot 4, 4719 Midlands Highway, Daylesford. Proposed Site Plan*

DELWP 2022a. Department of Environment, Land, Water and Planning website
www.land.vic.gov.au

DELWP 2022b. Nature Kit. Website
www.depi.vic.gov.au

DELWP 2022c. Department of Environment, Land, Water and Planning Ecological Vegetation Class Benchmarks by Bioregion website
www.land.vic.gov.au

DELWP 2022d. Victorian Biodiversity Atlas
<https://vba.dse.vic.gov.au/>.

DPI 2008. *Declared Noxious Weeds – Listed by Scientific Name*. Department of Primary Industries, Geelong, Victoria

EPA 1991 *Construction Techniques for Sediment Pollution Control*. Published by Environmental Protection Agency Victoria.



LAND CAPABILITY ASSESSMENT

ATTACHMENT 11.2.1 Ballarat Soil Testing

*Specialising in building site soil classification
& land capability assessments*

ABN 24 586 140 741

| | |
|---------------------------------|--|
| SUMMARY: | |
| Secondary treatment device | Aerated Water Treatment System (AWTS) |
| Land application system | Subsurface irrigation system of 360m ² The drip irrigation system needs to be installed at a depth of 150-250mm <i>in situ</i> or in imported good quality topsoil with a 1m spacing between lines |
| Loading rate | 600L/day |
| Soil category (AS/NZ 1547:2012) | 5b - light silty clay |
| Design irrigation rate (DIR) | 3mm/day |

| | |
|--------------|-----------------|
| JOB: | |
| Reference No | AS110822 |
| Date | August 15, 2022 |

| | |
|----------------------|--|
| SITE: | |
| Proposed development | New dwelling with onsite wastewater treatment system |
| Property address | Lot 4 - 4719 Midland Highway, Daylesford |
| Shire council | Hepburn Shire Council |

| | |
|----------------------|---|
| PREPARED FOR: | |
| Client name | |
| Address | c/o Brad Hooper Architect 35-37 Main Street, Maldon VIC 3463 |

| | |
|---------------------|-------------------------------|
| PREPARED BY: | |
| Geologist | S. O'Loughlin |
| Address | 313 Scott Street, Buninyong |
| Telephone | 0419 536 910 |
| Email | ballaratsoiltesting@gmail.com |

| REVIEW: | DATE: | DETAILS: |
|---------|-----------------|------------------------------|
| A | August 15, 2022 | Initial draft for submission |
| B | | |
| C | | |
| D | | |
| E | | |
| F | | |

| | | |
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When a property developer, potential buyer or land holder considers subdividing land or building one or more premises, they must first determine whether wastewater can be sustainably managed and absorbed by the land within the property boundaries without negatively impacting the beneficial uses of surface waters and groundwater.

It is the responsibility of the property owner to prove to Council that the proposed onsite wastewater treatment and recycling system will operate sustainably on the property without adverse impacts on public health or the environment.

The objective of this investigation is to conduct a Land Capability Assessment (LCA) and propose a suitable type of onsite wastewater management system for the proposed residential development at the above address.

This document provides a detailed LCA for the allotment, information about the site and soil conditions along with monitoring and management recommendations.

This report has been written to comply with all relevant and current Victorian legislation, guidelines, codes and standards, including:

- AS/NZS 1547:2012, Onsite domestic wastewater management;
- AS/NZS 1547:1994, Onsite domestic wastewater management;
- Code of Practice Onsite Wastewater Management, Publication No. 891.4, July 2016, Environmental Protection Authority;
- Land Capability Assessment for Onsite Domestic Wastewater Management, Publication 746.1, March 2003, EPA Victoria;
- Victorian Land Capability Assessment Framework, January 2014, Municipal Association of Victoria.

Exclusion of liability:

- Please be advised, it is the property owner's responsibility when applying for a Planning Permit or Septic Tank Permit, or a consultant might lodge an LCA if they are acting on behalf of the property owner to obtain a Planning or Septic Tank Permit should the property owner direct the consultant to do so.
- It is the responsibility of the property owner to prove to Council that the proposed onsite wastewater treatment and recycling system will operate sustainably on the property without adverse impacts on public health or the environment.
- This LCA document does not substitute a Planning Permit or Septic Tank Permit nor does it provide guidance or recommend the suitability of an allotment for purchase. That is the responsibility of the client. Ballarat Soil Testing assumes no responsibility for the decision of the client to purchase an allotment.

2 Locality and site description

ATTACHMENT 11.2.1

2.1 The site

| | Site shape, dimensions, size, gradient and drainage |
|-------------------------------|--|
| The site has a total area of: | 2.354 ha |
| The ground surface is: | Undulating hilly site. |
| The gradient of the site is: | Moderate slope falling to south across proposed effluent field area. |
| The drainage on site is: | Fair |

| | Existing use and development on the site |
|---|--|
| The current use of the site is: | Vacant |
| The buildings or works located on the site are: | None |

| | Existing access arrangements |
|--|--------------------------------------|
| The main vehicle access to the site is provided from: | None |
| The space available for vehicle maneuverability can be considered: | Poor due to extensive tree coverage. |
| The site is located: | Please refer to Appendix 1. |

| | Existing vegetation |
|---|---|
| Describe the vegetation on the site, including the type, location, extent and any other relevant information: | Extensive native forest across entire site. |

2.2 The locality and surrounding land

| | Existing use and development on adjacent sites |
|---|--|
| Describe the land and existing land uses around the subject land: | FZ - Farming Zone. |

3 Proposed development

ATTACHMENT 11.2.1

3.1 Construction

| | Building |
|---|---|
| The proposed building on site is: | New dwelling with onsite wastewater treatment system. |
| The number of bedrooms/study is proposed to be: | Three (3) bedrooms. |
| The maximum occupancy is proposed to be: | Four (4) persons. |

3.2 Wastewater

| | Target effluent quality |
|------------------------------|--|
| Wastewater system: | Aims to achieve the target effluent quality of BOD <20 mg/L and SS <30mg/L. |
| Anticipated wastewater load: | <p>Daily household wastewater generation is estimated by multiplying the potential occupancy, which is based on the number of bedrooms (plus one person), by the Minimum Wastewater Flow Rates.</p> <p>Assessments should include any additional room(s) shown on the house plan such as a study, library or sunroom that could be closed off with a door, as a bedroom for the purposes of the following calculations.</p> <p>Assuming construction of a new three-bedroom dwelling, water-saving fixtures, four (4) people maximum occupancy and wastewater generation of 150L/day/person.</p> <p>Therefore: Total Design Load = 600L/day.</p> |

3.3 Intended water supply and sewer source

| | Services |
|-----------------------|--|
| Domestic water supply | Reticulated water supply is not likely to be provided. |
| Availability of sewer | No town sewerage system is likely to be connected. |

4 Site and soil assessment

ATTACHMENT 11.2.1

4.1 Work undertaken

| | Assessment |
|-----------|--------------------|
| Assessor: | Stephen O'Loughlin |
| Date: | May 13, 2021 |

4.2 Site assessment

| Feature | Description | Level of constraint | Mitigation measures |
|--|--|---------------------|--|
| Aspect (affects solar radiation received) | South | Major | Numerous trees to be removed in proposed dwelling and effluent field area to cater for bushfire management requirements. |
| Climate (difference between annual rainfall and pan evaporation) | Excess of rainfall over evaporation in the wettest months | Major | An additional 20% has been added to the design of the Land Application Area to account for the heightened rainfall risk at this location. |
| Erosion (or potential for erosion) | Nil | Nil | NN |
| Exposure to sun and wind | Limited patches of light and little wind to heavily shaded all day | Major | Numerous trees to be removed in proposed dwelling and effluent field area to cater for bushfire management requirements. |
| Fill (imported) | No fill | Nil | NN |
| Flood frequency (ARI) | Less than 1 in 100 years | Nil | NN |
| Groundwater bores | Setback distance from bore complies with requirements in EPA Code of Practice 891.4 (as amended) | Moderate | Groundwater bores in allotment to the north are further than the required 20 metres from any proposed effluent field area. |
| Land area available for LAA | Exceeds LAA and duplicate LAA and buffer distance requirements | Nil | NN |
| Landslip (or landslip potential) | Nil | Nil | NN |
| Rock outcrops (% of surface) | <10% | Nil | NN |

| | | | |
|--|---------------------------------|-----|-------------------------|
| Slope Form (affects water shedding ability) | Convex or divergent side-slopes | Nil | ATTACHMENT 11.2.1 NN |
|--|---------------------------------|-----|-------------------------|

| | | | |
|--|--|----------|--|
| Slope gradient (%) for subsurface irrigation | <10% | Nil | NN |
| Soil Drainage (qualitative) | Some signs or likelihood of dampness | Moderate | An additional 20% has been added to the design of the Land Application Area to account for the heightened rainfall risk at this location. |
| Stormwater run-on | Low likelihood of stormwater run-on | Nil | NN |
| Surface waters - setback distance (m) | Setback distance complies with requirements in EPA Code of Practice 891.4 (as amended) | Nil | The proposed effluent field will be at least 80m to the north of Wild Cat Creek. |
| Vegetation coverage over the site | Plentiful vegetation with healthy growth and good potential for nutrient uptake | Nil | Grasses and/or water tolerant plants to be planted in proposed effluent field area. |
| Soil Drainage (Field Handbook definitions) | Moderately well drained. Water removed somewhat slowly in relation to supply, some horizons may remain wet for a week or more after addition | Moderate | Shallow subsurface irrigation recommended with an additional 20% area added to the design of the Land Application Area to account for the heightened soil drainage and rainfall risk at this location. |

*NN: not needed

4.3 Soil key features

The site's soils have been assessed for their suitability for onsite wastewater management by a combination of soil survey and desktop review of published soil survey information as outlined below.

4.4 Geology

| | Geological mapping |
|-------------------------|--|
| Geological Survey Code: | Occ |
| Description: | Sandstone, slate: moderately to well sorted, variably rounded quartz with minor feldspar and lithic grains in quartz silt or clay matrix; minor quartz granule conglomerate; thin to very thick bedded; black fossiliferous shales; slightly weathered to partly kaolinised giving white, ochre and red tones; deep marine turbidites and hemipelagic sedimentary rocks. |
| Reference: | OSBORNE, C.R., BIBBY, L.M., WILLMAN, C.E. & MAHER, S., 2002. Daylesford 1:50,000 geological map. Geological Survey of Victoria. |

| | DPI Search for Mine Hazard results |
|---|---|
| Department of Primary Industries records: | "indicate that there may have been mining activity on this site and that there may be evidence of that activity remaining on this site. This evidence may include mine openings." |

4.6 Soil

| | Soil conditions |
|--|---|
| The predominant soil profile on site is: | Light silty clay. |
| Sample hole results: | Please refer to Attachment 4 for sample hole results. |

4.7 Soil profile determination

| | Assessment |
|----------------------------------|--|
| Field work | One (1) borehole was established and excavated in the area of the proposed wastewater management system. |
| Method of drilling or excavation | Hand-held auger. |
| Method of classification | The soil was classified according to AS/NZS 1547-1994/2012 while considering Daylesford's wet temperate climate. |
| Site and test plan | Please refer to Attachment 2. |
| Reporting | Please refer to Attachment 4. |

4.8 Soil assessment

| Feature | Assessment | Level of Constraint | Mitigation Measures |
|---------------------------------|------------------------|---------------------|--|
| Soil category (AS/NZ 1547:2012) | 5b – light silty clay. | | |
| Soil depth | Topsoil: 200mm | Minor | Shallow subsurface irrigation in topsoil recommended |
| | Subsoil: >200mm | Minor | NN |

| | | | |
|--|---|--------------|--|
| Soil Permeability & Design Loading Rates | Subsoil: 5b – light silty clay: 0.06 - 0.12m/day saturated conductivity (K_{sat}) (AS/NZS1547:2012); 3mm/day Design Irrigation Rate (DIR) for irrigation system (Code of Practice, 2016). | Moderate | ATTACHMENT 11.2.1 Use conservative DIR = 2mm/day in calculations. |
| Mottling | Very well to well-drained soils generally have uniform brownish or reddish colour | Nil | NN |
| pH | 5.5 - 8 is the optimum range for a wide range of plants | Nil | NN |
| Rock Fragments | 0 - 10% | Nil | NN |
| Soil Depth to Rock or other impermeable layer | >1.5 m | Nil | NN |
| Soil Structure (pedality) | Moderately-structured | Nil | NN |
| Soil Texture, Indicative Permeability | 5b | Major | Use conservative DIR = 2mm/day in calculations. |
| Watertable Depth (m) below the base of the LAA | >2m | Nil | NN |

4.9 Groundwater Assessment

| | Visualising Victoria's Groundwater Data Search |
|--------------|--|
| VVG records: | Groundwater depth: 20 to 50m Groundwater salinity: 500 - 1000mg/L |

4.10 Victorian Planning Provision – Overlays

| Overlay | Assessment |
|---|---|
| Planning Zone: | FZ - Farming Zone |
| Planning Overlay: | BMO - Bushfire Management Overlay ESO1 - Environmental Significance Overlay <ul style="list-style-type: none"> Schedule 1 - Special water supply catchment protection ESO2 - Environmental Significance Overlay <ul style="list-style-type: none"> Schedule 2 - Mineral springs and groundwater protection |
| Declared Special Water Supply Catchment Area: | Cairn Curran Reservoir. |

The overall land capability of the proposed effluent management area is constrained due to the following site features and soil assessment:

- Climate - difference between annual rainfall and pan evaporation
- Soil drainage
- Soil texture and permeability.

The site is also in the Cairn Curran Declared Special Water Supply Catchment Area.

However, the effluent management system will be designed, installed and maintained in ways which will mitigate these factors.

The proposed effluent management area is located above the 1:100 flood level and by using secondary treatment and pressure-compensating sub-surface irrigation, there will be ample protection of surface waters and groundwater.

5.1 Overview

This report provides recommendations for treatment and land application systems that are appropriate to the land capability. The following sections provide an overview of a suitable system, with sizing and design considerations and justification for its selection. Detailed design for the system is beyond the scope of this study, but should be undertaken at the time of building application and submitted to Council.

5.2 Type of treatment system

Secondary Treatment System

To treat domestic wastewater and allow irrigation with the treated effluent, we recommend installing a system that provides secondary treatment to meet Environmental Protection Authority requirements for irrigation. Indicative target effluent quality is:

- BOD <20 mg/L;
- SS <30mg/L.

Several suitable options are available, including a **aerated water treatment system (AWTS) or sand filter**. Any of these options are capable of achieving the desired level of performance and final selection is the responsibility of the property owner, who will forward details to Council for approval.

5.3 Recommended type of treatment system

Aerated Water Treatment System (AWTS)

To treat domestic wastewater and allow irrigation with the treated effluent, we recommend installing a system that provides secondary treatment to meet Environmental Protection Authority requirements for irrigation. The water quality of secondary standard effluent in Victoria is <20 mg/L BOD₅, <30 mg/L TSS and, where disinfected, *E. coli* <10 cfu /100 mL.

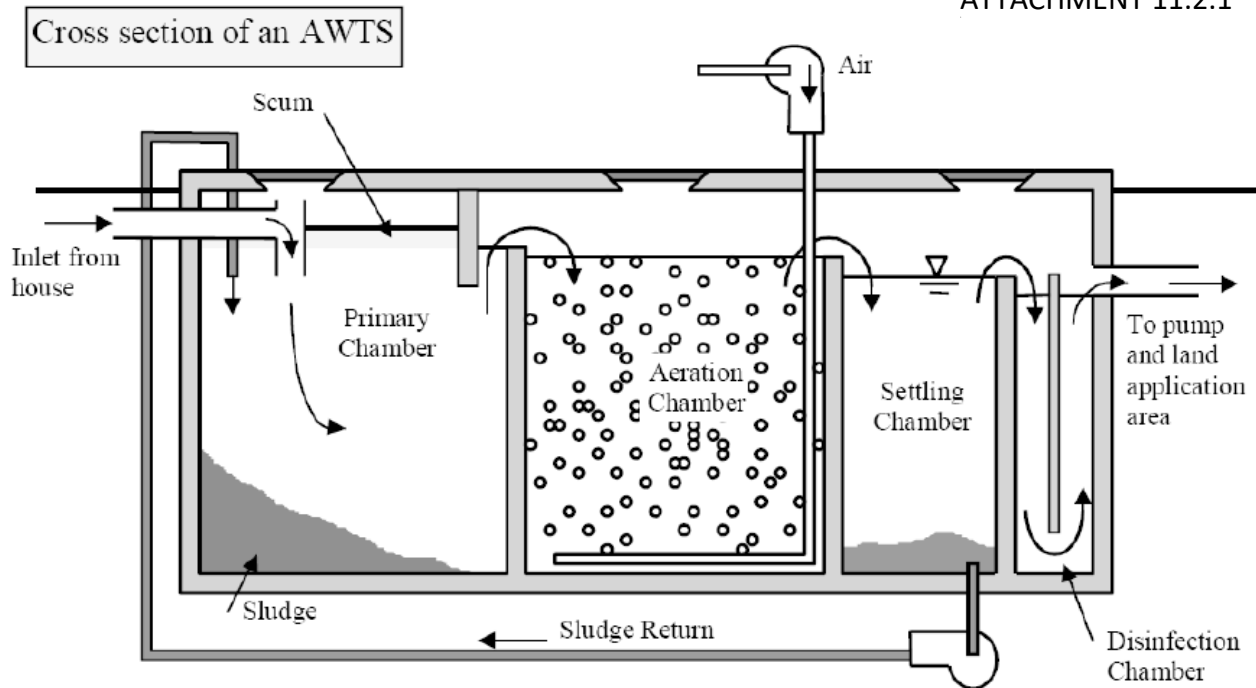
An **Aerated Water Treatment System (AWTS)** is designed to treat small (<2000L/day) wastewater flows. This system consists of a series of treatment chambers combined where air is bubbled through wastewater in a tank provides oxygen to micro-organisms to facilitate aerobic biological digestion of the organic matter in the wastewater.

Wastewater from a household is treated in stages in several separate chambers. The first chamber is similar to a conventional septic tank. The wastewater enters the chamber where the solids settle to the bottom and are retained in the tank forming a sludge layer.

Scum collects at the top, and the partially clarified wastewater flows into a second chamber. Here the wastewater is mixed with air to assist bacteria to further treat it.

A third chamber allows additional clarification through the settling of solids, which are returned for further treatment to either the septic chamber or to the aeration chamber. The clarified effluent may also be disinfected in another chamber (usually by chlorination) before irrigation can take place.

Bacteria in the first chamber break down the solid matter in the sludge and scum layers. Material that cannot be fully broken down gradually builds up in the chamber and must be pumped out periodically.



5.4 Type of land application system

Pressure compensating subsurface irrigation system

The default land application system for sustainably recycling secondary treated sewage or greywater effluent to land is **pressure-compensating sub-surface irrigation** (with disc or mesh filters and scour and vacuum valves) which evenly distributes effluent throughout the irrigation area.

The distribution pipes (drip-lines) fill up with effluent until a certain pressure is reached which opens the emitter valves. More controlled pressure can be applied when the field is divided into two or more zones and these smaller areas are intermittently dosed using a sequencing valve.

Water is not wasted by evaporation or runoff, flexible garden designs are possible, water is delivered to the plants' roots in the topsoil layer and it provides the highest protection for environmental and public health.

In combination with the selected secondary treatment system, these systems will provide even and widespread dispersal of highly treated effluent loads within the root-zone of plants.

Secondary quality effluent is a valuable water and nutrient resource and should be used beneficially to support vegetation growth, not be discharged deep in the soil profile where it provides very little beneficial use to the land or to the residents.

A gravity-flow effluent irrigation system is not allowed, due to the lack of even distribution. Irrigation distribution pipes must not have dripper-holes drilled or cut into them after purchase because the effluent will flow out of the holes in the first few metres of pipe at a far higher rate than the system is designed for and higher than the soil is capable of sustainably absorbing.

5.5 Sizing the irrigation system

Water balance modelling has been undertaken using the method and water balance tool developed for the Victorian Land Capability Assessment Framework (2014) in order to determine the necessary size of the sub-surface irrigation system.

However, the 859m² effluent field generated by the spreadsheet has been deemed by this office to be unnecessarily large. We have provided the VLCAF (2014) water balance spreadsheets for this site in Attachment 5 of this report.

To determine the necessary size of the design area, the sizing relationship from AS/NZS 1547:1994 has been used:

$$A_i = \frac{Q_w}{DIR}$$

where

A_i = Irrigation Area

Q_w = Quantity of Wastewater (L/d)

DIR = Design Irrigation Rate (mm/d)

Therefore:

$$A_i = Q_w / DIR = 600 / 2 = 300m^2$$

An additional 20% has been added to the design of the Land Application Area to account for the heightened rainfall risk and the soil drainage and permeability at this location, as per 'Possible modifications to mitigate constraint' for 'cold or wet climates' from Table K2: Selecting the land application system to fit the site and the soil (AS1547-2012).

Size

As a result of these calculations, a subsurface irrigation field of at least 360m² is required for a proposed three (3) bedroom dwelling on this site.

| Number of bedrooms | Number of occupants | Total daily household wastewater | Area of subsurface irrigation bed |
|--------------------|---------------------|----------------------------------|-----------------------------------|
| 2 | 3 | 450 | 270m ² |
| 3 | 4 | 600 | 360m ² |
| 4 | 5 | 750 | 450m ² |

5.6 Siting and configuration of the irrigation system

Description

It is preferable to keep the irrigation area as high on the property as possible and a maximum distance from Wild Cat Creek to the south as setbacks allow.

The preferred area is to the south of the proposed dwelling area.

Attachment 3 shows an envelope of land that is suitable for effluent management, although this envelope is much larger than the minimum required. Final placement and configuration of the irrigation system will be determined by the client and/or system installer, provided it remains within this envelope.

Whilst there is ample area for application of the effluent, it is important that appropriate buffer distances to the waterways be maintained. It is important to note that buffers are measured as the overland flow path for run-off water from the effluent irrigation area.

It is recommended that the owner consult an irrigation expert familiar with effluent irrigation equipment to design the system, and an appropriately registered plumbing/drainage practitioner to install the system. The irrigation plan must ensure even application of effluent throughout the entire irrigation area.

5.7 Buffer distances

Description

Setback buffer distances from effluent land application areas and treatment systems are required to help prevent human contact, maintain public amenity and protect sensitive environments. The relevant buffer distances for this site, taken from Table 5 of the Code (2013) are:

- 150 metres from a dam, lake or reservoir (potable water supply);
- 100 metres from waterways (potable water supply);
- 30 metres from waterways, wetlands (continuous or ephemeral, non-potable); estuaries, ocean beach at high-tide mark; dams, lakes or reservoirs (stock and domestic, non-potable);
- 20 metres from groundwater bores in Category 2b to 6 soils; and
- 3 metres if area up-gradient and 1.5 metres if area down-gradient of property boundaries, swimming pools and buildings (conservative values for primary effluent).

The setback distance in a Special Water Supply Catchment area may be reduced by up to a maximum of 50% conditional on the following requirements (otherwise the setback distances for primary treatment systems apply):

- **effluent is secondary treated to 20/30 standard as a minimum**
- **a maintenance and service contract, with a service technician accredited by the manufacturer, is in place to ensure the system is regularly serviced in accordance with Council Septic Tank Permit conditions and**
- **Council is satisfied the reduction in set-back distance is necessary to permit the appropriate development of the site and that risks to public health and the environment are minimised.**

Where an intermittent stream on a topographic or orthographic map is found through ground-truthing to be a drainage line (drainage depression) with no defined banks and the bed is not incised, the setback distance is 40 m (SCA 2010). The topography of the drainage line must be visually inspected and photographed during the LCA site inspection and reported upon in writing and photographs in the LCA report.

All buffer distances are achievable.

The site plan in Attachment 3 shows the location of the proposed wastewater management system components and other relevant features.

5.8 Installation of the irrigation system

Description

Installation of the irrigation system must be carried out by a suitably qualified, licensed plumber or drainer experienced with effluent irrigation systems.

To ensure even distribution of effluent, it is essential that the pump capacity is adequate for the size and configuration of the irrigation system, taking into account head and friction losses due to changes in elevation, pipes, valves, fittings etc. An additional, optional measure to achieve even coverage is to divide the irrigation area into two or more separate sub-zones; dosed alternately using an automatic indexing or sequencing valve.

The irrigation area and surrounding area must be vegetated or revegetated immediately following installation of the system, preferably with turf. The area should be fenced or otherwise isolated (such as by landscaping), to prevent vehicle and stock access; and signs should be erected to inform householders and visitors of the extent of the effluent irrigation area and to limit their access and impact on the area.

Stormwater run-on is not expected to be a concern for the proposed irrigation area, due to the landform of the site and its relatively gentle slopes. However, upslope diversion berms or drains may be constructed if this is deemed to be necessary during installation of the system, or in the future. Stormwater from roofs and other impervious surfaces must not be disposed of into the wastewater treatment system or onto the effluent management system.

5.9 Monitoring, operation and maintenance

Description

Maintenance is to be carried out in accordance with Australian Standards 1546.1 to 1546.4 pursuant to the selected secondary treatment system and Council's permit conditions. The treatment system will only function adequately if appropriately and regularly maintained.

To ensure the treatment system functions adequately, residents must:

- Have a suitably qualified maintenance contractor service the treatment system at the frequency required by Council under the permit to use;
- Use household cleaning products that are suitable for septic tanks;
- Keep as much fat and oil out of the system as possible; and
- Conserve water (AAA rated fixtures and appliances are recommended).

To ensure the land application system functions adequately, residents must:

- Regularly harvest (mow) vegetation within the LAA and remove this to maximise uptake of water and nutrients;
- Monitor and maintain the irrigation system following the manufacturer's recommendations, including flushing the irrigation lines;
- Regularly clean in-line filters;
- Not erect any structures and paths over the LAA;
- Avoid vehicle and livestock access to the LAA, to prevent compaction and damage; and
- Ensure that the LAA is kept level by filling any depressions with good quality topsoil (not clay).

As a result of our investigations, we recommend that a sustainable onsite wastewater management system can be built to meet the needs of a new three-bedroom dwelling at Lot 4 - 4719 Midland Highway, Daylesford.

Specifically, we recommend the following:

- Installation of an Aerated Water Treatment System providing secondary treatment;
- Land application of wastewater in a $360m^2$ pressure compensating subsurface irrigation area;
- Location of Land Application Area south of the proposed building envelope;
- Light silty clay should be considered to have a DIR of $3mm/day$ however a conservative DIR of $2mm/day$ has been used in calculations;
- Installation of water saving devices in the new residence to reduce the effluent load for onsite disposal;
- Use of low phosphorus and low sodium (liquid) detergents to improve effluent quality and maintain soil properties; and
- Operation and management of the treatment and disposal system in accordance with manufacturer's recommendations, Australian Standards 1546.1 to 1546.4 pursuant to the selected secondary treatment system, the EPA Code of Practice (2016) and the recommendations made in this report.

If there are any queries regarding the content of this report please contact this office.



STEPHEN O'LOUGHLIN
Geologist

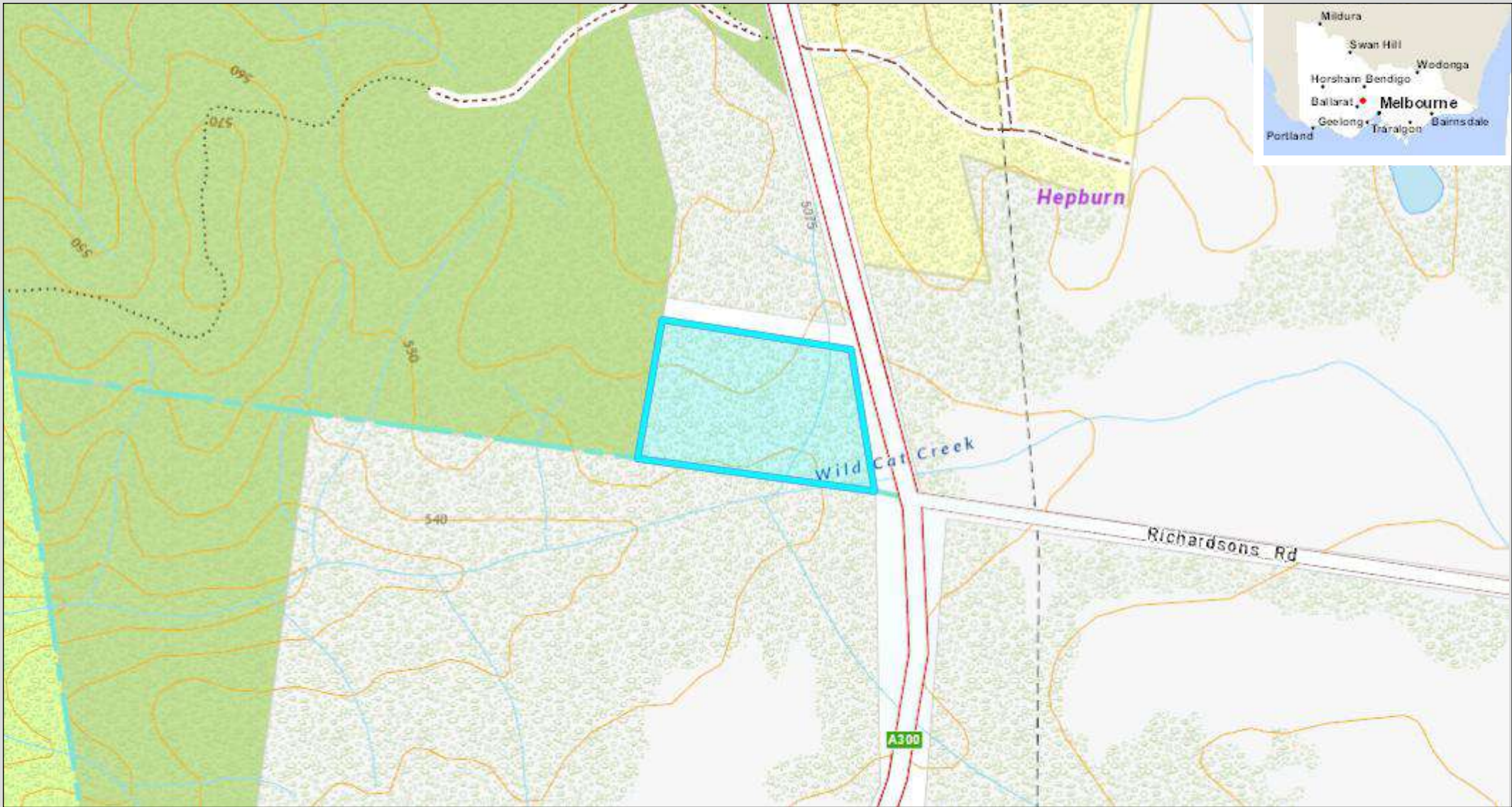
Attachment 1 – Locality plan

ATTACHMENT 11.2.1

Plan included on next page.

Locality Plan

Lot 4 - 4719 Midland Highway, Daylesford



GDA_1994_VICGRID94
© The State of Victoria, Department of Environment, Land, Water and Planning 2022



Disclaimer: This map is a snapshot generated from Victorian Government data. This material may be of assistance to you but the State of Victoria does not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for error, loss or damage which may arise from reliance upon it. All persons accessing this information should make appropriate enquiries to assess the currency of the data.

Map Created on 15-Aug-2022
Scale 1:5,000

Plan included on next page.

Soil sampling program

Lot 4 - 4719 Midland Highway, Daylesford

Legend

- ATTACHMENT 11.2.1
Proposed dwelling location
- Sample hole

Dwelling location

BH01

Wild Cat Creek

Wild Cat Creek

Google Earth

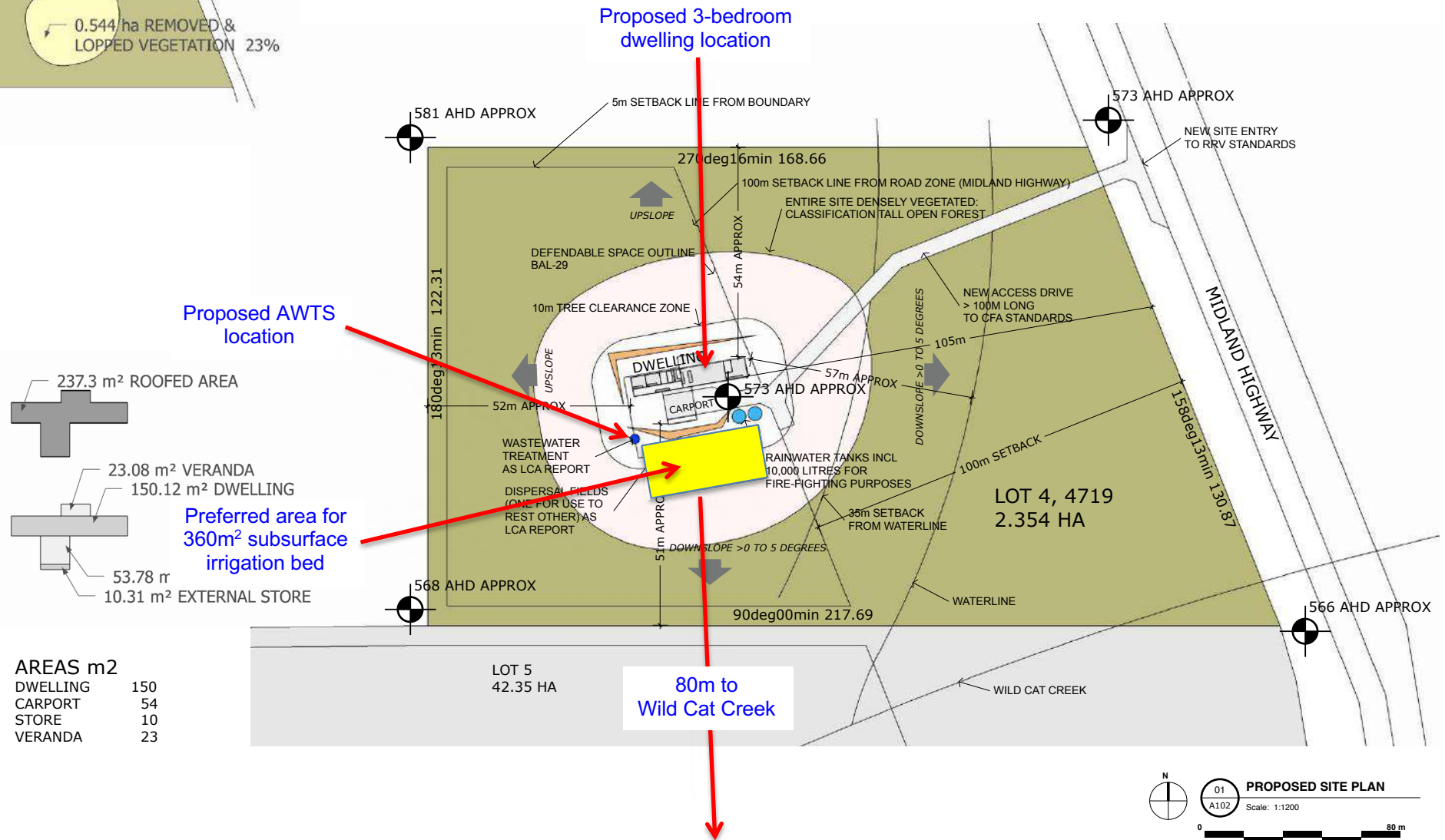
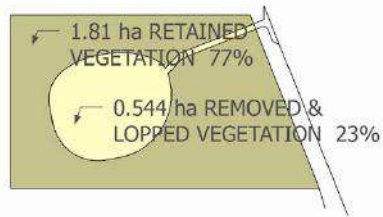
MINUTES - ORDINARY MEETING OF COUNCIL - 16 APRIL 2024

Image © 2022 CNES / Airbus

264
100 m



Plan included on next page.



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PROJECT ADDRESS
LOT 4, 4719 MIDLAND HIGHWAY DAYLESFORD VIC 3460
PROJECT NO.
4-4719
PROJECT STAGE
PLANNING PERMIT

PROJECT NAME
NEW DWELLING
DATE ISSUED
05/04/2022

DRAWING NUMBER
A102
DRAWING TITLE
SITE PLANS

REVISION

Sample Hole BH01

| Depth (mm) | Description | Fill | Moisture | Consistency | Allowable Bearing Pressure (kPa) | Reactivity |
|---|-----------------------------|------|----------------|-------------|----------------------------------|------------|
| 100 200 | Silty LOAM; dark brown/grey | – | Slightly moist | Soft | – | – |
| 300 400 500 600 700 800 900 1000 1100 1200 1300 1400 | Silty CLAY; brown/red | – | Slightly moist | Stiff | 180 | Moderate |
| 1500 | END OF HOLE | | | | | |

Spreadsheets included on next page.

Victorian Land Capability Assessment Framework

| Please read the attached notes before using this spreadsheet | | | | | | | | | | | | | | | | | |
|--|--|--|----------------|--|-----------|---------------------------------------|-------|-------|-------|-------|-------|-------|-------|--------|--------|--------|--------|
| Irrigation area sizing using Nominated Area Water Balance & Storage Calculations | | | | | | | | | | | | | | | | | |
| Site Address: | Lot 4 - 4719 Midland Highway, Daylesford | | | | | | | | | | | | | | | | |
| Date: | August 15, 2022 | | | | Assessor: | S. O'Loughlin - Ballarat Soil Testing | | | | | | | | | | | |
| INPUT DATA | | | | | | | | | | | | | | | | | |
| Design Wastewater Flow | Q | 600 | L/day | Based on maximum potential occupancy and derived from Table 4 in the EPA Code of Practice (2013) | | | | | | | | | | | | | |
| Design Irrigation Rate | DIR | 3.0 | mm/day | Based on soil texture class/permeability and derived from Table 9 in the EPA Code of Practice (2013) | | | | | | | | | | | | | |
| Nominated Land Application Area | L | 859 | m ² | ¹ | | | | | | | | | | | | | |
| Crop Factor | C | 0.6-0.8 | unitless | Estimates evapotranspiration as a fraction of pan evaporation; varies with season and crop type ² | | | | | | | | | | | | | |
| Rainfall Runoff Factor | RF | 0.8 | unitless | Proportion of rainfall that remains onsite and infiltrates, allowing for any runoff | | | | | | | | | | | | | |
| Mean Monthly Rainfall Data | Daylesford (088020) | | | | | | | | | | | | | | | | |
| Mean Monthly Pan Evaporation Data | Daylesford (088020) - SILO | | | BoM Station and number | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | |
| Parameter | Symbol | Formula | Units | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total | |
| Days in month | D | | days | 31 | 28 | 31 | 30 | 31 | 30 | 31 | 31 | 30 | 31 | 30 | 31 | 365 | |
| Rainfall | R | | mm/month | 46.4 | 44.6 | 45.0 | 64.1 | 88.3 | 105.6 | 103.3 | 103.5 | 88.6 | 78.7 | 61.3 | 50.4 | 879.8 | |
| Evaporation | E | | mm/month | 188.9 | 156.0 | 124.4 | 71.9 | 40.5 | 25.7 | 29.1 | 41.7 | 65.4 | 100.9 | 129.7 | 167.7 | 1141.9 | |
| Crop Factor | C | | unitless | 0.80 | 0.80 | 0.70 | 0.70 | 0.60 | 0.60 | 0.60 | 0.60 | 0.70 | 0.80 | 0.80 | 0.80 | | |
| OUTPUTS | | | | | | | | | | | | | | | | | |
| Evapotranspiration | ET | ExC | mm/month | 151 | 125 | 87 | 50 | 24 | 15 | 17 | 25 | 46 | 81 | 104 | 134 | 860.0 | |
| Percolation | B | DIRxD | mm/month | 93.0 | 84 | 93.0 | 90.0 | 93.0 | 90.0 | 93.0 | 93.0 | 90.0 | 93.0 | 90.0 | 93.0 | 1095.0 | |
| Outputs | | ET+B | mm/month | 244.1 | 208.8 | 145.36 | 180.1 | 140.3 | 117.3 | 105.4 | 110.4 | 118.0 | 135.8 | 173.7 | 193.7 | 227.1 | 1955.0 |
| INPUTS | | | | | | | | | | | | | | | | | |
| Retained Rainfall | RR | RxRF | mm/month | 37.12 | 35.68 | 36 | 51.28 | 70.64 | 84.48 | 82.64 | 82.8 | 70.88 | 62.96 | 49.04 | 40.32 | 703.84 | |
| Applied Effluent | W | (QxD)/L | mm/month | 21.7 | 19.6 | 21.7 | 21.0 | 21.7 | 21.0 | 21.7 | 21.7 | 21.0 | 21.7 | 21.0 | 21.7 | 254.9 | |
| Inputs | | RR+W | mm/month | 58.8 | 55.2 | 57.7 | 72.2 | 92.3 | 105.4 | 104.3 | 104.5 | 91.8 | 84.6 | 70.0 | 62.0 | 958.8 | |
| STORAGE CALCULATION | | | | | | | | | | | | | | | | | |
| Storage remaining from previous month | | | mm/month | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | | |
| Storage for the month | S | (RR+W)-(ET+B) | mm/month | -185.3 | -153.6 | -122.4 | -68.1 | -25.0 | 0.0 | -6.1 | -13.6 | -44.0 | -89.1 | -123.7 | -165.2 | | |
| Cumulative Storage | M | | mm | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | | |
| Maximum Storage for Nominated Area | N | | mm | 0.00 | | | | | | | | | | | | | |
| | V | NxL | L | 0 | | | | | | | | | | | | | |
| LAND AREA REQUIRED FOR ZERO STORAGE | | | m ² | 90 | 97 | 129 | 202 | 398 | 859 | 669 | 528 | 277 | 168 | 124 | 100 | | |
| MINIMUM AREA REQUIRED FOR ZERO STORAGE: | | | | 859.0 m ² | | | | | | | | | | | | | |
| CELLS | | | | | | | | | | | | | | | | | |
| | | Please enter data in blue cells | | | | | | | | | | | | | | | |
| | | XX Red cells are automatically populated by the spreadsheet | | | | | | | | | | | | | | | |
| | | XX Data in yellow cells is calculated by the spreadsheet, DO NOT ALTER THESE CELLS | | | | | | | | | | | | | | | |
| NOTES | | | | | | | | | | | | | | | | | |
| ¹ This value should be the largest of the following: land application area required based on the most limiting nutrient balance or minimum area required for zero storage | | | | | | | | | | | | | | | | | |
| ² Values selected are suitable for pasture grass in Victoria | | | | | | | | | | | | | | | | | |

Report included on next page.

From www.planning.vic.gov.au at 15 August 2022 02:51 PM

PROPERTY DETAILS

Lot and Plan Number: **Lot 4 TP826164**
 Address: **4935 MIDLAND HIGHWAY DRY DIGGINGS 3461**
 Standard Parcel Identifier (SPI): **4\TP826164**
 Local Government Area (Council): **HEPBURN**
 Council Property Number: **203965 (Part)**
 Planning Scheme: **Hepburn**
 Directory Reference: **Vicroads 59 D6**

www.hepburn.vic.gov.au

[Planning Scheme - Hepburn](#)

This parcel is one of 2 parcels comprising the property. For full parcel details get the free Property report at [Property Reports](#)

UTILITIES

Rural Water Corporation: **Goulburn-Murray Water**
 Urban Water Corporation: **Central Highlands Water**
 Melbourne Water: **Outside drainage boundary**
 Power Distributor: **POWERCOR**

STATE ELECTORATES

Legislative Council: **NORTHERN VICTORIA**
 Legislative Assembly: **MACEDON**

OTHER

Registered Aboriginal Party: **Dja Dja Wurrung Clans Aboriginal Corporation**

[View location in VicPlan](#)

Planning Zones

[FARMING ZONE \(FZ\)](#)

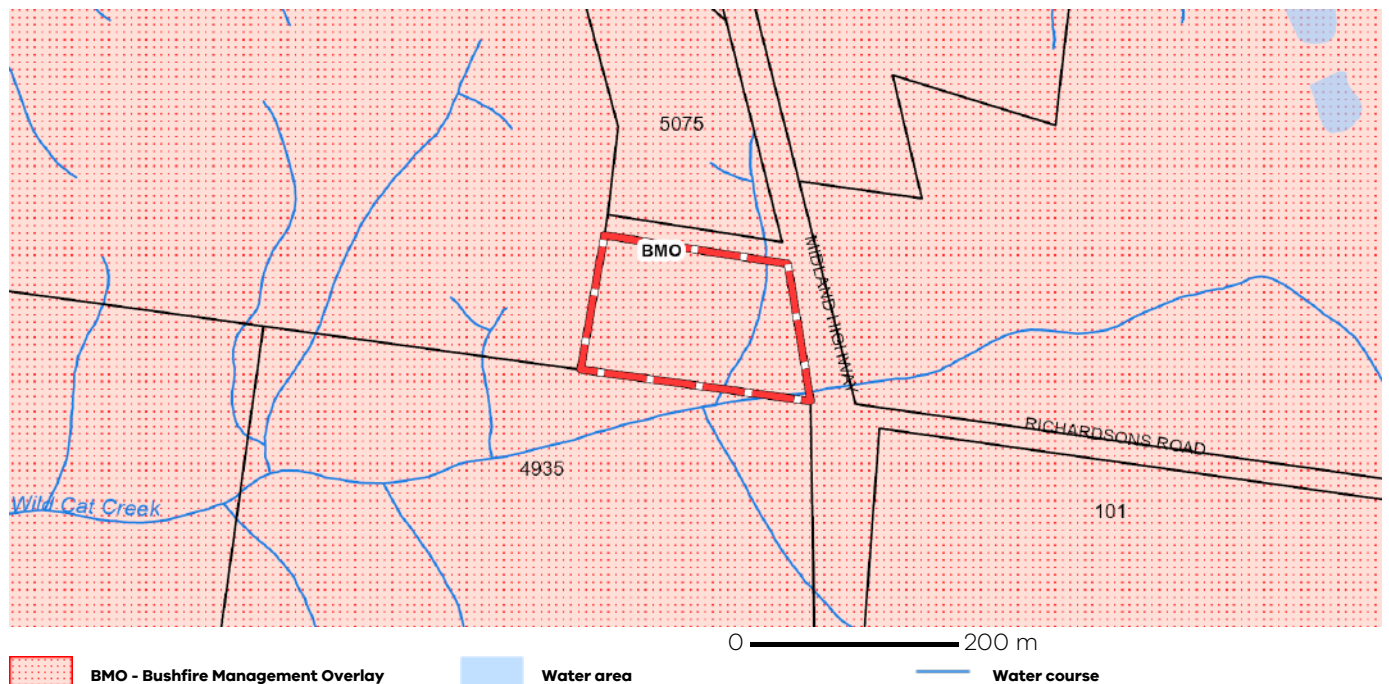
[FARMING ZONE - SCHEDULE 2 \(FZ2\)](#)



Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

Planning Overlays

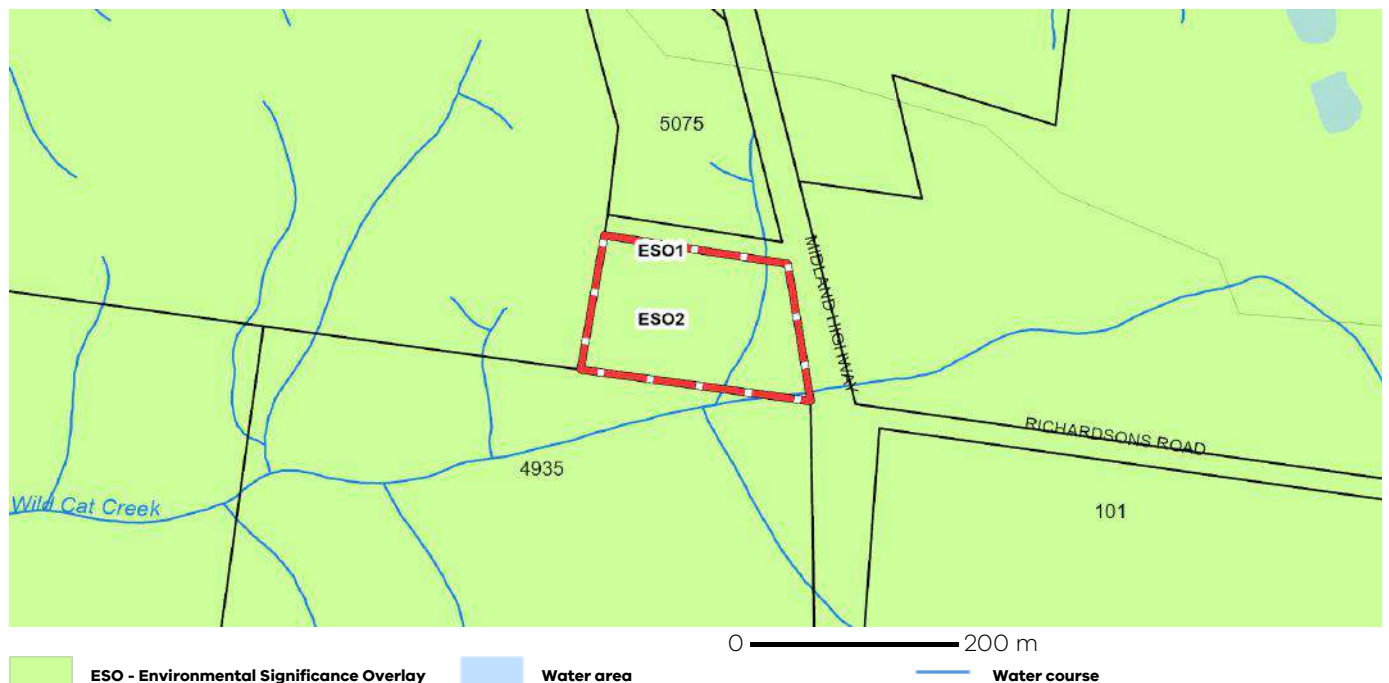
BUSHFIRE MANAGEMENT OVERLAY (BMO)



ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)

ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 1 (ESO1)

ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 2 (ESO2)

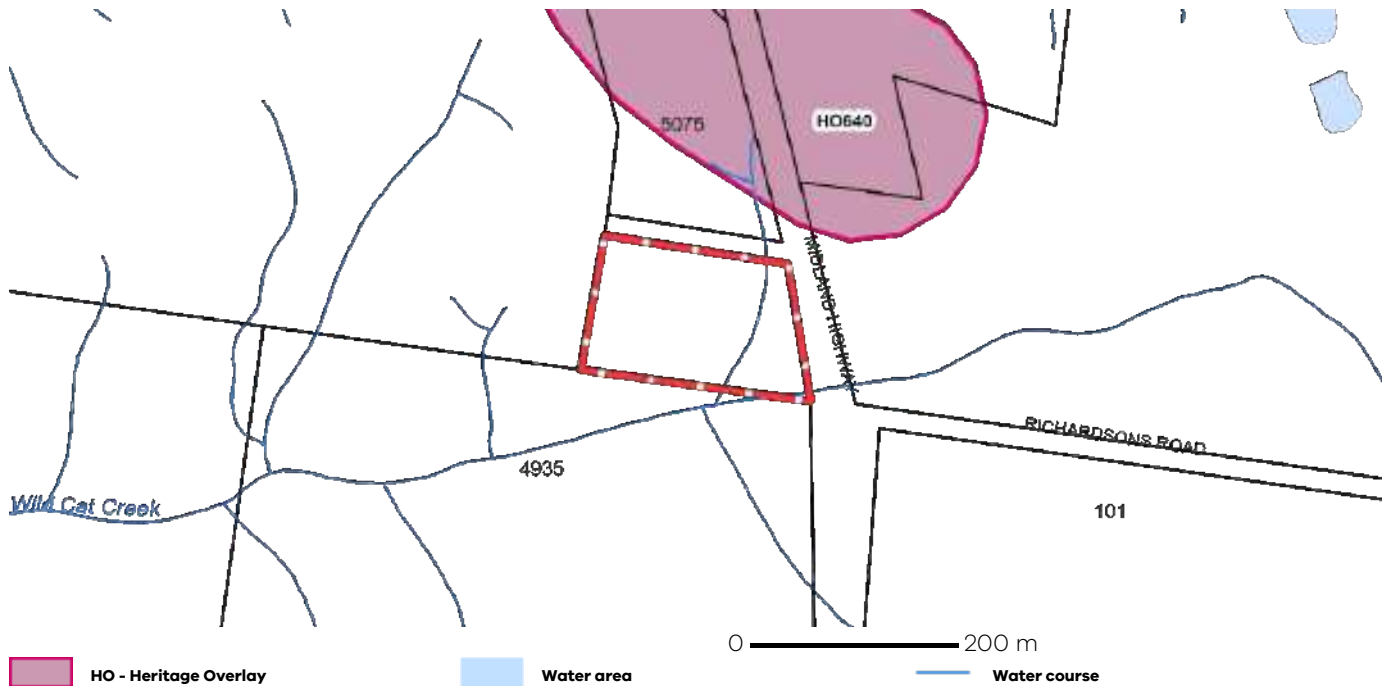


Planning Overlays

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

HERITAGE OVERLAY (HO)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

Areas of Aboriginal Cultural Heritage Sensitivity

All or part of this parcel is an 'area of cultural heritage sensitivity'.

'Areas of cultural heritage sensitivity' are defined under the Aboriginal Heritage Regulations 2018, and include registered Aboriginal cultural heritage places and land form types that are generally regarded as more likely to contain Aboriginal cultural heritage.

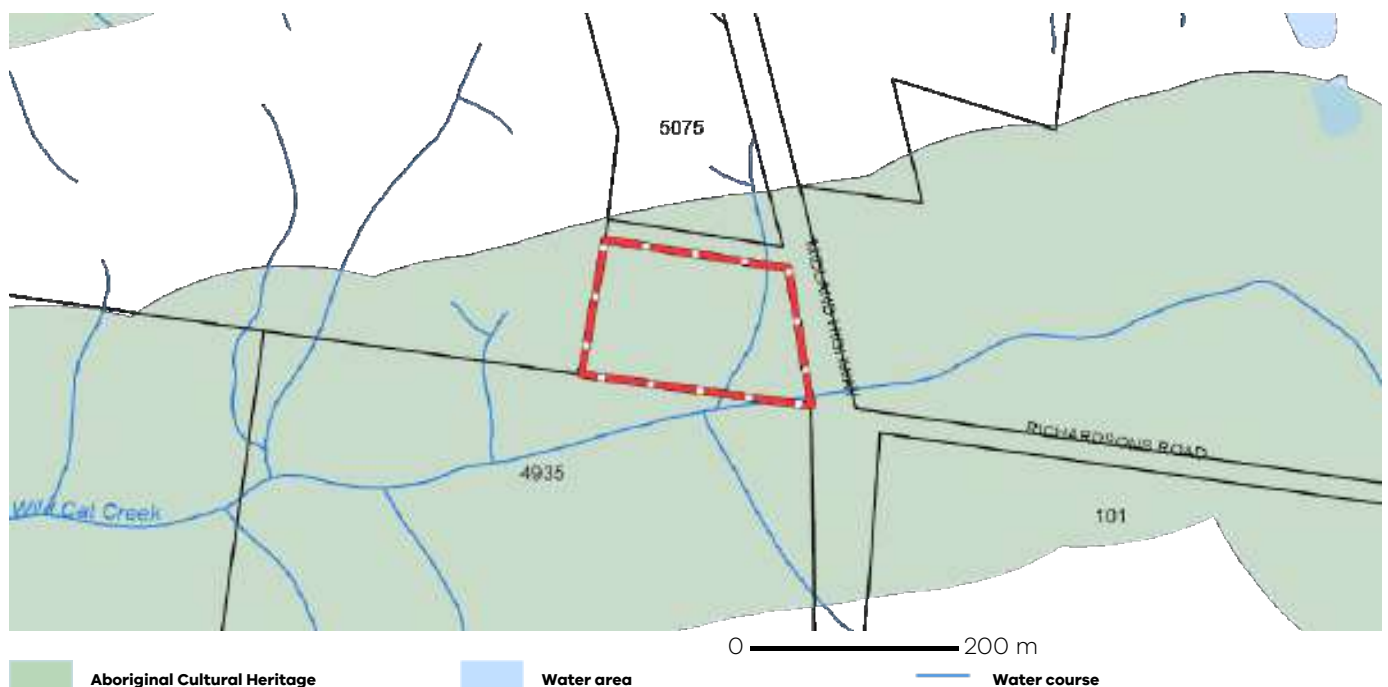
Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

If a significant land use change is proposed (for example, a subdivision into 3 or more lots), a cultural heritage management plan may be triggered. One or two dwellings, works ancillary to a dwelling, services to a dwelling, alteration of buildings and minor works are examples of works exempt from this requirement.

Under the Aboriginal Heritage Act 2006, where a cultural heritage management plan is required, planning permits, licences and work authorities cannot be issued unless the cultural heritage management plan has been approved for the activity.

For further information about whether a Cultural Heritage Management Plan is required go to <http://www.aav.nrms.net.au/aavQuestion1.aspx>

More information, including links to both the Aboriginal Heritage Act 2006 and the Aboriginal Heritage Regulations 2018, can also be found here - <https://www.aboriginalvictoria.vic.gov.au/aboriginal-heritage-legislation>



Further Planning Information

Planning scheme data last updated on 10 August 2022.

A **planning scheme** sets out policies and requirements for the use, development and protection of land. This report provides information about the zone and overlay provisions that apply to the selected land. Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting <https://www.planning.vic.gov.au>

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the **Planning and Environment Act 1987**. It does not include information about exhibited planning scheme amendments, or zonings that may affect the land. To obtain a Planning Certificate go to Titles and Property Certificates at Landata - <https://www.landata.vic.gov.au>

For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit <https://mapshare.maps.vic.gov.au/vicplan>

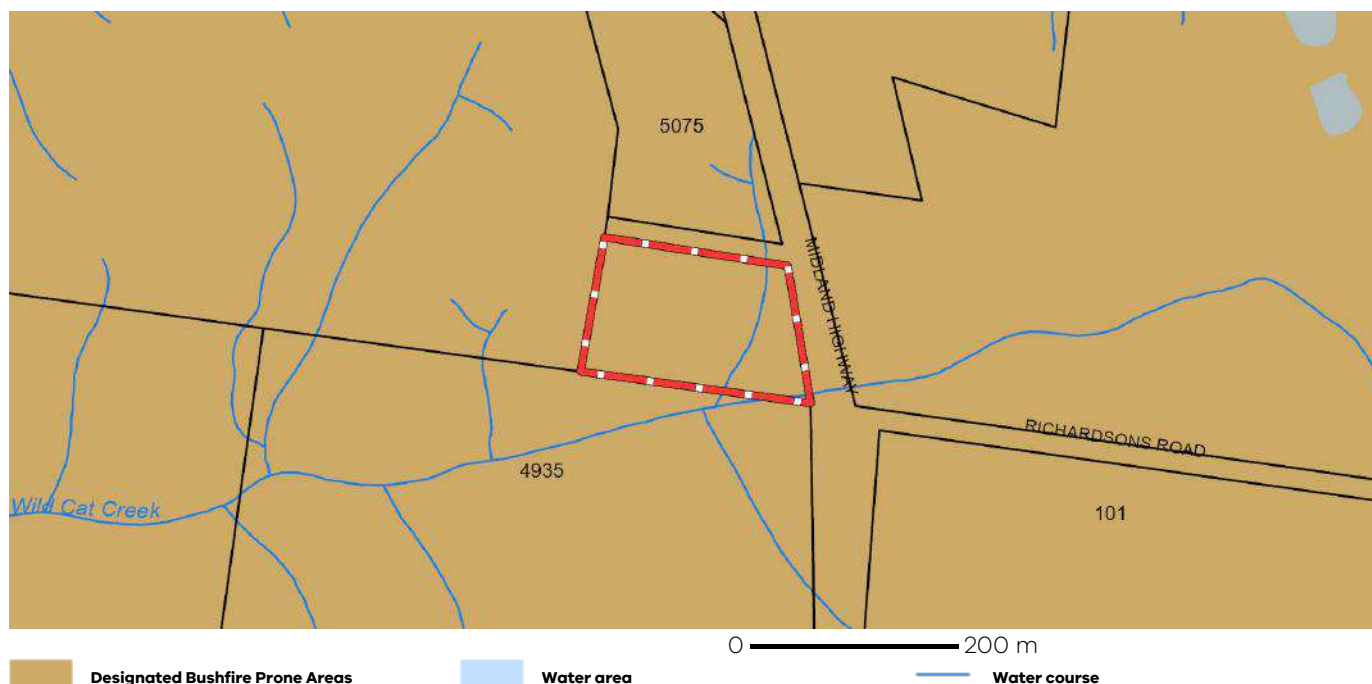
For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

Designated Bushfire Prone Areas

This parcel is in a designated bushfire prone area. Special bushfire construction requirements apply to the part of the property mapped as a designated bushfire prone area (BPA). Planning provisions may apply.

Where part of the property is mapped as BPA, if no part of the building envelope or footprint falls within the BPA area, the BPA construction requirements do not apply.

Note: the relevant building surveyor determines the need for compliance with the bushfire construction requirements.



Designated BPA are determined by the Minister for Planning following a detailed review process. The Building Regulations 2018, through adoption of the Building Code of Australia, apply bushfire protection standards for building works in designated BPA.

Designated BPA maps can be viewed on VicPlan at <https://mapshare.vic.gov.au/vicplan/> or at the relevant local council.

Create a BPA definition plan in [VicPlan](#) to measure the BPA.

Information for lot owners building in the BPA is available at <https://www.planning.vic.gov.au>.

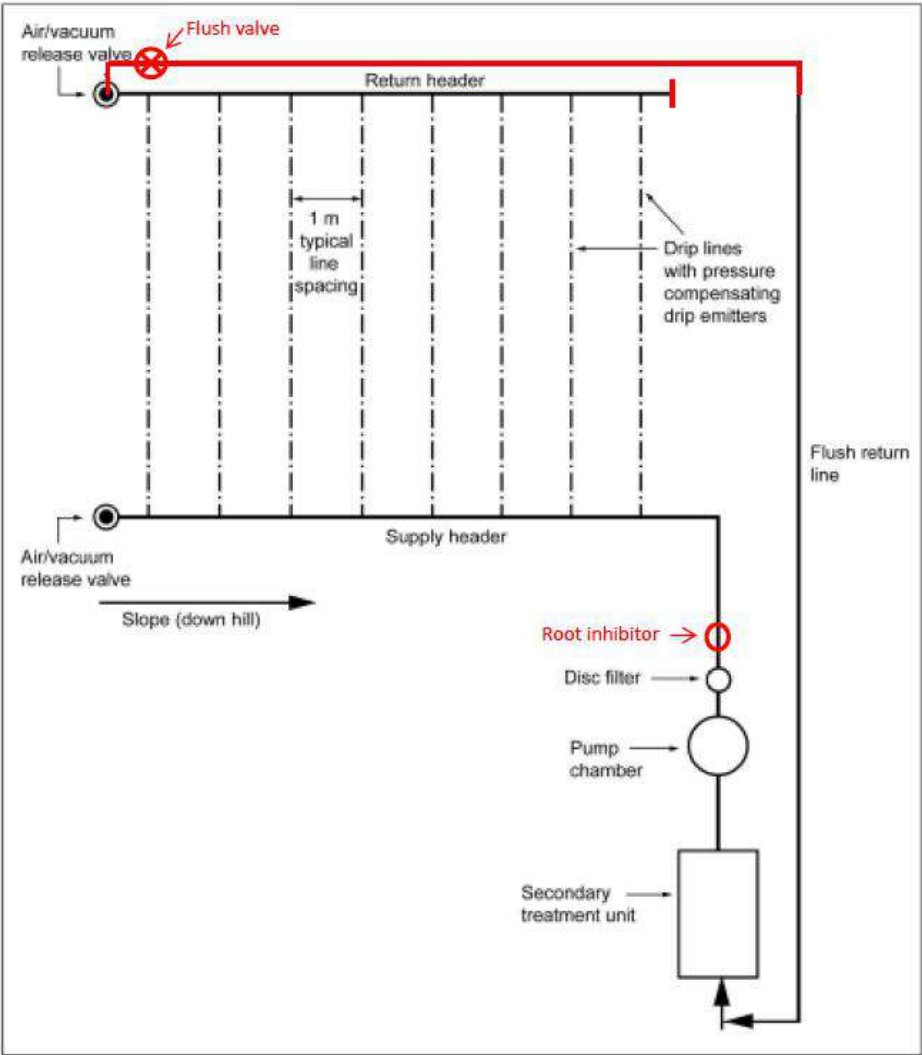
Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website <https://www.vba.vic.gov.au>. Copies of the Building Act and Building Regulations are available from <http://www.legislation.vic.gov.au>. For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>.

Native Vegetation

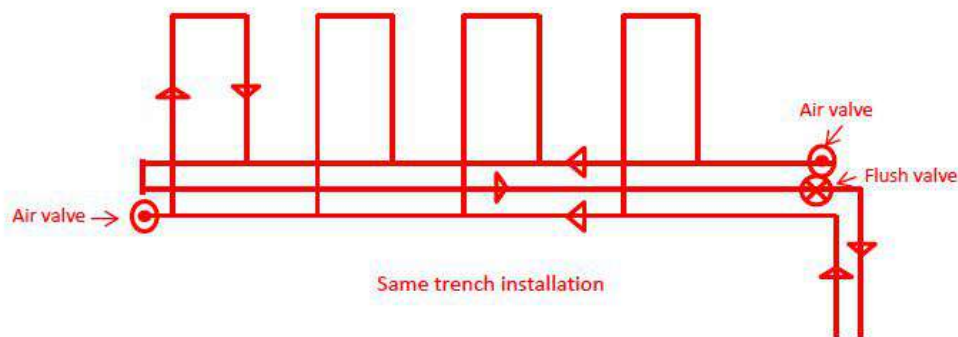
Native plants that are indigenous to the region and important for biodiversity might be present on this property. This could include trees, shrubs, herbs, grasses or aquatic plants. There are a range of regulations that may apply including need to obtain a planning permit under Clause 52.17 of the local planning scheme. For more information see [Native Vegetation \(Clause 52.17\)](#) with local variations in [Native Vegetation \(Clause 52.17\) Schedule](#)

To help identify native vegetation on this property and the application of Clause 52.17 please visit the Native Vegetation Information Management system <https://nvim.delwp.vic.gov.au/> and [Native vegetation \(environment.vic.gov.au\)](#) or please contact your relevant council.

You can find out more about the natural values on your property through NatureKit [NatureKit \(environment.vic.gov.au\)](#)

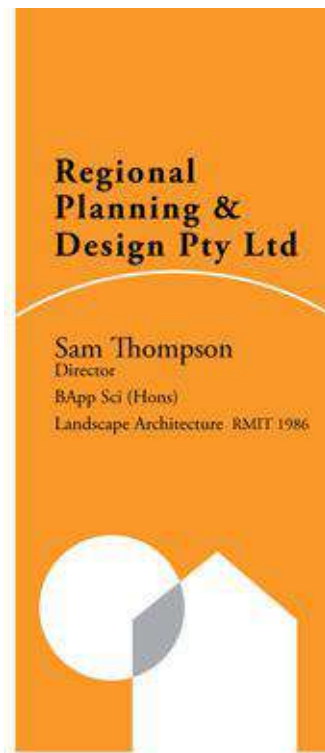


Revised Figure M1 Page 167 AS/NZS1547:2012 to ensure effective distribution and flushing



In accordance with the principles of the waste hierarchy, the following steps are recommended to limit the amount of wastewater generated and beneficially use the resultant water resource onsite:

| | Suggestions |
|---|---|
| 1. Avoid generating excess wastewater by: | <ul style="list-style-type: none"> a) constructing a house with fewer bedrooms b) installing a dry composting toilet c) not installing a spa d) not installing a bath (low flow rate shower only) e) not installing a kitchen food waste grinder. |
| 2. Reduce the volume of wastewater generated by installing: | <p>High 'Water Efficiency Labelling Scheme' (WELS)-rated water-efficient fittings (minimum '3 Stars' for appliances and minimum '4 Stars' for all fittings and fixtures):</p> <ul style="list-style-type: none"> a) water-efficient clothes washing machines (front or top loading) b) dual-flush (6.5/3.5L or less) toilets c) water-efficient shower roses d) water-efficient dishwashers e) aerated taps f) hot and cold water mixer taps (especially for the shower) g) flow restrictors h) hot water system fitted with a 'cold water diverter' which recirculates the initial flow of cold water until it is hot enough for a shower. |
| 3. Reuse (another use without any treatment) wastewater by: | <ul style="list-style-type: none"> a) washing fruit and vegetables in tap water in a container and reusing the water for another purpose in the house such as watering pot plants b) collecting the initial cold water from showers in buckets and using it for another purpose such as soaking feet, hand washing clothes or washing the car on the lawn. |
| 4. Recycle wastewater after treatment by using it to: | <ul style="list-style-type: none"> a) water gardens and lawn areas b) flush toilets with effluent from an EPA-approved 10/10/10 greywater system c) supply effluent to the cold water tap of the washing machine from an EPA-approved 10/10/10 greywater treatment system |



BUSHFIRE MANAGEMENT STATEMENT



**Prepared by Regional Planning &
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Lot 4 - 4935 Midland Highway
Daylesford Ref No. 23.317

Disclaimer

This report has been made with careful consideration and with the best information available to Regional Planning and Design Pty Ltd at the time of writing. Before relying on information in this report, users should evaluate the accuracy, completeness and relevance of the information provided for their purposes. Regional Planning and Design Pty Ltd do not guarantee that it is without flaw or omission of any kind and therefore disclaim all liability for any error, loss or other consequence that may arise from you relying on any information in this report.

Requirements detailed in this document do not guarantee survival of the buildings or the occupants. The client is strongly encouraged to develop and practice a bushfire survival plan.

Information and assistance including a template for a Bushfire Survival Plan is provided as part of the 'Fire Ready Kit' available through the CFA website at <http://www.cfa.vic.gov.au> or through your local CFA Regional office.

Version Control

| Report Version | Description | Date Completed | Issued to |
|----------------|---------------------------|----------------|-----------|
| A | Draft issued to client | 31/10/2023 | Client |
| B | Issued as a final version | 1/11/2023 | Client |
| | | | |
| | | | |
| | | | |

1 SUMMARY

| Summary | |
|--|--|
| Date of site visit: | 29/10/2023 |
| Summary of proposal | Construct a single dwelling |
| Broad landscape setting (Technical Guide Planning Permit Applications – Bushfire Management Overlay) | 3 |
| Access requirements can be met | 3.5m wide drive with 4m vertical and 4.5m horizontal clearance and turning area. |
| Water supply requirements | 10 000 litre tank for the dwelling with CFA fittings and access |
| Defendable Space requirements can be met | Column C within the property boundaries |
| Proposed BAL construction level | BAL 40 |
| Is native vegetation removal required: | Yes, vegetation on site within defendable space exempt under Clause 52.12-5 |

2 INTRODUCTION

This Bushfire Management Statement (BMS) has been prepared to allow [REDACTED] to respond to the requirements of Clause 44.06 *Bushfire Management Overlay* (known from this point on as Clause 44.06), and associated Clause 53.02 *Bushfire Protection: Planning Requirements* (known from this point on as Clause 53.02) for the proposed dwelling at Lot 4, 4935 Midland Highway, Daylesford.

The BMS is in two parts

Part 1 Site description, hazard assessment and locality description

Part 2 A Bushfire Management Statement describing how the proposed development responds to the requirements in Clause 53.02 and 44.06.

3 ZONING AND OVERLAYS

| Clause Number | Name |
|---------------|------------------------------------|
| 32.03 | Farming Zone |
| 13.02-1S | Bushfire Planning |
| 44.06 | Bushfire Management Overlay |
| 53.02 | Bushfire Planning |
| 52.12- 5 | Bushfire Protection: Exemptions |
| 42.01 | Environmental Significance Overlay |

Planning Zones

FARMING ZONE (FZ)

FARMING ZONE - SCHEDULE 2 (FZ2)

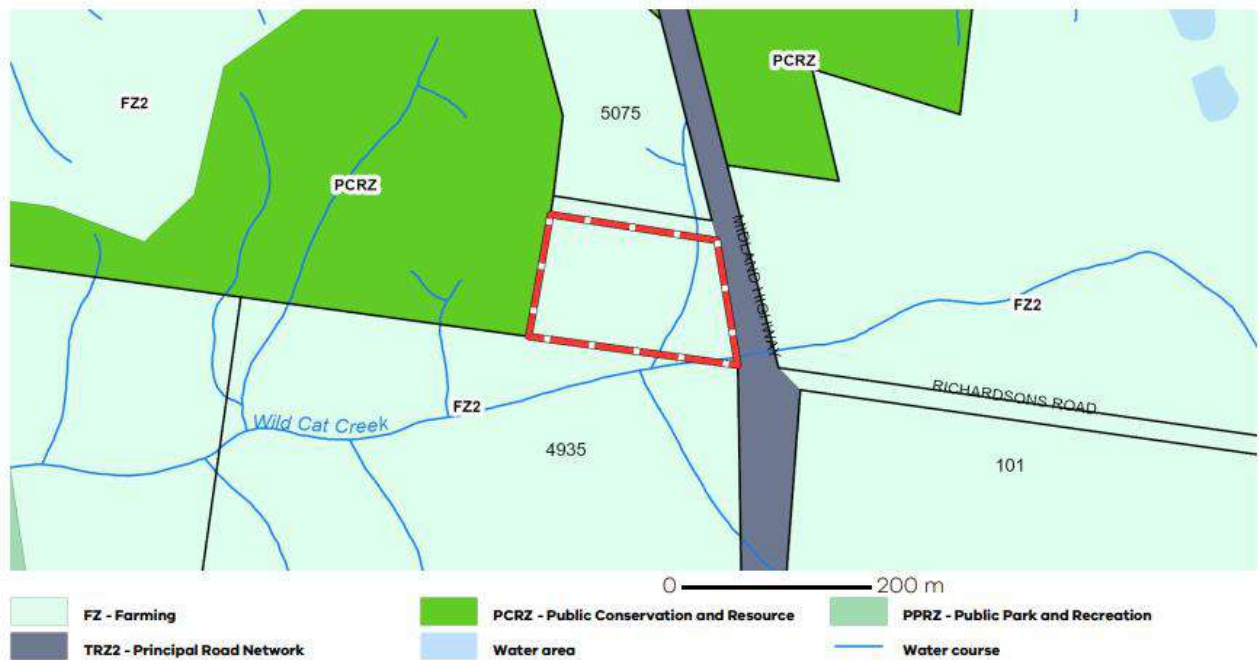


FIGURE 1 ZONING

4 LOCATION

The site is located in the farming area of Daylesford, approximately 5 kilometres to the north east of the town centre.

There are extensive areas of forest to the north, north west and south west of the site which will be discussed further in Section 9 of this report

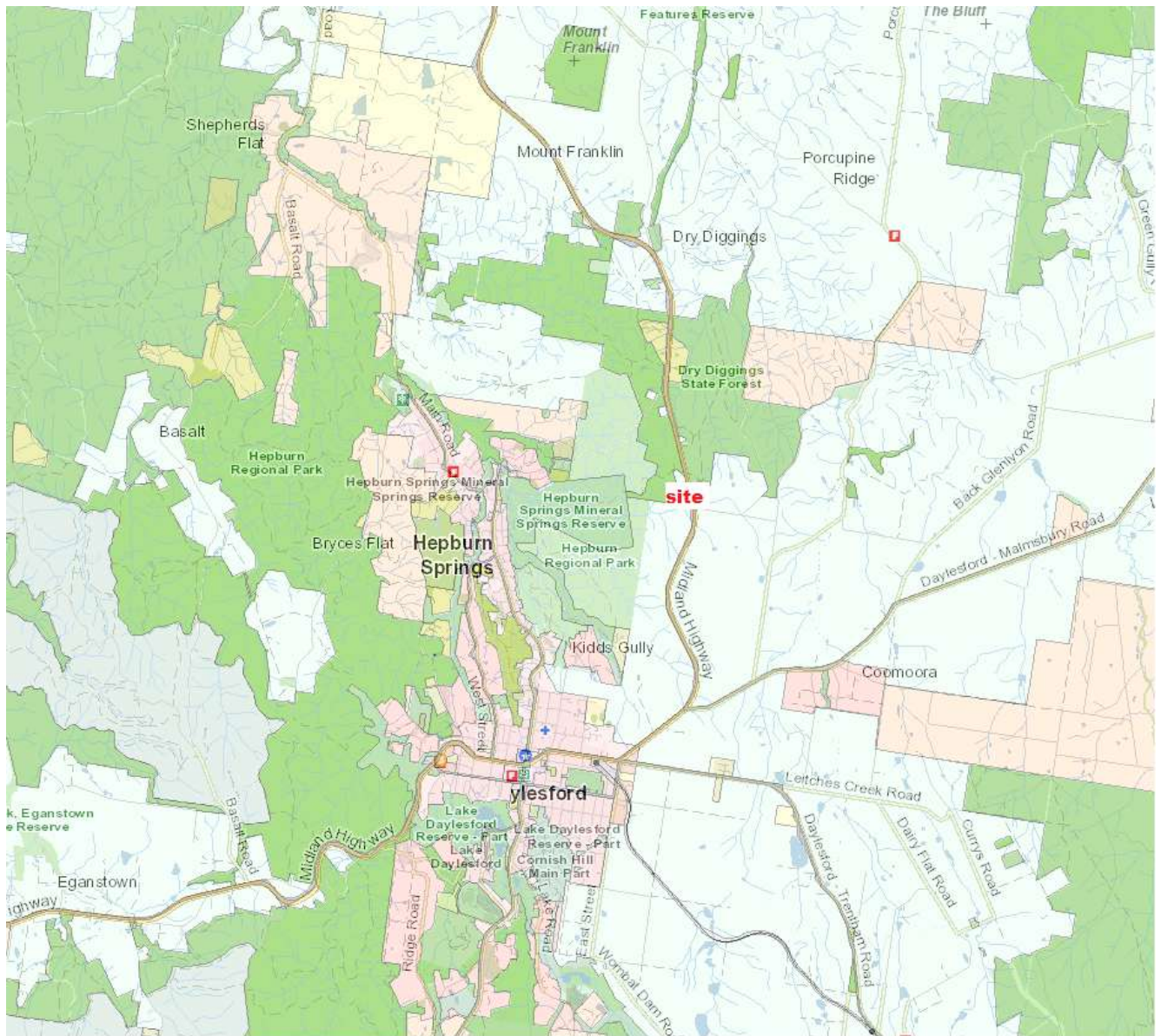


FIGURE 2 LOCATION

5 SITE DESCRIPTION

| Site shape, dimensions, size, existing use and buildings and works | |
|--|--|
| The shape of the site is: | Rectangular with an angled eastern boundary |
| The site has a total area of: | 2.354 hectares |
| The current use of the site is | Vacant |
| Existing buildings and works | Nil |
| Site topography | There is a south west sloping drainage line in the eastern part of the site. Land slopes to the south west at 5 to 10 degree slopes. |
| Site vegetation | The site is covered in forest (photos 1 to 3) |

Site photos



Photo 1 Looking south from the proposed house site in the central part of the lot.

Site photos



Photo 2 Looking south west through forest in the north eastern part of the site



Photo 3 Looking south west through forest in the southern part of the site



FIGURE 3 EXISTING CONDITIONS AIR PHOTO

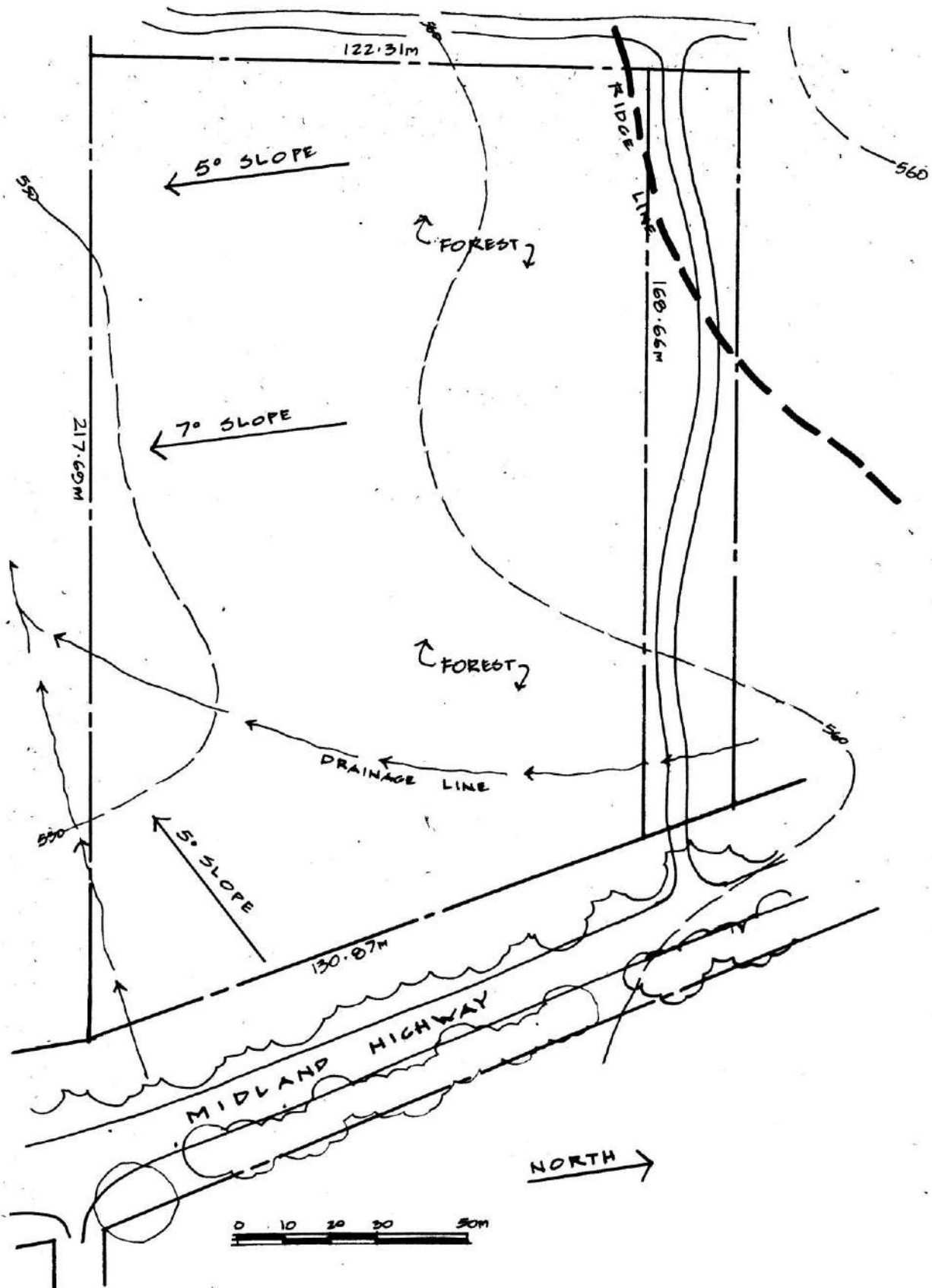


FIGURE 4 EXISTING CONDITIONS PLAN

6 ACCESS

The vehicle access is from the Midland Highway (photos 4 and 5) which provides access to managed farmland to the north and to the town centre of Daylesford to the south west where there is a Neighbourhood Safer Place. Trying to evacuate in a fire event would be hazardous. Occupants should leave well in advance of the arrival of a fire front.

Access Photos



Photo 4 Looking north along the Midland Highway near the site entry



Photo 5 Looking south along the Midland Highway verge near the proposed site entry.

7 BUSHFIRE HAZARD SITE ASSESSMENT

As shown in Figure 5 there is forest in most of the 150 metre assessment area (see photos 1 to 3 and 8 to 11). To the east is some grassland beyond the Midland Highway in farmland (photos 6 and 7).



FIGURE 5 150 m ASSESSMENT PLAN

Surrounding Landscape Photos



Photo 6 Looking east across grassland to the east of the site beyond the Midland Highway



Photo 7 Looking north across a strip of grassland towards forest beyond the highway verge on the north east boundary of the site

Surrounding Landscape Photos



Photo 8 Looking north through forest to the north of the site



Photo 9 Looking north west through forest with a burned understory to the north west of the site

Surrounding Landscape Photos



Photo 10 Looking south west through forest to the south of the site



Photo 11 Looking south west through forest to the south west of the site

8 BUSHFIRE HAZARD LANDSCAPE ASSESSMENT

The surrounding landscape corresponds to Broader Landscape Type 3 as assessed in accordance with the *Technical Guide, Planning Permit Applications – Bushfire Management Overlay* (DELWP, 2017). The terrain is undulating with extensive areas of forest, woodland and grassland to the north, north west and forest to the south west. On a broad landscape scale this presents a fire risk as on high fire danger days there are often strong north westerly winds followed by a gusty south west change which can turn the east flank of a fire approaching from the north west into a long fire front. It is following the south west wind changes when fire can cause greatest life and house loss.

Long runs of fire are likely to cause massive ember attack which is the main cause of house loss in a fire.

The areas of forest and grassland to the east of the site are less likely to form part of a long rapidly moving bushfire as winds from the east are not generally experienced on high fire danger days in Victoria. A spot fire could start to the east of the site and burn slowly towards the site so it is important to also establish and maintain defendable space in this direction.

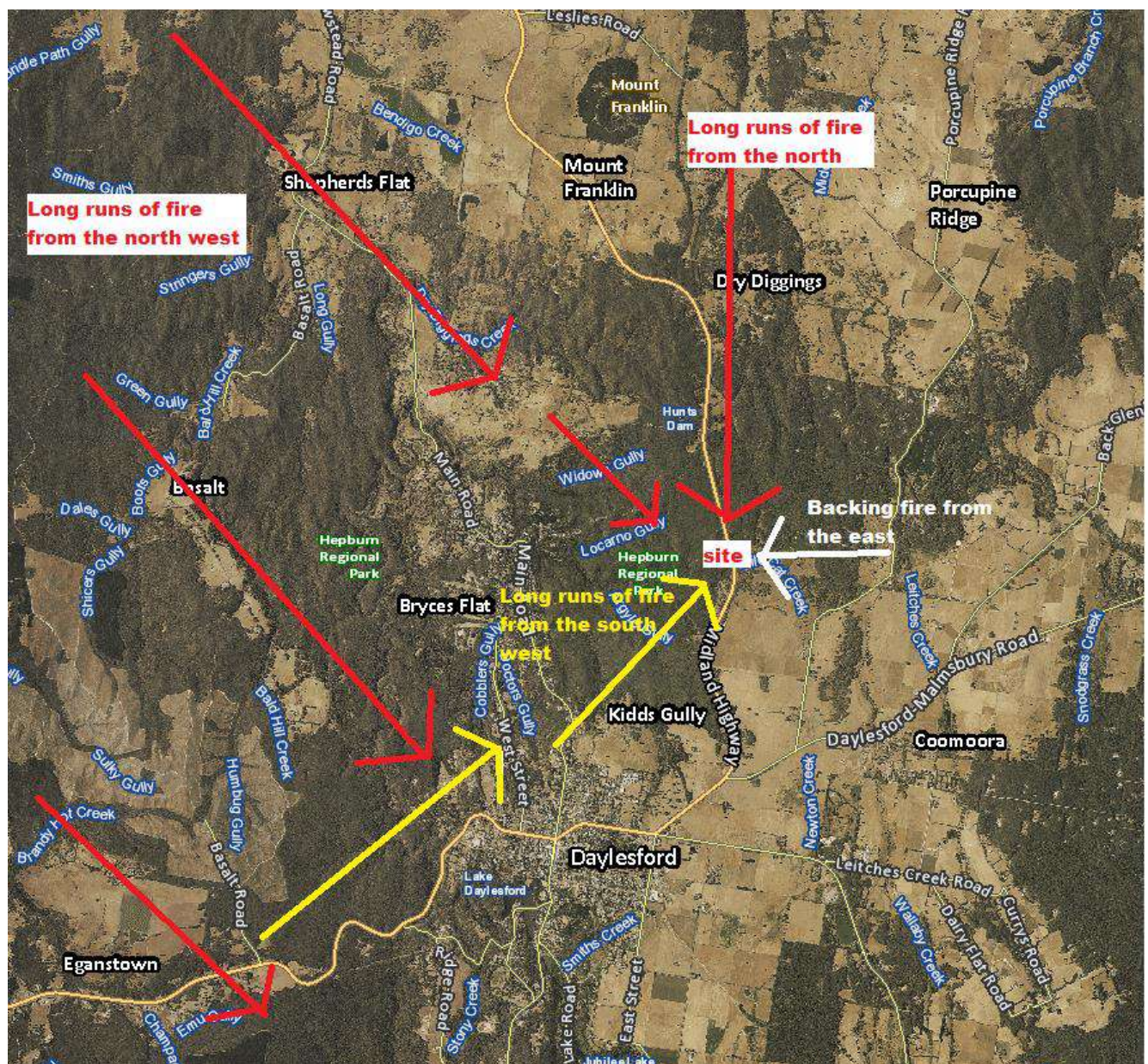


FIGURE 6 BUSHFIRE CONTEXT PLAN

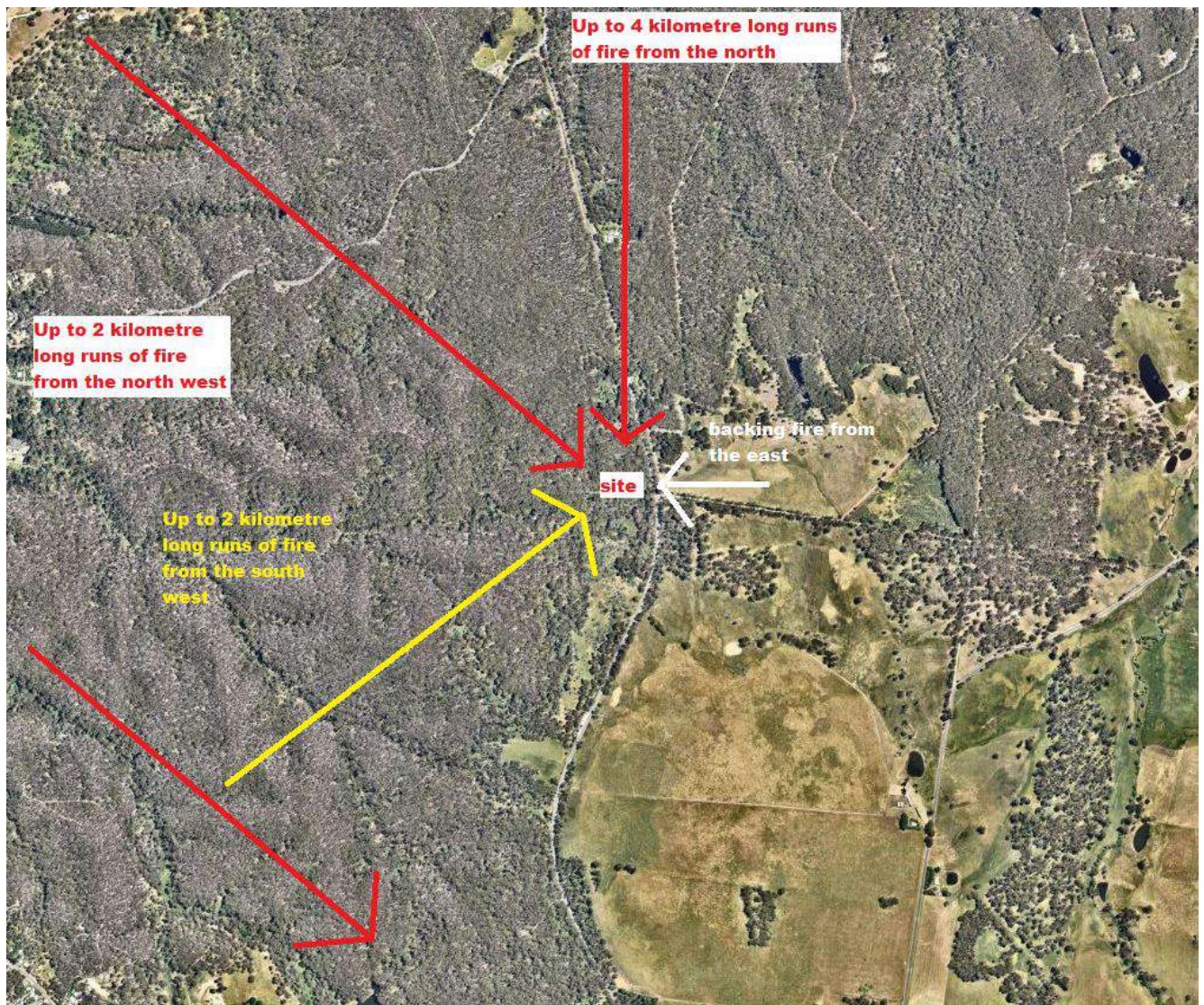


FIGURE 7 BUSHFIRE LOCAL CONTEXT PLAN

As shown on Figures 7 and 8, within 2 kilometres of the site the forest to the south west becomes fragmented but will still enable fire runs of more than 2 kilometres. The most significant risk to the site is from the north west.



FIGURE 8 BUSHFIRE NEIGHBOURHOOD CONTEXT PLAN

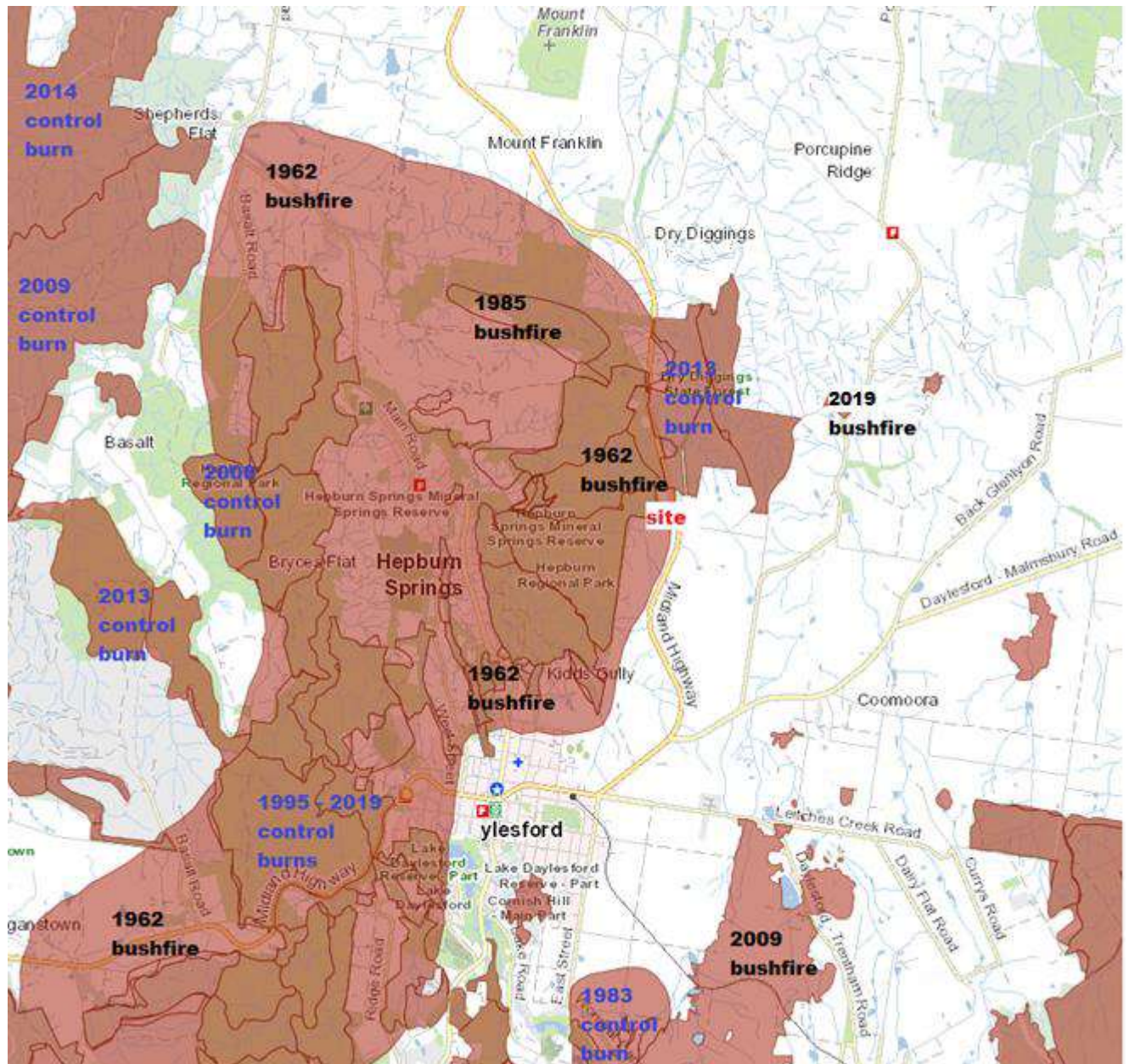


FIGURE 9 BUSHFIRE HISTORY MAP

The Fire History Map above shows the site is prone to bushfire, with the area being burned in 1962. As shown on Figure 10, forest on public land to the north and west is also part of the Joint Fuel Management Program which aims to manage fuels and reduce the fire risk.

In summary, the site is vulnerable to fire, however there is the ability to create adequate defensible space within property boundaries which will help reduce the fire risk.

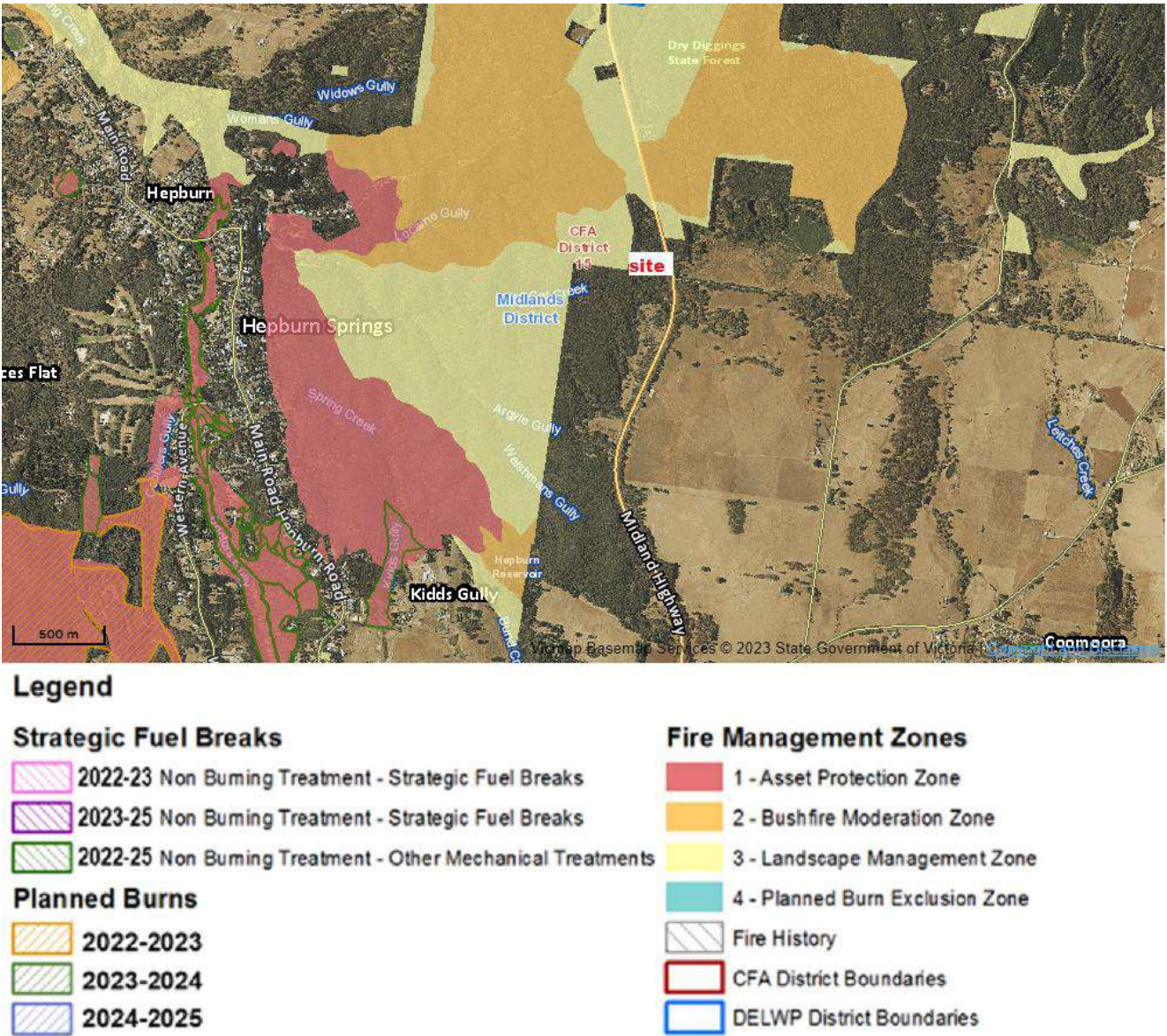


FIGURE 10 PLANNED BURNS AND MANAGEMENT ZONES

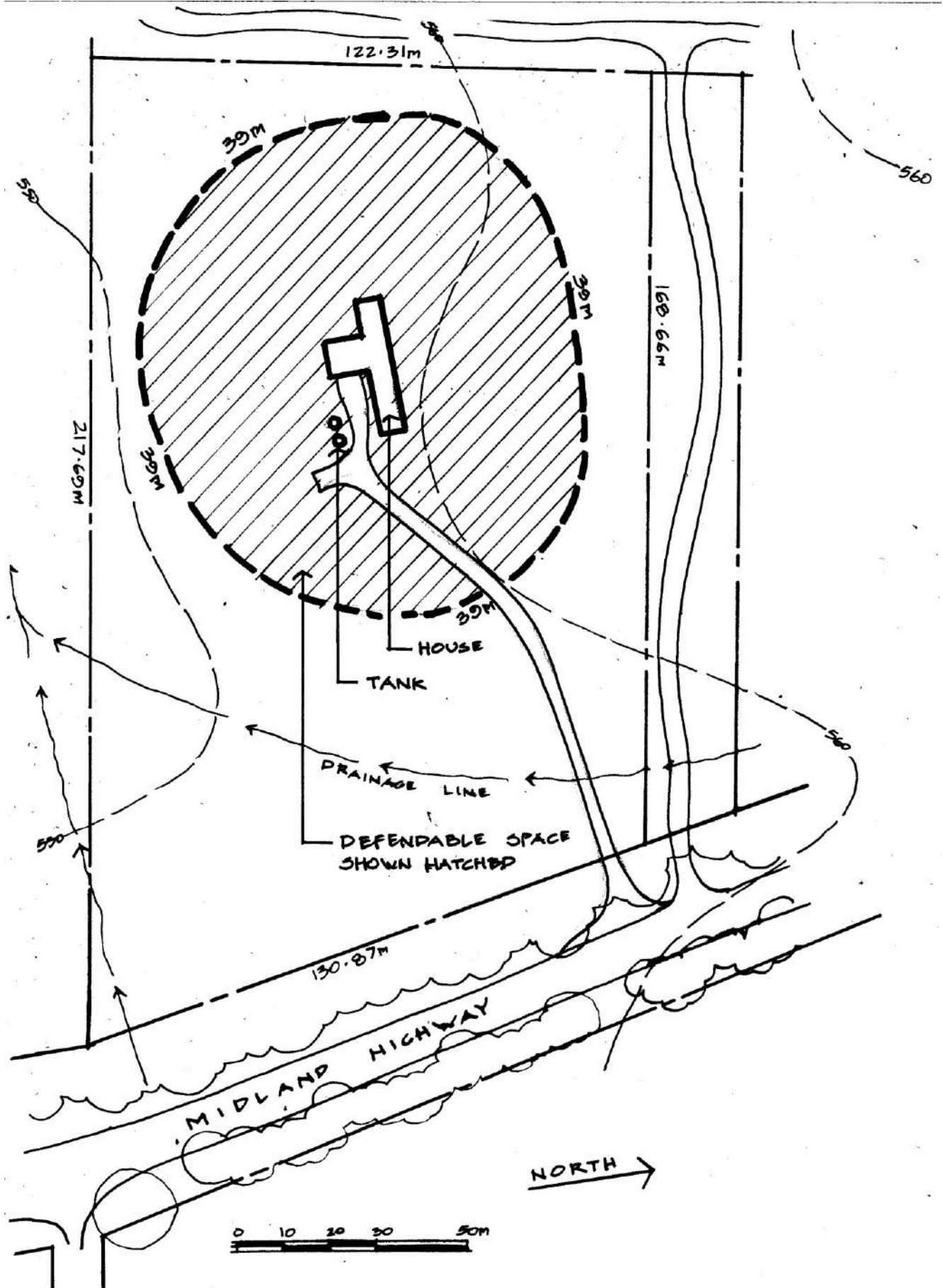


FIGURE 11 DEFENDABLE SPACE, ACCESS AND WATER SUPPLY (SEE NOTES ON THE FOLLOWING PAGE)

SCHEDULE OF BUSHFIRE PROTECTION MEASURES

Defendable space

The area of defendable space is shown hatched on Figure 11 on the previous page for a distance of 39 m around the proposed dwelling, where vegetation (and other flammable materials) will be modified and managed in accordance with the following requirements:

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

Construction standards

The building will be designed and constructed a minimum Bushfire Attack Level of (BAL) 40.

Water supply

A tank on site will hold 10 000 litres of effective water supply for fire fighting purposes which meets the following requirements:

- Is stored in an above ground water tank constructed of concrete or metal.
- All fixed above-ground water pipes and fittings required for fire fighting purposes must be made of corrosive resistant metal.
- Include a separate outlet for occupant use

The water supply must also

- Incorporate a ball or gate valve (British Standard Pipe (BSP) 65mm) and coupling (64 mm CFA 3 thread per inch male fitting).
- The outlet/s of the water tank must be within 4m of the access way and 60m of all parts of the building and be unobstructed.
- Be readily identifiable from the building or appropriate identification signage to the satisfaction of CFA must be provided.
- Any pipework and fittings must be a minimum of 65 mm (excluding the CFA coupling).

Access

The driveway shown on the plan will provide access for trucks for fire fighting purposes which meets the following requirements:

- A load limit of at least 15 tonnes
- Curves must have a minimum inner radius of 10m.
- The average grade must be no more than 1 in 7 (14.4 per cent) (8.1 degrees) with a maximum of no more than 1 in 5 (20 per cent) (11.3 degrees) for no more than 50m.
- Have a minimum trafficable width of 3.5m of all weather construction.
- Be clear of encroachments for at least 0.5m on each side and 4m above the access way.
- Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.
- A turning area will be provided for fire fighting vehicles close to the building through the provision of a vehicle turning head which meet the specification of Austroad Design for an 8.8 metre Service Vehicle

9 BUSHFIRE MANAGEMENT STATEMENT

Clause 53.02 contains a range of sub clauses with objectives, approved measures (AM), alternative measures (AltM) and decision guidelines. The table below details which clauses are relevant to this application. The following section demonstrates how the requirements have been met for the relevant standards.

Relevant clauses and measures applicable to the proposed development.

| Clause | Approved Measure | Achieved / Applicable | Justification |
|--|------------------|-----------------------|---|
| Clause 53.02-3 – Dwellings in existing settlements – Bushfire protection objective | AM 1.1 | Not Applicable | This site is zoned farming so not applicable. |
| | AM 1.2 | Not Applicable | |
| | AM 1.3 | Not Applicable | |
| Clause 53.02-2.4 Landscape, siting and design objectives | AM 2.1 | Applicable | This development addresses this clause. |
| | AM 2.2 | Applicable | |
| | AM 2.3 | Applicable | |
| Clause 53.02-4.2 Defendable space and construction objectives | AM 3.1 | Applicable | This development must address this clause. |
| | AM 3.2 | Not Applicable | This proposal is for a single dwelling |
| | AltM 3.3 | Not Applicable | Defendable space contained within property boundaries |
| | AltM 3.4 | Not Applicable | |
| | AltM 3.5 | Not Applicable | |
| | AltM 3.6 | Not Applicable | This proposal is for a single dwelling |
| Clause 53.02-4.3 Water supply and access objectives | AM 4.1 | Applicable | This development addresses this clause. |
| | AM 4.2 | Not Applicable | This proposal is for a single dwelling so N A |
| Clause 53.02-4.4 Subdivision objectives | AM 5.1 | Not Applicable | This proposal is for a single dwelling |
| | AM 5.2 | Not Applicable | |
| | AM 5.3 | Not Applicable | |
| | AM 5.4 | Not Applicable | |
| | AM 5.5 | Not Applicable | |

53.02-4.1 Landscape, siting and design objectives

Development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape.

Development is sited to minimise the risk from bushfire.

Development is sited to provide safe access for vehicles, including emergency vehicles.

Building design minimises vulnerability to bushfire attack.

| Approved Measure | Requirement |
|------------------|--|
| AM 2.1 | <p>The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.</p> <p>Response:</p> <p>The site is located to the east of the Hepburn Regional Park with forest, to the north, west and south west There is grazed farming land to the east and to the north beyond forest.</p> <p>The site meets the defensible space requirements for BAL 29 as per the Method 1 assessment of AS 3959-2018 within the property boundaries . BAL 40 construction standards are proposed due to the broadscale landscape fire risk</p> |
| AM 2.2 | <p>A building is sited to ensure the site best achieves the following:</p> <ul style="list-style-type: none"> • The maximum separation distance between the building and the bushfire hazard. • The building is in close proximity to a public road. • Access can be provided to the building for emergency service vehicles. <p>Response:</p> <p>The development has been sited to achieve BAL 29 defensible space, siting the house on elevated land in the central area.</p> <p>The house is located 105 metres of a public road to achieve the set back from the waterway in the eastern part of the site.</p> <p>Access requirements can be met. A track will provide truck access to the house site in accordance with Table 5, Appendix 3</p> |
| AM 2.3 | <p>A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building</p> <p>Response:</p> <p>The house will be required to meet a BAL of 40 with Column C (BAL 29) defensible space due to landscape fire risk. The construction requirements minimise the ability for ember penetration and radiant heat exposure to compromise the building integrity.</p> |

53.02-2.2 Defendable space and construction objective

Defendable space and building construction mitigate the effect of flame contact, radiant heat and embers on buildings.

| Approved Measure | Requirement |
|------------------|--|
| AM 3.1 | <p>A building used for a dwelling (including an extension or alteration to a dwelling), a dependant person's unit, industry, office or retail premises is provided with defendable space in accordance with:</p> <p>Table 2 Columns A, B or C and Table 6 to Clause 53.02 -5 wholly within the title boundaries of the land; or</p> <p>If there are significant siting constraints, Table 2 Column D and Table 6 to Clause 53.02 -3.</p> <p>The building is constructed to the bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02 -5.</p> <p>Response:</p> <p>The house has been sited to achieve BAL 29 defendable space (in accordance with column C of Table 2 to Clause 53.02-5) within the property boundaries. This has been based on the hazard of forest on 5 to 10 degree downslope in all directions (39 metres).</p> <p>Vegetation will need to be removed to meet the defendable space standards.</p> <p>BAL 40 construction standards are proposed as a precautionary measure.</p> |

9.1.1 53.02-2.3 Water supply and access objectives

A static water supply is provided to assist in protecting property.

Vehicle access is designed and constructed to enhance safety in the event of a bushfire.

| Approved Measure | Requirement |
|------------------|--|
| AM 4.1 | <p>A building used for a dwelling (including an extension or alteration to a dwelling), a dependant person's unit, industry, office or retail premises is provided with:</p> <p>A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02 -5.</p> <p>Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02 -5.</p> <p>The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies</p> <p>Response:</p> <p>A static water supply will be provided for the dwelling with a fire resistant tank which has a CFA compatible outlet positioned so that a fire truck can drive to within 4 metres of the outlet. 10 000 litres will always be retained within the tank for fire fighting purposes.</p> <p>Access requirements can be met. A 3.5 metre wide track capable of carrying a 15 ton truck with 4m vertical and 4.5m horizontal clearance will be provided. As the driveway is longer than 100m, a turning area is required in accordance with Table 5 of Clause 53.02-5.</p> <p>(See Table 5, Appendix 3)</p> |

10 CONCLUSION

53.02 -4.5 Decision guidelines

The proposed development meets the decision guidelines as follows:

The State Planning Policy Framework (SPPF) outlines the broad framework for bushfire protection policy and provisions in the planning scheme. The following policy is included in this;

Clause 13.02-1 S Bushfire planning

Objective

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

Strategies

Protection of human life

Give priority to the protection of human life by:

Prioritising the protection of human life over all other policy considerations.

Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.

Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process

This proposal has been prepared having regard for this over arching policy

The bushfire hazard landscape and site assessment, and bushfire management statement submitted with the application meets the objectives of Clause 53.02.

Land surrounding the site is a mix of forest, woodland, managed farmland, grassland and modified vegetation. The proper establishment and maintenance of defensible space on site with increased construction standards of BAL 40 will reduce the overall bushfire risk.

The proposed measures can be practically implemented and maintained in conjunction with the proposed use of a dwelling in the farming zone.

11 REFERENCES

CFA (2014). *Vegetation Classes: Victorian Bushfire Management Overlay*. Country Fire Authority, Burwood East, Victoria.

CFA (2011). *Landscaping for Bushfire: Garden design and plant selection*. Country Fire Authority, Burwood East, Victoria.

CFA (2012). *FSG LUP 0002 Requirements for water supply and access in the Bushfire Management Overlay (BMO)*. Country Fire Authority, Burwood East, Victoria.

Standards Australia (2009). *AS 39359-2009 Construction of Buildings in Bushfire Prone Areas*. Standards Australia, North Sydney, New South Wales.

DELWP (2017) *Planning Permit Applications – Bushfire Management Overlay Technical Guide* Department of Environment, Land, Water and Planning

DELWP (2018) *Clause 13.02-1S Bushfire planning* Department of Environment, Land, Water and Planning

http://planning-schemes.delwp.vic.gov.au/schemes/vpps/13_02-1S.pdf

DELWP (2018) *Clause 44.06 Bushfire Management Overlay* Department of Environment, Land, Water and Planning

http://planning-schemes.delwp.vic.gov.au/schemes/vpps/44_06.pdf

DELWP (2018) *Clause 53.02 Bushfire Planning* Department of Environment, Land, Water and Planning

http://planning-schemes.delwp.vic.gov.au/schemes/vpps/53_02.pdf

DELWP (2018) *Clause 52.12 Bushfire Protection Exemptions*. Department of Environment, Land, Water and Planning

http://planning-schemes.delwp.vic.gov.au/schemes/vpps/52_12.pdf

DELWP (2018) *Bushfire Fuel and Risk Management*

<https://www.ffm.vic.gov.au/bushfire-fuel-and-risk-management/joint-fuel-management-program>

Nearmap

<http://maps.au.nearmap.com>

Department of Environment, Land, Water and Planning *Outbuildings in the Bushfire Management Overlay* (October 2017)

https://www.planning.vic.gov.au/_data/assets/pdf_file/0020/107660/Outbuildings-in-the-Bushfire-Management-Overlay.pdf

Clause 66.03 Referral Of Permit Applications Under Other State Standard Provisions

http://planning-schemes.delwp.vic.gov.au/schemes/vpps/66_03.pdf

APPENDIX 1– BUSHFIRE SITE ASSESSMENT

| | North | South | East | West |
|---|--------|--------|--------|--------|
| Vegetation Type | Forest | Forest | Forest | Forest |
| Distance from the house site boundary to vegetation | 0 | 0 | 0 | 0 |
| The effective slope under the vegetation | Up | 5 - 10 | 0 - 5 | 0 - 5 |
| The width of required defendable space | 39 | 39 | 39 | 39 |
| BAL | 40 | 40 | 40 | 40 |

APPENDIX 2 DEFENDABLE SPACE CHECKLIST FOR SITE
(TABLE 6, CLAUSE 53.02 -3)

| Requirement | Compliance | Comment | Is a permit required to remove vegetation |
|---|------------|---------------------------|---|
| All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period. | No | Leaf litter to be removed | No |
| Grass must be short cropped and maintained during the declared fire danger period. | No | Grass to be cut | No |
| Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building. | Yes | | No |
| Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building. | No | | No |
| Shrubs must not be located under the canopy of trees. | No | Shrubs to be removed | No |
| Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres. | No | | No |
| Trees must not overhang or touch any elements of the building. | No | | No |
| The canopy of trees must be separated by at least 5 metres. | No | Trees to be removed | No |
| There must be a clearance of at least 2 metres between the lowest tree branches and ground level. | No | | No |

APPENDIX 3 ACCESS AND WATER SUPPLY REQUIREMENTS

Table 4 Water supply requirements

Capacity, fittings and access

| Lot sizes (square meters) | Hydrant available | Capacity (litres) | Fire authority fittings and access required |
|------------------------------|----------------------|----------------------|--|
| Less than 500 | Not applicable | 2,500 | No |
| 500-1,000 | Yes | 5,000 | No |
| 500-1,000 | No | 10,000 | Yes |
| 1,001 and above | Not applicable | 10,000 | Yes |

Note 1: A hydrant is available if it is located within 120 metres of the rear of the building

Fire Authority requirements

Unless otherwise agreed in writing by the relevant fire authority, the water supply must:

- Be stored in an above ground water tank constructed of concrete or metal.
- Have all fixed above ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
- Include a separate outlet for occupant use.

Where a 10,000 litre water supply is required, fire authority fittings and access must be provided as follows:

- Be readily identifiable from the building or appropriate identification signage to the satisfaction of the relevant fire authority.
- Be located within 60 metres of the outer edge of the approved building.
- The outlet/s of the water tank must be within 4 metres of the accessway and unobstructed.
- Incorporate a separate ball or gate valve (British Standard Pipe (BSP 65 millimetre) and coupling (64 millimetre CFA 3 thread per inch male fitting).
- Any pipework and fittings must be a minimum of 65 millimetres (excluding the CFA coupling).

Table 5 Vehicle access design and construction

Vehicle access (or part thereof) of a length specified in Column A implements the design and construction requirements specified in Column B.

| Column A | Column B |
|---|--|
| Length of access is less than 30 metres | There are no design and construction requirements if fire authority access to the water supply is not required under AM4.1 . |
| Length of access is less than 30 metres | Where fire authority access to the water supply is required under AM4.1 fire authority vehicles should be able to get within 4 metres of the water supply outlet. |
| Length of access is greater than 30 metres | <p>The following design and construction requirements apply:</p> <ul style="list-style-type: none"> ▪ All-weather construction. ▪ A load limit of at least 15 tonnes. ▪ Provide a minimum trafficable width of 3.5 metres. ▪ Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically. ▪ Curves must have a minimum inner radius of 10 metres. ▪ The average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more |
| | <p>than 1 in 5 (20%) (11.3°) for no more than 50 metres.</p> <ul style="list-style-type: none"> ▪ Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle. |
| Length of access is greater than 100 metres | <p>A turning area for fire fighting vehicles must be provided close to the building by one of the following:</p> <ul style="list-style-type: none"> ▪ A turning circle with a minimum radius of eight metres. ▪ A driveway encircling the dwelling. ▪ The provision of other vehicle turning heads – such as a T or Y head – which meet the specification of Austroad Design for an 8.8 metre Service Vehicle. |
| Length of access is greater than 200 metres | <ul style="list-style-type: none"> ▪ Passing bays must be provided at least every 200 metres. ▪ Passing bays must be a minimum of 20 metres long with a minimum trafficable width of 6 metres. |

Note 1: The length of access should be measured from a public road to either the building or the water supply outlet, whichever is longer.

APPENDIX 4 NATIVE VEGETATION REMOVAL

Offset requirements

Under Clause 52.12-5 the application is exempt from the requirement to apply for and off set the native vegetation as the removal is required to create defensible space as shown below

Clause 52.12-5 Exemption to create defensible space for a dwelling approved under Clause 44.06 of this planning scheme

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to the removal, destruction or lopping of vegetation to create a defensible space around a dwelling if all of the following requirements are met:

- ☐ *Land is in the Bushfire Management Overlay.*
- ☐ *Land is in the General Residential Zone, Residential Growth Zone, Neighbourhood Residential Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone, Rural Living Zone, **Farming Zone** or Rural Activity Zone.*
- ☐ *The removal, destruction or lopping of vegetation:*

Does not exceed the distance specified in Table 1 to Clause 53.02-4 of this planning scheme based on the bushfire attack level determined by a relevant building surveyor in deciding an application for a building permit under the Building Act 1993 for a dwelling or alteration or extension to the dwelling; or

Is required to be undertaken by a condition in a planning permit issued after 31 July 2014 under Clause 44.06 of this scheme for a dwelling or an alteration or extension to the dwelling

SCHEDULE OF BUSHFIRE PROTECTION MEASURES

Defendable space

The area of defendable space, shown hatched for a distance of 39 m around the proposed dwelling is where vegetation (and other flammable materials) will be modified and managed in accordance with the following requirements:

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

Construction standards

The house will be designed and constructed a minimum Bushfire Attack Level of (BAL) 40.

Water supply

A tank on site will hold 10 000 litres of effective water supply for fire fighting purposes which meets the following requirements:

- Is stored in an above ground water tank constructed of concrete or metal.
- All fixed above-ground water pipes and fittings required for fire fighting purposes must be made of corrosive resistant metal.

- Include a separate outlet for occupant use

The water supply must also

- Incorporate a ball or gate valve (British Standard Pipe (BSP) 65mm) and coupling (64 mm CFA 3 thread per inch male fitting).
- The outlet/s of the water tank must be within 4m of the access way and 60m of all parts of the building and be unobstructed.
- Be readily identifiable from the building or appropriate identification signage to the satisfaction of CFA must be provided.
- Any pipework and fittings must be a minimum of 65 mm (excluding the CFA coupling).

Access

The driveway shown on the plan will provide access for trucks for fire fighting purposes which meets the following requirements:

- A load limit of at least 15 tonnes
- Curves must have a minimum inner radius of 10m.
- The average grade must be no more than 1 in 7 (14.4 per cent) (8.1 degrees) with a maximum of no more than 1 in 5 (20 per cent) (11.3 degrees) for no more than 50m.
- Have a minimum trafficable width of 3.5m of all weather construction.
- Be clear of encroachments for at least 0.5m on each side and 4m above the access way.
- Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.
- A turning area will be provided for fire fighting vehicles close to the building through the provision of a vehicle turning head which meet the specification of Austroad Design for an 8.8 metre Service Vehicle

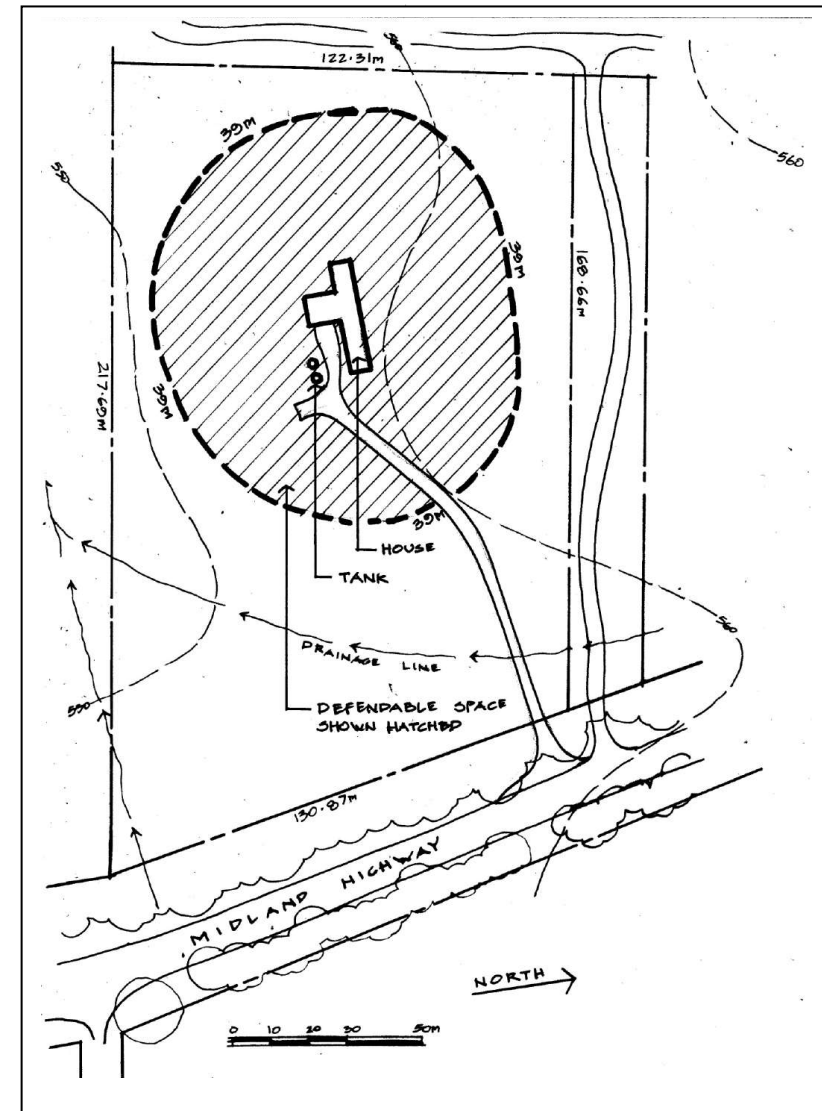


FIGURE 13 BUSHFIRE MANAGEMENT PLAN
Lot 4 4935 Midland Highway Daylesford
Version B 1/11/2023

From: KACUNIC, Anthony
Sent: Wed, 29 Nov 2023 02:59:04 +0000
To: Hepburn Shire Mailbox
Cc: 'Brad Hooper'; Richard Siedlecki
Subject: CFA response - PLN22/0117 - Lot 4 - 4719 - Midland Hwy, Daylesford
Attachments: PLN22-0117 - Lot 4 - 4719 Midland Hwy, Daylesford.pdf

Good afternoon all,

Please find enclosed CFA's response for PLN22/0117 - Lot 4 - 4719 - Midland Hwy, Daylesford.

If you have any questions, feel free to contact me.

Kind regards,

Anthony Kacunic
Fire Safety Officer
Regional Fire Safety Unit

Fire Rescue Victoria
Community Safety Directorate

M. 0429 105 701
E. anthony.kacunic@frv.vic.gov.au
frv.vic.gov.au



We acknowledge Aboriginal and Torres Strait Islander peoples as the Traditional Custodians of the land, and pay our respects to their cultures and their Elders past, present and emerging.

From: Grampians Planning (DEECA)
Sent: Wed, 28 Jun 2023 05:13:13 +0000
To: Hepburn Shire Mailbox
Cc: bradhooperarchitect@gmail.com
Subject: OFFICIAL: PLN22/0117 - 4935 Midland Highway DEECA (s55) / PV (s52) response
Attachments: SP480726_PLN220117_4935 Midland Hwy_S55_DEECA NOSTC_28062023t.pdf

Dear Sir/Madam

Please find attached a copy of DEECA's and PV's response on the Planning Application.

If you have any queries, please do not hesitate to contact us on the following.

Kind regards

Planning and Approvals Team | Forest, Fire and Regions | Grampians Region
Department of Energy, Environment and Climate Action

402 Mair Street, Ballarat, Victoria 3350

M: 0436 632 545 | **E:** grampians.planning@delwp.vic.gov.au

deeca.vic.gov.au



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We acknowledge Victorian Traditional Owners and their Elders past and present as the original custodians of Victoria's land and waters and commit to genuinely partnering with them and Victoria's Aboriginal community to progress their aspirations.

OFFICIAL

From: Casey Boucher
Sent: Thu, 30 Jun 2022 01:33:15 +0000
To: Hepburn Shire Mailbox
Subject: Your Ref PLN22/0117
Attachments: 22 10785 Sect 55 2022-06-30.pdf
Categories: Sal looking at

Good Afternoon,

Please find the attached referral response.

Regards



Casey Boucher

Senior Officer - Planning

Central Highlands Water

PO Box 152 Ballarat VIC 3353

D: 03 5320 3103

E: casey.boucher@chw.net.au

I'm currently working flexibly, therefore my work day may look different to yours. Please do not feel obliged to respond outside your working hours.



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Central Highlands Water acknowledges the Traditional Owners of the land on which we live and work. We pay our respects to Elders past, present and emerging.

From: Planning Referrals
Sent: Thu, 3 Nov 2022 01:40:17 +0000
To: Hepburn Shire Mailbox
Subject: PP-22-00666 - HEPB PLN22-0117 - DWELLING - Response 3-11-2022 (A4518045)
[SEC=OFFICIAL]
Attachments: PP-22-00666 - HEPB PLN22-0117 - DWELLING - Response 3-11-2022 (A4518045).pdf

OFFICIAL

Good afternoon

Please find attached GMW's response to the above mentioned planning permit application.

Kind Regards,

Loretta



Planning Team
Business and Finance

Reception: 1800 013 357
E: planning.referrals@gmwater.com.au

Goulburn-Murray Water
40 Casey Street
PO Box 165
Tatura 3616 Victoria, Australia
www.gmwater.com.au



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Any personal information in this email should be handled in accordance with the *Privacy and Data Protection Act 2014* (Vic). To view Goulburn-Murray Water's privacy policy please refer to our website at www.gmwater.com.au



Classification: OFFICIAL

Classified by: planning.referrals@gmwater.com.au on: 3/11/2022 12:39:56 PM

12 A HEALTHY, SUPPORTED, AND EMPOWERED COMMUNITY

12.1 GRANTS FUNDING POLICY

Go to 01:29:00 in the meeting recording to view this item.

DIRECTOR COMMUNITY AND CORPORATE

In providing this advice to Council as the Grants Specialist, I Jarrod Hodgson, have no interests to disclose in this report.

ATTACHMENTS

1. Grants Funding Policy 2024 [12.1.1 - 13 pages]

OFFICER'S RECOMMENDATION

That Council adopts the Grants Funding Policy.

MOTION

That Council adopts the Grants Funding Policy.

Moved: Cr Tessa Halliday

Seconded: Cr Tim Drylie

Carried

Voted for: Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Nil

Abstained: Nil

EXECUTIVE SUMMARY

Council delivers funds to the community through the administration of competitive grant programs. Regular and recurring programs include the Community Grants Program, Quick Response Grants, Biodiversity Grants, Landcare Grants (now known as Environment Groups Grants), Events grants and Towards Zero Grants (now known as Sustainable Hepburn). These regular grants programs deliver funds from a pool totalling \$198,000.

In 2023, a review was conducted into the management of Council's various grants programs to ensure that they achieved good governance, incorporated best practice, and that they continued to meet the needs of the community and deliver strong outcomes.

Recommendation 1 from the Grants Review states that a Grants Policy should be established. This policy reaffirms Council's commitment to maintain a transparent, equitable, and effective process when delivering grant programs to the community.

The policy will guide all current and future grant making programs. Officers provide the Grants Funding Policy for adoption in attachment 14.2.1.

BACKGROUND

In October 2020, Council conducted a review of the Community Grants program which was then expanded to encompass all of Council's grant making programs. The expanded review was endorsed by Council on 21 March 2023.

The Victorian Auditor General's Office (VAGO) conducted an audit on Fraud Control Over Local Government Grants in 2022 which made nine recommendations. These recommendations formed the basis for the Council Grants Review. The VAGO report identified that councils should establish an over-arching policy to guide grant-making programs and was reflected in the Council Grants Review's first recommendation.

This policy will implement the recommendation from the Grants Review 2023 and provide strategic oversight and procedural guidance for Council's grant making programs.

KEY ISSUES

The policy has been designed to provide strategic oversight for Council's grants programs and to guide the development of any future grant-making program. The policy aims to outline the essential components of all grants programs and to ensure they are administered with consistency and adherence to the principles of transparency, good governance, effectiveness, and fairness.

The policy outlines the establishment, administration, assessment and evaluation procedures for grants programs, bringing all grant streams into alignment with the recommendations from the Grants Review report.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Council Plan 2021-2025

A healthy, supported, and empowered community

2.2 Increase the availability and accessibility of services in the Hepburn Shire area to support liveability, health, and wellbeing.

A dynamic and responsive Council

5.3 A sustainable and agile organisation with strong corporate governance that supports excellent operations

5.4 Improve staff resourcing, support, and capacity building.

FINANCIAL IMPLICATIONS

Council grant-making involves the disbursement of Council funds to the community. Council currently funds \$198,000 to the community through the administration of six regular grant programs.

Well-designed and effectively managed grants programs will ensure that funds are allocated and acquitted appropriately.

Adoption of the Grants Funding Policy will enhance the financial management of grant-making by Council, including clarifying the use of funds and increasing the efficiency of processes when evaluating and managing applications, as well as minimising risk of fraud and increasing transparency in decision making.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

Council's Community Engagement Policy was utilised to develop the Engagement Plan for the 2023 Grants Review. Under the policy this project scored 14, which falls within the 'Consult or Involve' category.

The following engagement was conducted:

- Consultation with Council officers managing each program through the formation of a Project Control Group.
- Data analysis relevant to each program (e.g. number of applicants, amount of funds disbursed, total number of groups receiving grant funding, etc.).
- Customised surveys conducted with applicants from each grant program.
- A project page on Participate Hepburn and survey link were made available to the community.
- Benchmarking against grants programs in other regions; and
- A desktop review of other relevant documents (reports, policies, etc.).

A total of 65 survey responses were received. This included engagement with other local government bodies and benchmarking against their grant's programs. Ten survey responses were received from other councils.

Further benchmarking and consultation with other LGAs was conducted in order to produce the draft Grants Funding Policy.

RISK AND GOVERNANCE IMPLICATIONS

The results from the Victorian Auditor General Office's review of grant-making in local government were thoroughly considered and incorporated into the recommendations from the Grants Review. The Grants Funding Policy has been developed to strengthen Council processes to guide effective grant-making in Council and to minimise risk to the organisation.

ENVIRONMENTAL SUSTAINABILITY

There are no sustainability implications associated with this report.

GENDER IMPACT ASSESSMENT

A Gender Impact Assessment (GIA) has been completed for the draft policy.

The GIA will be reviewed in line with the formal review of the Grants Funding Policy.

► GRANTS FUNDING POLICY

| | |
|----------------------|--|
| POLICY NUMBER: | 94 (C) |
| NAME OF POLICY: | GRANTS FUNDING POLICY |
| DATE OF NEXT REVIEW: | 2028 – every four years. |
| DATE APPROVED: | <Insert date adopted by Council> |
| RESPONSIBLE OFFICER: | Director Community and Corporate |
| REFERENCES: | <i>Local Government Act 2020</i> <i>Victorian Charter of Human Rights and Responsibilities Act 2006</i> <i>Equal Opportunity Act 2021</i> <i>Gender Equality Act 2020</i> <i>Privacy and Data Protection Act 2014</i> <i>Public Health and Wellbeing Act 2008</i> <i>Human Rights and Equal Opportunity Commission Act 1986</i> Internal References: Hepburn Shire Council Grant Review Report 2023 Hepburn Shire Council Plan 2021-2025 Hepburn Shire Municipal Health and Wellbeing Plan 2021-2025 |

► GRANTS FUNDING POLICY

Service Performance Principles as defined in section 106 of the *Local Government Act 2020*

Service performance principles

(1) A Council must plan and deliver services to the municipal community in accordance with the service performance principles.

(2) The following are the service performance principles—

(a) services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community;

(b) services should be accessible to the members of the municipal community for whom the services are intended;

(c) quality and costs standards for services set by the Council should provide good value to the municipal community;

(d) a Council should seek to continuously improve service delivery to the municipal community in response to performance monitoring;

(e) service delivery must include a fair and effective process for considering and responding to complaints about service provision.

► GRANTS FUNDING POLICY

INTRODUCTION

This policy reaffirms Council's commitment to maintain a transparent, equitable, and effective process when delivering grant programs to the community. The policy will guide all current and future grant making programs.

SCOPE

This policy applies to all of Council's current and future grant making programs and provides guidance to community groups applying for grants, as well as Council officers responsible for the design, delivery, and/or evaluation of grant programs.

A grant is defined as a payment by Council to an individual or organisation for a stated purpose, awarded through a competitive and transparent application process.

This policy does not apply to:

- Ongoing or one-time funding through a Memorandum of Understanding or other funding agreement (for example, Signature and Regional events).
- Non-financial support such as the provision of buildings, land or facilities, and in-kind support from Council staff.
- Payments for sponsorship by Council.
- Payments to organisations for delivery of services on behalf of Council.
- Grant writing undertaken by Council to obtain external funding for Council activities.

1. POLICY

1.1 Principles

Council acknowledges the contribution that community groups, clubs, and not-for-profit organisations deliver to our community and the limited resources available to such groups in achieving meaningful results. Council is committed to supporting community groups, clubs, and organisations through the implementation of grant programs to provide access to funding for the facilitation of projects, events, and activities within Hepburn Shire, and for the benefit of Hepburn Shire residents.

Three principles guide Council's grant making programs, including how officers work with, support, and respect the community and administer the programs:

▶ GRANTS FUNDING POLICY

Transparency

Transparency is defined as a lack of hidden agendas or conditions and the availability of all information required to collaborate, cooperate, and make decisions effectively.

Fairness and Equity

Fair and equitable grant making means being conscious of the barriers and disadvantages being faced by some groups or individuals due to the inequitable distribution of power and resources.

Effectiveness

Every grant dollar should produce the maximum benefit for Hepburn Shire communities. Each grant should be both efficient and effective throughout the whole lifecycle of the community grant process, from promotion to evaluation.

1.2 Framework

Council is committed to providing an annual financial allocation for grant programs. The allocation is determined during the annual budget process. Grant programs may open for applications once per year or multiple times throughout the year via established 'rounds' with key dates outlined clearly within the guidelines for each grant program.

The Hepburn Shire Grants Framework and Handbook document contains information about the purpose and projected outcomes for each grant program. The Framework and Handbook contains the guidelines for each grant program including eligibility criteria, key dates, and assessment criteria.

2. Key Components of Council Grants Programs

2.1 Guidelines

Each grant program will feature documented and accessible guidelines that outline items including:

- Eligibility criteria and ineligible applicants.
- Projects and activities that will and will not be considered for funding.
- Application, assessment, funding, and acquittal processes.

► GRANTS FUNDING POLICY

- Expected timeframe for results to be determined and applicants notified.
- Assessment criteria, including the weighting of each criterion.
- Reporting and acquittal requirements.
- A Council contact for applicants to approach with further enquiries.

Guidelines will be made available before and throughout the duration of the application period and will be reviewed at the conclusion of the grant program or on an annual basis. Guidelines are also contained within the Grants Framework and Handbook document.

2.2 Eligibility Criteria

Eligibility criteria will be clearly outlined in the guidelines documents. Eligibility criteria may vary between the different grant programs (as each grant program is targeted toward differing outcomes). The common eligibility criteria across all grant streams includes:

- Applicants must represent a legal entity with a registered Australian Business Number (ABN) or be auspiced by another organisation that meets this criteria.
- Applicants must represent a Not-For-Profit (NFP) entity.
- Applicants must be from within Hepburn Shire and/or be conducting a project within Hepburn Shire for the benefit of Hepburn Shire residents.
- Applicants must not have received funding or in-kind-support for the same project from other sources within Hepburn Shire Council, i.e., funding agreements or sponsorship arrangements (except for Local Community Events Support where in-kind support can be provided regardless of the outcome of a grant application.)
- Applicants must have valid Public Liability Insurance or can demonstrate the ability to obtain such insurance before the project commences.

2.3 Communications and Promotion

To ensure that the Hepburn Shire community is provided with an opportunity to apply for funding, extensive communication will be provided to promote grant opportunities. A communications plan for each grant program will be developed to ensure strong media exposure and wide reach in promoting Council's grant programs.

Officers responsible for grant programs will be able to provide support, advice, and assistance to applicants.

► GRANTS FUNDING POLICY

2.4 Application Requirements

Guided by the principles outlined in section 1.1, Council Officers will assess the eligibility of each application. Applications that do not meet the eligibility criteria will not be considered for assessment. Council Officers may contact applicants to seek further information regarding their application or eligibility. Ineligible applicants will be notified as soon as they are deemed ineligible.

2.5 Accountability and Transparency

Conflicts-of-interest must be declared by both applicants and assessors and managed according to the *Local Government Act 2020* and recorded within Council's Conflict-of-interest register.

To ensure an accountable and transparent assessment process, Officers with a declared conflict-of-interest will not participate in the assessment process. Assessors will have no contact with the individual applicants in relation to the grants assessment process.

All information provided by applicants in the grant application is to be treated as sensitive and confidential and assessors are to adhere to the conventions outlines in sections 3(1) and 125 of the *Local Government Act 2020*. Assessors should conduct the assessments in a private setting and are not to disclose information about applicants to others until the assessment panel convenes.

A Terms of Reference document outlining responsibilities and duties, will be provided to any Council Officer selected for Assessment duties.

2.6 Assessment

In line with the recommendations from the Grants Review 2023, decision-making processes for each grant program are the responsibility of Council officers only.

Assessment Panels are comprised of Council Officers responsible for other grant programs, other suitable Council Officers, with representation also coming from the Leadership or Executive Team and Governance. The Director Cooperate and Community makes appointments to the assessment panel based on merit, skills and expertise in relevant grants and subject matter.

Assessors will individually assess each application against the assessment criteria before reviewing within a panel discussion. Officers involved with assisting or supporting applicants during the application process, cannot be considered for assessment duties.

► GRANTS FUNDING POLICY

Council officers involved in the assessment process must complete a conflict-of-interest declaration and undergo training in conflict-of-interest, fraud, and risk.

Assessment panels must consist of a minimum of three Council officers and all assessors must abide by the Terms of Reference provided by the Officer administering the grants program.

2.7 Assessment Criteria

All Council Grant Programs are assessed against the following Assessment Criteria.

- Meets the eligibility criteria and projected outcomes of the grant program.
- Addresses an evidence-based community need or opportunity.
- Demonstrates alignment with the Hepburn Shire Council Plan focus areas and relevant Strategy.
- Demonstrates a clear benefit to Hepburn Shire Council residents.
- Demonstrates a clear ability to carry out and undertake the project/activity/event through to completion.
- Provides supporting documentation including quotations.
- Demonstrates no ethical or other conflict of interest.

2.8 Decision-Making Process

All assessment comments and scores will be recorded in Council's grant management system and the minutes from the assessment panel discussion will be recorded and documented. At the conclusion of the assessment panel discussion, applications will be recommended for funding based on their assessment scores. Funding is allocated to the highest scoring applicant first, and then to each subsequent applicant until all recommended applications have been funded or the funding pool for the grant round is exhausted.

In certain circumstances an application may be deemed successful for partial funding only, at the discretion of the Assessment Panel. This may be due to some element of the application being identified as unsuitable for funding or a desire to fund more applicants.

▶ GRANTS FUNDING POLICY

Applicants offered partial funding have the right to refuse, as acceptance may impact their eligibility for future grants.

All decisions made by Council regarding eligibility, assessment and decision-making are final.

All applicants will be notified of the results, and successful applicants will be required to sign a funding agreement. Unsuccessful applicants will be provided with feedback regarding the assessment panel's decision.

2.9 Funding Agreements

To support clarity and transparency, funding will be administered through funding agreements. Recipients of grants must abide by the terms of their funding agreement, including the completion of acquittal obligations. A grant is only deemed awarded and received by the applicant once the funding agreement is signed.

2.10 Acquittal and Reporting Obligations

Grant recipients must adhere to the requirements outlined within the funding agreement including timely acquittal and reporting obligations. Applicants must demonstrate through the acquittal process that Council funds were spent on the stated purpose and products. Any money unspent by the applicant at the time of acquittal must be repaid to Council. Applicants will be deemed ineligible for any future Council grant if they have an outstanding acquittal for a previous grant.

Council reserves the right to request audited financials from applicants at any time.

3. Grant Programs and funding streams

Council supports the delivery of \$198,000 in grants to the community through the following grant programs: Community Grants, Biodiversity Grants, Environment Groups Grants and Sustainable Hepburn Grants. Each program and its funding streams are listed below.

3.1 Community Grants

The Community Grants Program provides \$110,000 to fund programs and events that promote community wellbeing, increase social connection, and build capacity for leadership and independence. Successful projects must be conducted in Hepburn Shire to the benefit of its residents.

► GRANTS FUNDING POLICY

Community Grants consists of the following funding streams:

- Community Support Grants

Community Support Grants encourage community-based projects and initiatives that enhance the social, environmental, and economic life of Hepburn Shire.

Community groups may apply for funding for community led projects and activities that align with the focus areas of the Hepburn Shire Council Plan and Vision 2022-25 and/or the Municipal Health and Wellbeing Plan. Community Support Grants are delivered through three rounds of funding per year. Community Support Grants are delivered through three rounds of funding per year.

- Quick Response Grants

The Quick Response Grant stream has been designed to support community groups who may have experienced an unforeseen disruption, urgent issue or to facilitate smaller projects that are significantly less costly than the amount available in the Community Support Grants scheme. The Quick Response Grants has quicker assessment outcomes to facilitate adequate and timely responses to community issues.

- Local Community Event Support

The Local Community Events Support Grants Stream provides funding to support local events and days of celebration which aim to promote the artistic and cultural diversity of Hepburn Shire. Successful applicants will need to demonstrate how their project aligns to the definition of Local Community Events within the Hepburn Shire Events Strategy. Funding is available for projects that can demonstrate benefits to a local audience, the potential to generate intrastate visitation, and promote the arts and culture of Hepburn Shire.

- Charitable purposes

The Charitable Purposes stream provides funding for organisations that perform charitable activities within the shire. Projects in this stream can be ongoing projects or previously run initiatives that can demonstrate that they are providing programs, activities, or events for vulnerable or disadvantaged community members. There is one grant available per Council Ward. Applicants must be a registered charity organisation to apply for this stream.

▶ GRANTS FUNDING POLICY

- Support for New Residents Welcome Sessions

The Support for New Residents Welcome Sessions stream provides funding to community groups that are providing sessions to welcome new residents to the shire. There is one grant available per Council Ward.

The Community Grants program parameters, including program objectives, key-dates and assessment criteria are managed in accordance with the Community Grants Program guidelines.

3.2 Biodiversity Grants

The Biodiversity Grants Program provides \$28,000 to support community driven biodiversity initiatives. The Biodiversity Grants program offers grants for 12 or 24-month projects that align with the seven objectives of the *Natural Environment and Biodiversity theme* within the Sustainable Hepburn Strategy. These grants support community groups and the diverse work being done to protect and enhance our natural biodiversity and ecology. Funding is available for projects that can demonstrate benefits to biodiversity via on-ground works or increasing the public's interest and capacity to protect and enhance Hepburn's biodiversity.

Funding is offered once per year. The program parameters, including program objectives, key-dates and assessment criteria are managed in accordance with the Biodiversity Grants guidelines.

3.3 Environment Groups Grants

Hepburn Shire Council's Environment Groups Grant Program (formerly Landcare Grants) supports community groups whose primary function is to enhance and protect the environment of Hepburn Shire. Council has committed \$20,000 to support local community environment groups in 2024. Potential applicants are identified by Council Officers and will be invited to apply by the Biodiversity Officer. Applicants will need to demonstrate that their group conducts on-ground environmental works or promotes/advocates for the protection and enhancement of ecological health within Hepburn Shire.

Funding is offered once per year and suitable groups are invited to apply by Council Officers. The program parameters, including program objectives, key-dates and

► GRANTS FUNDING POLICY

assessment criteria, are managed in accordance with the Environment Groups Grants guidelines.

3.4 Sustainable Hepburn Grants

Council has committed \$40,000 to support community driven sustainability initiatives in 2024. Funding is available for projects that align with the strategic themes from the Sustainable Hepburn Strategy and can demonstrate a reduction in greenhouse gas emissions, through reduced energy consumption, carbon drawdown or via the use of renewable energy in Community facilities across Hepburn Shire.

Funding is offered once per year. The inclusion of financial co-contributions is encouraged to deliver maximum benefit to the community. The program parameters, including program objectives, key-dates and assessment criteria, are managed in accordance with the Sustainable Hepburn Grants guidelines.

3.7 Other Grant Programs or Funding Streams

Any future Council Grants programs will adhere to the principles outlined in this policy and include the key components set out in Section 2. This could include one-off funding opportunities open to the public or short-term grant programs funded by other government bodies and administered by Council.

DEFINITIONS

The following terms are referred to in the policy.

| Term | Definition |
|------------------|--|
| Acquittal | Reporting on how the grant was used and spent. |
| Council | Hepburn Shire Council |
| Council Officers | Includes permanent and temporary full-time and part-time Council employees, as well as contractors and consultants engaged by Council. |

► GRANTS FUNDING POLICY

| Term | Definition |
|---------------|--|
| Grant | A conditional sum of funds provided to a recipient through a competitive and transparent process, for an agreed specified purpose in a formal agreement between parties, with the understanding that there will be a defined outcome that directly or indirectly benefits the community. |
| Grant making | The process of creating a competitive and transparent program that allows dispersal of allocated sums of money to community groups, clubs, or organisations to enable them to carry out activities for the benefit of the local community. |
| Grant writing | The practice of completing an application process for a financial grant provided by an institution such as a government department, corporation, foundation, or trust. |

FURTHER INFORMATION

Any enquiries about the Grants Funding Policy should be directed to the Director Corporate and Community.

Relevant Council Documents:

Hepburn Shire Council Plan 2021-2025

Hepburn Shire Council Municipal Health and Wellbeing Plan 2021-2025

Community Grant Review report and recommendations 2023

Community Grants Program Guidelines

Biodiversity Grant Guidelines

Environment Groups Grant Guidelines

Sustainable Hepburn Grant Guidelines

► GRANTS FUNDING POLICY

IMPLEMENTATION

This policy will be available on the Intranet, corporate website. Training will be administered to relevant staff to support understanding and compliance.

REVIEW

The Grants Funding Policy will be reviewed every 4 years or sooner if required by legislation or organisational changes.

The officer responsible for the review of this policy is the Director Community and Corporate.

GENDER IMPACT ASSESSMENT

A Gender Impact Assessment (GIA) has been completed for this policy. The GIA will be reviewed when the policy is reviewed.

12.2 GLENLYON RECREATION RESERVE MASTERPLAN

Go to 01:33:00 in the meeting recording to view this item.

DIRECTOR COMMUNITY AND DEVELOPMENT

In providing this advice to Council as Sport and Recreation Projects Officer, I Gary Learmonth have no interests to disclose in this report.

ATTACHMENTS

1. Final Masterplan - Glenlyon Recreation Reserve Masterplan - 3 April 2024 [12.2.1 - 12 pages]
2. Glenlyon Recreation Reserve Masterplan - Public Exhibition Engagement Report (Summary) - April 2024 [12.2.2 - 15 pages]
3. Glenlyon Recreation Reserve Masterplan Flood Impact Assessment Summary (April 2024) [12.2.3 - 3 pages]

OFFICER'S RECOMMENDATION

That Council:

1. *Notes the public exhibition engagement feedback received and endorses the changes made to finalise the Glenlyon Recreation Reserve Masterplan;*
2. *Adopts the Glenlyon Recreation Reserve Masterplan Report and notes that the implementation plan will inform Council's long term financial planning over the next 10 plus years; and,*
3. *Acknowledges the community members, key stakeholders and community organisations who have been involved in the development of the Glenlyon Recreation Reserve Masterplan and note that officers will write to submitters, key stakeholders and community organisations to advise them of Council's decision.*

MOTION

That Council:

1. *Notes the public exhibition engagement feedback received and endorses the changes made to finalise the Glenlyon Recreation Reserve Masterplan;*
2. *Adopts the Glenlyon Recreation Reserve Masterplan Report and notes that the implementation plan will inform Council's long term financial planning over the next 10 plus years;*
3. **ACKNOWLEDGES THE COMMUNITY MEMBERS, KEY STAKEHOLDERS AND COMMUNITY ORGANISATIONS WHO HAVE BEEN INVOLVED IN THE DEVELOPMENT OF THE GLENLYON RECREATION RESERVE MASTERPLAN AND**

NOTE THAT OFFICERS WILL WRITE TO SUBMITTERS, KEY STAKEHOLDERS AND COMMUNITY ORGANISATIONS TO ADVISE THEM OF COUNCIL'S DECISION;

4. *RESOLVES THAT THE NEW PAVILION AT THE GLENLYON RECREATION RESERVE WILL BE BUILT ON THE SITE OF THE EXISTING AND OLD PAVILION,*
5. *RESOLVES THAT THE EXISTING TOILET BLOCK AT THE GLENLYON RECREATION RESERVE WILL BE RETAINED AND USED AS A TOILET BLOCK FROM NOW AND INTO THE FUTURE UNTIL IT BECOMES A FINANCIAL PRIORITY TO RENOVATE OR REPLACE IT. THE WATER TANK AND THE BLACKWOOD TREE (THAT IS REMNANT VEGETATION) NEXT TO THE TOILET BLOCK WILL NOT BE PULLED DOWN OR REMOVED, AND;*
6. *RESOLVES THAT THE DRAIN THAT RUNS FROM RIGHT TO LEFT BETWEEN THE OVAL AND THE PAVILION WILL BE DUG OUT AND KEPT DUG OUT TO REDUCE FLOODING AROUND THE PAVILION.*

MOVED: CR JULIET SIMPSON

CR TESSA HALLIDAY PROPOSED AN AMENDMENT TO THE MOTION, THIS WAS ACCEPTED BY CR JULIET SIMPSON

MOTION

That Council:

1. *Notes the public exhibition engagement feedback received and endorses the changes made to finalise the Glenlyon Recreation Reserve Masterplan;*
2. *Adopts the Glenlyon Recreation Reserve Masterplan Report and notes that the implementation plan will inform Council's long term financial planning over the next 10 plus years;*
3. *ACKNOWLEDGES THE COMMUNITY MEMBERS, KEY STAKEHOLDERS AND COMMUNITY ORGANISATIONS WHO HAVE BEEN INVOLVED IN THE DEVELOPMENT OF THE GLENLYON RECREATION RESERVE MASTERPLAN AND NOTE THAT OFFICERS WILL WRITE TO SUBMITTERS, KEY STAKEHOLDERS AND COMMUNITY ORGANISATIONS TO ADVISE THEM OF COUNCIL'S DECISION;*
4. *RESOLVES THAT THE NEW PAVILION IS LOCATED ON THE SITE OF THE OLD PAVILION AND COULD INCLUDE RENOVATION AND/OR REPLACEMENT;*
5. *RESOLVES THAT THE EXISTING TOILET BLOCK AT THE GLENLYON RECREATION RESERVE WILL BE RETAINED AND USED AS A TOILET BLOCK FROM NOW AND INTO THE FUTURE UNTIL IT BECOMES A FINANCIAL PRIORITY TO RENOVATE OR*

REPLACE IT. THE WATER TANK AND THE BLACKWOOD TREE (THAT IS REMNANT VEGETATION) NEXT TO THE TOILET BLOCK WILL NOT BE PULLED DOWN OR REMOVED, AND;

6. *RESOLVES THAT THE DRAIN THAT RUNS FROM RIGHT TO LEFT BETWEEN THE OVAL AND THE PAVILION WILL BE DUG OUT AND KEPT DUG OUT TO REDUCE FLOODING AROUND THE PAVILION.*

Moved: Cr Juliet Simpson

Seconded: Cr Tessa Halliday

Carried

Voted for: Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Nil

Abstained: Cr Brian Hood and Cr Lesley Hewitt

EXECUTIVE SUMMARY

The Glenlyon Recreation Reserve Masterplan (Masterplan) aims to inform a long-term vision for the future planning and enhancement of the Glenlyon Recreation Reserve. Refer to attached Final Masterplan - Glenlyon Recreation Reserve Masterplan.

The Masterplan underwent a final round of community consultation through a five-week public exhibition period during June to July 2023. Feedback received during this phase of consultation has informed the development of the Masterplan. Refer to attached Glenlyon Recreation Reserve Masterplan Public Exhibition Engagement Report (Summary).

The Masterplan includes a total of 46 recommendations with an initial estimated cost of \$4,721,312 + GST.

A flood impact assessment to assist in recommending a single location for the future development of the reserve pavilion has been undertaken. Refer to attached Glenlyon Recreation Reserve Masterplan Flood Impact Assessment Summary.

While all three possible pavilion locations assessed (including the existing pavilion, woodchop area and existing public toilets area) were considered viable from a flood impact perspective, the site of the existing public toilets has been recommended as the site that will provide the community with the best outcome due to minimal design and building related constraints while being in an area which can service the reserve users.

The existing public toilets are aged, do not adequately provide inclusive access amenities and would be replaced regardless of the proposed pavilion location. The

provision of new gender neutral and inclusive public toilets for the reserve will be incorporated into the design of the new pavilion. This location is serviced by existing water and power and is adjacent to the existing roadway into the reserve. In raising the floor level of the pavilion, *Disabilities Discrimination Act (DDA)* compliant ramping and circulation space at the raised floor level is required, and this adds to the overall footprint of the building. This location offers flexibility to provide these elements, whilst ensuring the optimal building orientation to key aspects of the reserve - including the racetrack, playground, equestrian and woodchop areas. Existing infrastructure such as the aged water tank and some trees (not noted for protection) will be removed to provide viewing of the racetrack area of the reserve.

The new pavilion location best represents a key aim of the Masterplan to prioritise the protection and enhancement of the environmental and heritage values of the reserve.

As guided by the information provided in the Flood Impact Assessment and other design and building considerations, the new community pavilion and redevelopment of the existing pavilion will remain as per the draft Masterplan that was released for public exhibition.

Following the removal of the Glenlyon Township public toilet, the Masterplan Report previously recommended that Council considers formally acknowledging the Glenlyon Recreation Reserve public toilets as the designated public toilets for the township.

However, it was considered that the recommendation as proposed could prevent any future consideration of other suitable locations for township public toilets. The statement "Pavilion to include Glenlyon township public toilets" has been removed from the Masterplan.

The Glenlyon Recreation Reserve Masterplan Report is being presented for consideration of adoption.

BACKGROUND

The Glenlyon Recreation Reserve includes the Glenlyon Racecourse and covers an area of approximately 50 acres and includes a community pavilion, sports oval with synthetic cricket wicket, cricket training net, playground, barbeque and picnic facilities, public toilet amenities, walking and riding tracks and trails, equestrian cross-country course, equestrian arena, wood chopping area, camping grounds and shooting range with supporting infrastructure.

The Glenlyon Recreation Reserve primarily accommodates:

- equestrian, field and game and wood chopping activities;
- informal sport and active recreation opportunities such as walking and running, dog walking, cricket training, playground use and free ball play;
- community events; and

- camping.

The racecourse and recreation reserve has a heritage overlay of local significance (Hepburn Planning Scheme Map Ref HO 891). The trees situated along the entry road and around the existing pavilion are noted as significant trees for protection.

The Glenlyon Recreation Reserve Masterplan has been developed to inform a long-term vision of the future planning, provision and enhancement of the reserve. The 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 Masterplan prioritises the protection and enhancement of the environmental and heritage values of the reserve.

The Masterplan has been developed through three rounds of community engagement. The Masterplan underwent community and stakeholder engagement through a five-week public exhibition period during June to July 2023. Engagement activities included key stakeholder meetings, a community drop-in session, community survey, phone conversations, written submissions and Internal Council Services workshop. Feedback received during this phase of consultation has informed the development of the Masterplan.

KEY ISSUES

The Public Exhibition Community and Stakeholder Engagement considered the recommendations for inclusion within the Glenlyon Recreation Reserve Masterplan. The key issues and recommended changes to the Masterplan arising from the engagement includes:

Pavilion Location

There was strong support to redevelop the existing pavilion due to its existing location and local history. A new purpose-built community pavilion on an alternative location within the reserve was also supported through the engagement. However, those in support of a new pavilion had differing opinions on its location. There was a challenge to identify an ideal location of a new pavilion that is out of flood prone areas, does not impact on existing infrastructure and reserve usage, and still services all uses of the reserve.

The need to undertake further detailed site investigations to inform the most appropriate pavilion location was recognised. Subsequently, a Flood Impact Assessment was undertaken, and the site of the existing public toilets has been recommended as the best option for a new Glenlyon Recreation Reserve Community Pavilion. While all three locations assessed (including the existing pavilion site, woodchop area and existing public toilets area) were found to be viable from a flood impact perspective, the existing public toilets site will provide the community with the best outcome due to minimal design/building related constraints while being in an area which can service the reserve users.

The location of the Pavillion identified in the masterplan is recommended due to:

- The new pavilion can be raised approximately 0.6m above ground level as recommended by the Flood Impact Assessment.
- The location has no constraints due to the proximity of significant trees due to construction occurring outside of tree protection zones (TPZ) and structural root zones (SRZ).
- No spatial constraints allowing appropriate clearance between the new pavilion and racetrack, significant trees and access road through to other buildings.
- Flexibility to optimise building shape and orientation. The requirement to raise the building 600 above ground requires ramping, steps and circulation space that increases the building footprint.
- The location is outside of the 30m restricted waterway zone as dictated by North Central Catchment Management Authority.
- The development of a new pavilion within this location has no heritage constraints.

The existing public toilets are no longer fit for purpose and would be replaced regardless of the proposed pavilion location. This location is serviced by existing water and power and is adjacent to the existing roadway into the reserve. In raising the floor level of the pavilion, DDA compliant ramping and circulation space at the raised floor level is required, and this adds to the overall footprint of the building. This location offers flexibility to provide these elements, whilst ensuring the optimal building orientation to key aspects of the reserve - including the racetrack, playground, equestrian and woodchop areas. Detailed design of the new pavilion will consider existing infrastructure such as the aged water tank and some trees (not noted for protection) will be removed to provide viewing of the racetrack area of the reserve.

The design of the new pavilion will consider the optimal line of sight for events and activities held at the reserve. Key stakeholders will be engaged during the design phase of the new pavilion to inform design outcomes that meets the need of the Glenlyon community.

As guided by the information provided by the Flood Impact Assessment and other design and building related considerations the new community pavilion and redevelopment of the pavilion will remain as per the previous Masterplan that was released for public exhibition comment.

Water Tank

The ageing water tank located adjacent to the existing public toilets was originally identified on the draft Masterplan to consider a community art project to beautify the existing water tank under the guidance of a local artist. However, due to the design scope of a new pavilion in the location of the existing public toilets, the ageing

water tank and some trees (not noted for protection) will be required to be removed to provide viewing of the racetrack area of the reserve.

Recommended change to the Masterplan: The statement “Consider a community art project to beautify existing water tank under the guidance of local artist” has been replaced with “Demolish existing water tank to make way for new community pavilion”.

Public toilets

Following the removal of the Glenlyon Township public toilets from the Town Hall site in recent years and a resolution on the future provision of public toilets for the township yet to be sought, it was previously recommended that Council considers formally acknowledging the Glenlyon Recreation Reserve public toilets as the designated public toilets for the township.

However, through further consideration it is thought that the recommendation as proposed could prevent the future consideration of other suitable locations for township public toilets.

Recommended change to the Masterplan: The statement “Pavilion to include Glenlyon township public toilets” has been removed from the Masterplan.

Equestrian infrastructure

The equestrian users of the reserve have advocated to add equestrian development options to the Masterplan, including re-grading the showjumping and horse float areas, fencing a showjumping area, installing lights and power supply at the dressage arena and redeveloping the existing dressage area to include an all-weather arena.

Recommended change to the Masterplan: The Masterplan has been updated to include the following text: “Explore options for improvement to equestrian facilities. Possibly to include regrading showjumping and horse float areas, fencing showjumping area, installing lights and power supply at dressage arena and building all weather capacity for the dressage arena.”

The initial estimated total Masterplan delivery cost of \$4,721,312 is inclusive of an estimated \$418,691 to achieve the long-term vision of improved equestrian provision within the Reserve.

Conservation

It was recommended that ‘Shared Use Area 2’ shown on the Masterplan be redesignated into a ‘Conservation Area’ to note the significance of and inform future protection management of the conservation values in this area.

Recommended change to the Masterplan: As there is no formal recreational use in this area, the Masterplan has been updated accordingly.

Dog walking

High-level of community feedback raised the concern that off-lead dog walking within the reserve had not been adequately addressed in the Masterplan. Glenlyon Recreation Reserve is currently a dog on-lead reserve. The Masterplan currently does not acknowledge off-lead dog walking within the reserve. Off-lead dog walking across the entire Shire is to be informed by the current development of the Hepburn Shire Dog Off Lead Plan. A statement made on the Masterplan about off-lead dog walking could pre-empt the future provision of a dog off-lead area within the reserve.

Recommended change to the Masterplan: No changes to the Masterplan.

The feedback received through the public exhibition community engagement period and the Flood Impact Assessment has been considered and the following table provides a summary of recommended changes to the Masterplan:

| Draft Masterplan Item/s | Recommended Changes |
|---|--|
| Item 11 – Install round horse yard. | Round horse yard repositioned north of dressage arena, near egress track. |
| Item 12 – Secondary emergency egress track - ensure that this path to existing gate is kept clear, especially on event days, to allow for flow of traffic out to Suttons Lane. Add directional signage from racetrack. Install 'Keep Clear' signage to existing exit gate. | Text modified: <i>“Emergency egress track to Suttons Lane. Add directional signage from racetrack. Install 'Keep Clear' signage on exit gate. Explore installation of culvert near Suttons Lane to improve vehicle accessibility.”</i> |
| Item 14 – Install steel-framed equestrian wash bay. | Wash bay to be positioned abutting horse yards on the western side. |
| Item 15 – Install accessible equestrian mounting ramp. | Reposition mounting ramp towards the southern fence line. The pathway reconfigured accordingly. Text modified: <i>“Install all abilities equestrian mounting ramp.”</i> |
| Item 16 – Planting of native trees alongside dressage area to create noise barrier from Glenlyon Mineral Spring. | Text modified: <i>“Low-lying tree planting along eastern fence line. “</i> |
| Item 19 – Emergency egress track - ensure that this path to the existing gate is kept clear, especially on event days, to allow for flow of traffic out to Suttons Lane. Add directional signage from Reserve entrance road. Install | Text modified: <i>“Emergency egress track to Mineral Springs entry on Suttons Lane. Add directional signage from Reserve entrance road. Install 'Keep Clear' signage on exit gate.”</i> |

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| 'Keep Clear' signage to existing exit gate. | |
| Item 23 – Upgraded signage in line with Hepburn Shire Council signage standards. Signage to include reserve rules and regulations such as "Dogs must be kept on a lead". Signage to incorporate space for advertising events. | Text modified: <i>"Upgrade entrance signage in line with Council's signage standards. Signage to include Reserve rules and regulations relating to general usage, camping, dog walking etc. Entrance signage to incorporate space for advertising events and activities. Broader Reserve signage to be updated as required."</i> |
| Item 26 – Provide DDA compliant granitic sand pathway from pavilion to parking spaces and bridge over the River Loddon; and from gathering place to playspace. | Pathway extended from the pavilion entrance to racetrack gate. Text modified: <i>"Provide DDA compliant pathway from existing pavilion to parking spaces and bridge over the Loddon River, and from gathering place to playspace. Extend pathway from existing pavilion entrance to racetrack."</i> |
| Item 31 – Install electric barbecue on existing concrete slab and create an adjacent community gathering place with picnic tables, shade trees and interpretive signage focusing on the indigenous history of the area and ecology of the river. | Text modified: <i>"Install electric barbecue on existing concrete slab and create an adjacent community gathering place with picnic tables, park benches and shade trees. Install interpretive signage for indigenous history and reserve biodiversity information. Partner with Djandak where possible to incorporate indigenous perspectives and knowledge into the area."</i> |
| Item 33 – Consider community art project to beautify existing water tank under guidance of local artist. | Due to the design scope of a new pavilion in the location of the existing public toilets, the ageing water tank and some trees (not noted for protection) will be required to be removed to provide viewing of the racetrack area of the reserve. Text modified: <i>"Demolish existing water tank to make way for new community pavilion."</i> |
| Item 35 – Develop a new community pavilion to contain the reserve public toilets, shower, meeting room and kitchen. Existing toilet block to be demolished for new pavilion | As guided by the information provided by the Flood Impact Assessment and other design and building considerations, the new community pavilion and redevelopment of the pavilion will remain as per the previous |

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| development. Item 29 – Redevelop pavilion to become a barbecue shelter in line with requirements in Heritage Overlay. | Masterplan that was released for comment. No change to text. |
| Item 37 – Replace the four seats around woodchop area. Additional picnic table under shade of oaks. | Text modified: <i>“Refresh picnic tables and park benches.”</i> |
| Item 39 – Consider flying fox or cableway in playspace. | Text modified: <i>“Expand playspace area to encourage intergenerational use, in line with Council’s Playspace Strategy. Consider adding flying fox/cableway in playspace.”</i> |
| Item 46 – Appoint hydrologist to undertake flood mitigation planning to inform delivery of future works. | Text modified: <i>“Appoint hydrologist to undertake drainage and flood mitigation planning works to inform delivery of future works.”</i> |
| Map item – Shared Use Areas. | All sections of Shared Use Area 2 north of the Loddon River to become ‘Shared Use Area 3’. Shared Use Area 2 to consist of only the area located south of Loddon River. Shared Use Area 3 renamed ‘Shared Use Area 2’. Original ‘Shared Use Area 2’ renamed to ‘Conservation Area’. Legend updated to include ‘Conservation Area’. |
| Map item – Identified Wetlands. | Remove the text ‘Identified Wetlands.’ |
| New item – Equestrian Infrastructure . | New item added with a three-pronged pointer to horse float, dressage and show jumping areas. Item description: <i>“Explore options for improvement to equestrian facilities. Possibly to include regrading showjumping and horse float areas, fencing showjumping area, installing lights and power supply at dressage arena, and building all weather capacity for dressage arena.”</i> |
| New item – Vehicle access link to Field and Game buildings. | New item added for vehicle access link to Field and Game buildings. Item description: <i>“Create new vehicle access link.”</i> |

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| New item – Lookout Tower identification. | Addition of 'Lookout Tower' icon and descriptive text added in area north of the Identified Wetlands. |
| New item – Pump shed removal. | Addition of 'Pump Shed' icon and descriptive text added east of dressage arena. New item pointing to shed location: <i>"Investigate removal of pump shed."</i> |
| New item – Equestrian cross-country course identification. | Two additional areas north and northwest of Shared Use Area 3 were identified as <i>'Equestrian cross-country course (situated throughout trees)'</i> . |

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Council Plan 2021-2025

A healthy, supported, and empowered community

2.3 Optimise the use of public spaces to increase participation and community connection.

Embracing our past and planning for the future

3.3 Build and maintain quality infrastructure that supports and promotes liveability and active living in the community.

FINANCIAL IMPLICATIONS

A total of 46 recommendations are included within the Masterplan with an initial estimated implementation cost of \$4,721,312 + GST.

These costs are based on current industry costs for professional contractors to complete all works, including all labour and supply of materials. The costs take into consideration the current demand and supply constraints. Exclusions include service alterations, such as power, gas design or management fees, building or planning permits, lighting design, survey, structural, civil or traffic engineering and arboriculture work.

Considering current demand, supply constraints, cost escalation, exclusions and other factors, it is suggested that the initial estimated costs may need to be increased by up to an additional 50%. As a result, a verified QS Cost Plan will be necessary at a suitable time moving forward.

Council will actively seek funding opportunities from external partners and stakeholders as part of the implementation of the Masterplan, should it be endorsed by Council.

Council allocated \$50,000 in the 2022/2023 budget to undertake concept design for the Glenlyon Recreation Reserve pavilion. Council has allocated a further \$150,000 in

the 2023/2024 budget to complete detailed design, detailed cost estimates and delivery ready documents for delivery in 2024/2025.

Council has been successful in securing a \$500,000 Federal Government 'Investing in Our Communities' grant for the Glenlyon Recreation Reserve pavilion project.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

In line with Council's Community Engagement Policy, this project requires a 'medium level' of engagement.

The endorsed draft Masterplan underwent a final round of community consultation through a five-week public exhibition period during June to July 2023. Engagement activities in this stage of consultation included key stakeholder meetings, a community drop-in session, community survey, phone conversations, written submissions and Council staff workshop.

The following stakeholders were engaged during this phase of consultation:

- Glenlyon Recreation Reserve Community Asset Committee
- Glenlyon and District Pony Club
- Glenlyon and District Riding Club
- Daylesford Riding for the Disabled
- Glenlyon Sports Club
- Daylesford Field and Game Association
- Glenlyon Country Fire Authority
- Glenlyon Progress Association
- Glenlyon Upper Loddon Landcare Group
- North Central Catchment Management Authority
- Friends of Glenlyon Dam
- Hepburn Shire Disability Advisory Committee – the Committee could not convene a meeting during the exhibition period; however, all members were specifically invited to provide feedback via survey, written submission or in-person at the Community Drop-In Session
- Hepburn Shire Gender Equity Advisory Committee – the Committee could not convene a meeting during the exhibition period; however, all members were specifically invited to provide feedback via survey, written submission or in-person at the Community Drop-In Session
- Department of Environment, Energy and Climate Action (DEECA)
- Dja Dja Wurrung Clans Aboriginal Corporation (Djandak).

Feedback received during this phase of consultation has informed the development of the Masterplan.

RISK AND GOVERNANCE IMPLICATIONS

Project governance seeks to ensure that the project adheres to the relevant legislative and regulatory requirements.

ENVIRONMENTAL SUSTAINABILITY

Environmental sustainability was a key consideration in the development of the Masterplan.

In January 2023, a Flora Survey was undertaken to inform the development of the Masterplan and it provided several recommendations regarding environmental considerations. The survey identified three areas of the reserve that require dedicated environmental conservation. These 'Shared Use' and 'Conservation' Zones, as they are identified on the Masterplan, are to be specifically maintained in accordance with a proposed Reserve Management Plan. Development of a Reserve Management Plan is a priority action of the Masterplan. The Reserve Management Plan will inform reserve management and maintenance inclusive of environmental conservation.

Throughout the development of the Masterplan, Council engaged with the Department of Environment, Energy and Climate Action (DEECA), North Central Catchment Management Authority (NCCMA), Glenlyon Upper Loddon Landcare Group and Glenlyon Country Fire Authority to ensure environmental considerations were identified and adequately addressed.

GENDER IMPACT ASSESSMENT

As per Council's Gender Impact Assessment Matrix this project required a gender impact assessment to be undertaken as the project has 'direct and significant' impact on the public.

The Masterplan aligns with and draws on actions from the Municipal Public Health and Wellbeing Plan, Reconciliation Action Plan, Disability Access and Inclusion Plan, Youth Strategy, Gender Equality Action Plan and Active Womens and Girls Strategy to ensure the actions acknowledge and reflect the priority needs for women, girls, trans and gender diverse people in consideration of Masterplan outcomes.

The Masterplan for Glenlyon Recreation Reserve sets the long-term vision with a total of 46 recommendations that will be delivered in line with the abovementioned Council strategies and where applicable, will meet universal design requirements to remove barriers that traditionally prevent the inclusion of women, girls, trans and gender diverse people in accessing the Glenlyon Recreation Reserve.

Hepburn

SHIRE COUNCIL

Glenlyon Recreation Reserve

Masterplan

APRIL 2024

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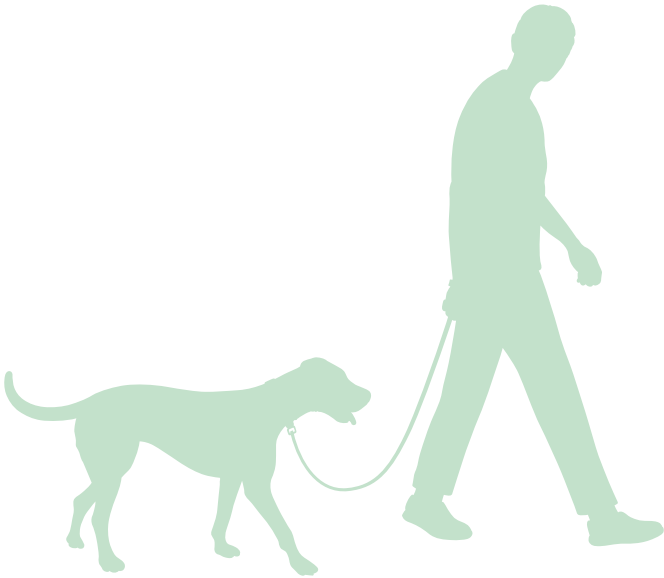
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Acknowledgement of Country

Hepburn Shire Council acknowledges the Dja Dja Wurrung as the Traditional Owners of the lands and waters on which we live and work. On these lands, Djaara have performed age-old ceremonies of celebration, initiation and renewal. We recognise their resilience through dispossession and it is a testament to their continuing culture and tradition, which is strong and thriving.

We also acknowledge the neighbouring Traditional Owners, the Wurundjeri to our South East and the Wadawurrung to our South West and pay our respect to all Aboriginal peoples, their culture, and lore. We acknowledge their living culture and the unique role they play in the life of this region.



Introduction

The Glenlyon Recreation Reserve Masterplan aims to inform the future planning, provision and enhancement of the Glenlyon Recreation Reserve.

The Glenlyon Recreation Reserve includes the Glenlyon Racecourse and Glenlyon Mineral Spring and covers an area of approximately 50 acres. The reserve has a heritage overlay of local significance. Other features of the reserve include a pavilion, sports oval with synthetic cricket wicket, cricket training net, playground, barbeque and picnic facilities, public toilet amenities, walking and riding tracks and trails, equestrian cross-country course, equestrian arena, wood chopping area, camping grounds and shooting range with supporting infrastructure.

The Victorian Government Victorian Mineral Springs Strategic Masterplan provides the direction on the ongoing management, sustainability, opportunities and priorities for the Glenlyon Mineral Spring.

The 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 Masterplan prioritises the protection and enhancement of the environmental values of the reserve and has been developed after three stages of stakeholder and community engagement.



Background

In 2019 Council engaged a consultant to develop the Glenlyon Recreation Reserve Masterplan and a working draft Masterplan was developed after undertaking the initial community engagement phase of the project. In early 2020 the Masterplan project was paused to undertake an investigation of land contamination at the reserve. The matter was resolved in mid-2022 enabling the Masterplan development to recommence.

Across October to December 2022 community engagement was undertaken to gather insights and feedback on the themes of the working draft Masterplan to determine if community or stakeholder priorities had changed since 2019. Feedback informed the development of the draft Glenlyon Recreation Reserve Masterplan.

Across June and July 2023, the draft Glenlyon Recreation Reserve Masterplan was open for public exhibition to gather further stakeholder and community feedback. Feedback informed the development of the final Glenlyon Recreation Reserve Masterplan.

The Glenlyon Recreation Reserve Masterplan has not included any recommended proposed development actions for the neighbouring Glenlyon Dam or Mineral Springs Reserve. However, both sites have a relationship with the recreation reserve which was considered in the context of the masterplanning proposed outcomes. The management and priority setting of the Glenlyon Dam is undertaken by a Committee of Management of the Hepburn Shire Council and the direction on the ongoing management, sustainability, opportunities and priorities for the Mineral Springs Reserve, is guided by the Victorian Government's Victorian Mineral Springs Strategic Masterplan and Council's Mineral Springs Reserves Advisory Committee.

Reserve Management

The Glenlyon Recreation Reserve is owned by the Department of Energy, Environment and Climate Action (DEECA), while the Hepburn Shire Council is the Committee of Management for the site.

Glenlyon Recreation Reserve Community Asset Committee (GRRCAC) is engaged by Council to manage the site through a Community Asset Committee Instrument of Delegation (formerly known as a section 86 CoM – which was amended through the Local Government Act in 2020).

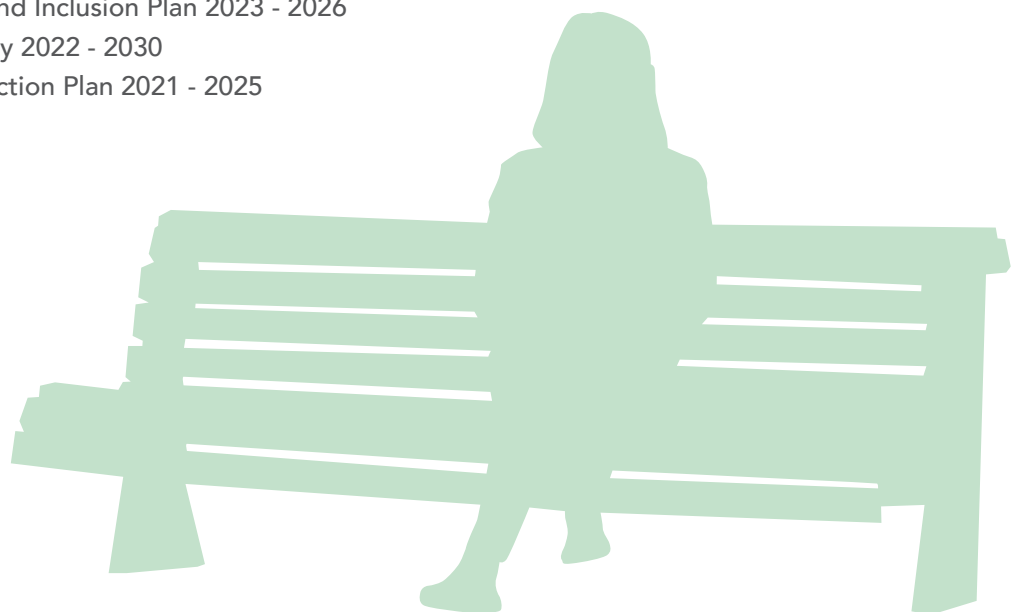
Clubs/organisations enter into lease/licence arrangements directly with Council, rather than through the Committee of Management.

Literature Review

The following documents were reviewed to guide the Glenlyon Recreation Reserve Masterplan.

- Hepburn Shire Council Plan 2021 - 2025:
 - Focus Area 2 - A healthy, supported and empowered community: Priority Statement 2.3; Optimise the use of public spaces to increase participation and community connection.
 - Focus Area 3 - Embracing our past and planning for the future: Priority Statement 3.3; Build and maintain quality infrastructure that supports and promotes liveability and active living in the community.
- Hepburn Shire Active Women and Girls Strategy 2019 - 2029
- Hepburn Shire Council Recreation and Open Space Strategy 2016 - 2021
- Hepburn Shire Playspace Strategy 2020 - 2030
- Activate 2020-2030 Sport and Active Recreation Regional Strategy
- Municipal Public Health and Wellbeing Plan 2021 - 2025
- Reconciliation Action Plan 2018
- Disability Access and Inclusion Plan 2023 - 2026
- ACE Youth Strategy 2022 - 2030
- Gender Equality Action Plan 2021 - 2025

The Masterplan actions are to be delivered in line with the aforementioned strategies and will meet universal design requirements to remove barriers that traditionally prevent female and gender diverse people from participating in community sport and active recreation and in public places and spaces.



Consultation

In line with Council's Community Engagement Policy, this project required a 'medium level' of engagement.

Extensive community engagement occurred in 2019 to inform the development of the Masterplan.

On recommencement of the project in 2022, further community engagement was undertaken (October and November) to revisit the findings of 2019 and determine if priorities for the reserve had changed.

Engagement activities in this stage of consultation included key stakeholder meetings, two community drop-in sessions, a community survey, phone conversations, written submissions and two Council staff workshops.



The following stakeholders were engaged during this phase of consultation:

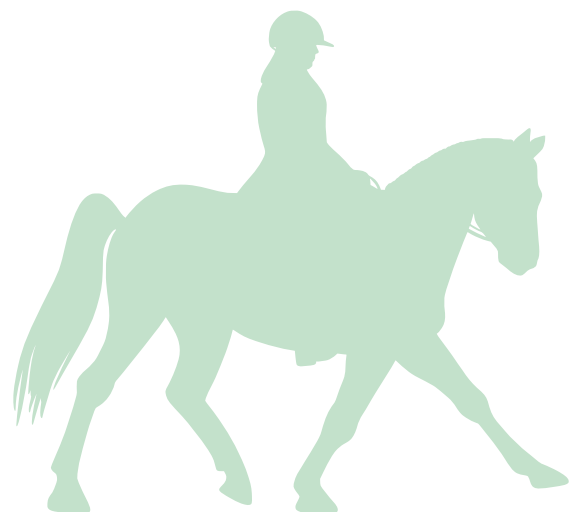
- Glenlyon Recreation Reserve Community Asset Committee
- Glenlyon and District Pony Club
- Glenlyon and District Riding Club
- Daylesford Riding for the Disabled
- Glenlyon Sports Club
- Daylesford Field and Game Association
- Glenlyon Antiques and Collectables Fair
- Glenlyon Country Fire Authority
- Glenlyon Progress Association
- Glenlyon Upper Loddon Landcare Group
- North Central Catchment Management Authority
- Friends of Glenlyon Dam
- Hepburn Shire Disability Advisory Committee
- Hepburn Shire Gender Equity Committee
- Department of Environment, Energy and Climate Action (DEECA)
- Dja Dja Wurrung Clans Aboriginal Corporation

Key Issues

Consultation found that community and user groups love the reserve but identify a 'general uplift' is required to make the reserve user friendly, accessible and safe, whilst maintaining the reserves natural ambiance and beauty. The proposed 46 recommended actions are to be implemented in a staged approach subject to funding in line with the long term vision of the Masterplan.

Priority items for implementation:

- **Pavilion redevelopment:** A new accessible community pavilion, that includes a small multipurpose function area, kitchen facilities for low-level catering, small office space, internal and external accessed public amenities and storage facilities. Retaining the existing pavilion as a picnic shelter and storage area, in recognition of the heritage significance of the building.
- **Other infrastructure developments:** Creation of a social gathering area, upgrades to the playspace and picnic area, redevelopment of the cricket net, installation of a round horse yard, horse wash-bay and accessible horse mounting ramp.
- **Access and safety:** Enhancing accessibility and safety are paramount considerations within the Masterplan. Proposed initiatives include installing safety beacons on power lines, renewing fences and gates, establishing new pathways and roadways, maintaining existing egress tracks, improving wayfinding signage and installing an accessible horse mounting ramp.
- **Flood mitigation:** Flood mitigation planning to address the flooding and inundation from the Loddon River during heavy rainfall.
- **Conservation:** Development of a Reserve Management Plan to inform environmental management of the reserve with a focus on conservation.
- **Equestrian Infrastructure:** Explore options for long term improvement to equestrian facilities.
- **Dog Walking:** Glenlyon Recreation Reserve is currently a dog on-lead reserve. The Masterplan does not acknowledge off-lead dog walking within the Reserve. Off-lead dog walking across the entire Shire is to be informed by the development of the Hepburn Shire Dog Off Lead Plan.

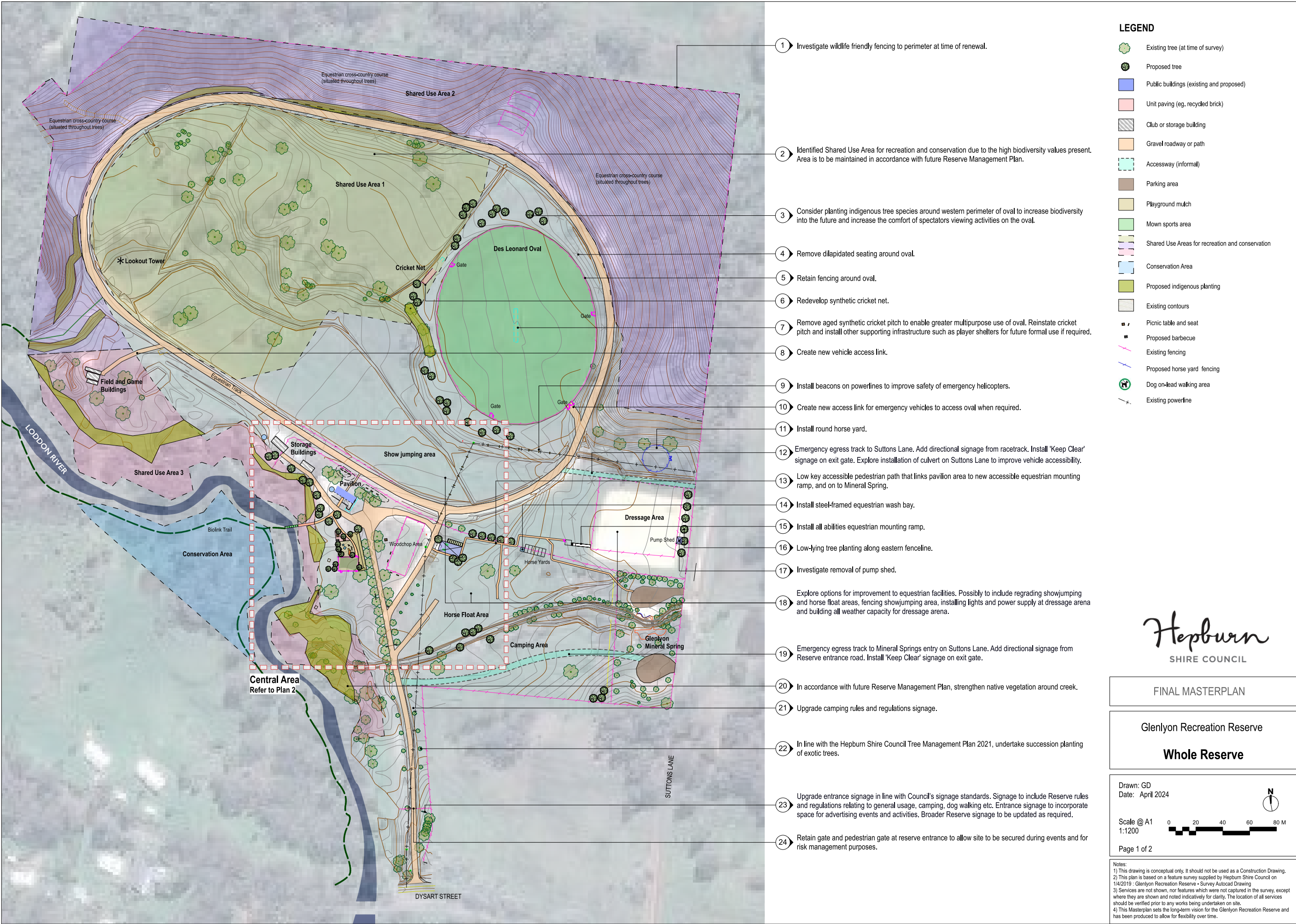


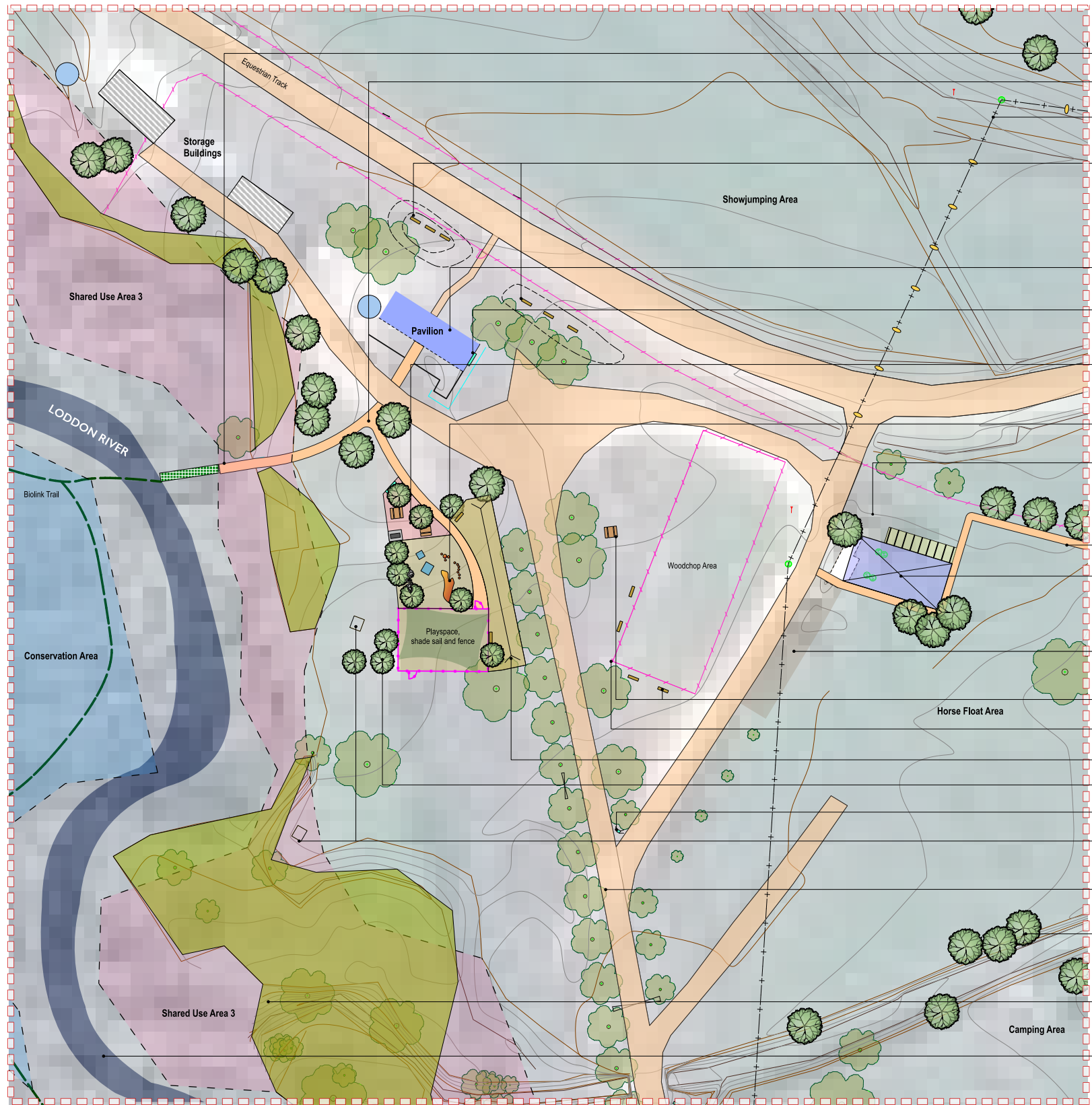
Recommendations and Visual Illustration of Masterplan

1. Investigate wildlife friendly fencing to perimeter at time of renewal.
2. Identified Shared Use Area for recreation and conservation due to the high biodiversity values present. Area is to be maintained in accordance with future Reserve Management Plan.
3. Consider planting indigenous tree species around western perimeter of oval to increase biodiversity into the future and increase the comfort of spectators viewing activities on the oval.
4. Remove dilapidated seating around oval.
5. Retain fencing around oval.
6. Redevelop synthetic cricket net.
7. Remove aged synthetic cricket pitch to enable greater multipurpose use of oval. Reinstate cricket pitch and install other supporting infrastructure such as player shelters for future formal use if required.
8. Create new vehicle access link.
9. Install beacons on powerlines to improve safety of emergency helicopters.
10. Create new access link for emergency vehicles to access oval when required.
11. Install round horse yard.
12. Emergency egress track to Suttons Lane. Add directional signage from racetrack. Install 'Keep Clear' signage on exit gate. Explore installation of culvert on Suttons Lane to improve vehicle accessibility.
13. Low key accessible pedestrian path that links pavilion area to new accessible equestrian mounting ramp and on to Mineral Spring.
14. Install steel-framed equestrian wash bay.
15. Install all abilities equestrian mounting ramp.
16. Low-lying tree planting along eastern fenceline.
17. Investigate removal of pump shed.
18. Explore options for improvement to equestrian facilities. Possibly to include regrading showjumping and horse float areas, fencing showjumping area, installing lights and power supply at dressage arena and building all weather capacity for dressage arena
19. Emergency egress track to Mineral Springs entry on Suttons Lane. Add directional signage from Reserve entrance road. Install 'Keep Clear' signage on exit gate.
20. In accordance with future Reserve Management Plan, strengthen native vegetation around creek.
21. Upgrade camping rules and regulations signage.
22. In line with the Hepburn Shire Council Tree Management Plan 2021, undertake succession planting of exotic trees.
23. Upgrade entrance signage in line with Council's signage standards. Signage to include Reserve rules and regulations relating to general usage, camping, dog walking etc. Entrance signage to incorporate space for advertising events and activities. Broader Reserve signage to be updated as required.
24. Retain gate and pedestrian gate at reserve entrance to allow site to be secured during events and for risk management purposes
25. Replace bridge decking with durable non-slip material.

26. Provide DDA compliant pathway from pavilion to parking spaces and bridge over the Loddon River and from gathering place to playspace. Extend pathway from pavilion entrance to racetrack.
27. Install beacons on powerlines to improve safety of emergency helicopters.
28. Regrade area to raise spectator seating up to 200mm above existing levels to improve viewing of equestrian finishing line. Replace all seating along racecourse edge adjacent to pavilion.
29. Redevelop pavilion to become a barbeque shelter in line with requirements in Heritage Overlay.
30. Install interpretive signage to include reserve and pavilion history, biodiversity and acknowledgment of Traditional Owners.
31. Install electric barbecue on existing concrete slab and create an adjacent community gathering place with picnic tables, park benches and shade trees. Install interpretive signage for indigenous history and reserve biodiversity information. Partner with Djandak where possible to incorporate indigenous perspectives and knowledge into the area.
32. Carve existing large log from site into centrepiece of nature play area. Consider additional climbing structure for older children also. Install a gate on the northern side of existing playspace fence.
33. Demolish existing water tank to make way for new community pavilion.
34. Install DDA compliant pathway that links pavilion area to new accessible equestrian mounting ramp and on to Mineral Spring. Additional native tree planting to shade path.
35. Develop a new community pavilion to contain public accessible toilets, shower, meeting room and kitchen. Existing toilet block to be demolished for new pavilion development.
36. Option for informal parking near woodchop area for pavilion.
37. Refresh picnic tables and park benches.
38. Replace woodchop area fencing at end of lifespan with similar.
39. Expand playspace area to encourage intergenerational use, in line with Council's Playspace Strategy. Consider adding flying fox/cableway in playspace.
40. Additional tree planting for natural shade in playspace.
41. Install reserve wayfinding signage.
42. Remove existing woodfired brick barbecues and replace with electric units as noted elsewhere in park.
43. Replace all post and rail fencing with environmentally friendly materials.
44. Consider some natural clumping of indigenous trees along drainage line to assist with holding of banks against erosion, provision of shade within camping area and removal of suckering species.
45. In accordance with future Reserve Management Plan, strengthen native vegetation around creek - ongoing sensitive weed removal and infill planting of native indigenous species, including new habitat trees.
46. Appoint hydrologist to undertake drainage and flood mitigation planning works to inform delivery of future works.







Central Area only
Refer to Plan 1 for Whole Reserve

- 25 Replace bridge decking with durable non-slip material.
- 26 Provide DDA compliant pathway from pavilion to parking spaces and bridge over the Loddon River, and from gathering place to playspace. Extend pathway from pavilion entrance to racetrack.
- 27 Install beacons on powerlines to improve safety of emergency helicopters.
- 28 Regrade area to raise spectator seating up to 200mm above existing levels to improve viewing of equestrian finishing line. Replace all seating along racecourse edge adjacent to pavilion.
- 29 Redevelop pavilion to become a barbecue shelter in line with requirements in Heritage Overlay.
- 30 Install interpretive signage to include reserve and pavilion history, biodiversity and acknowledgment of Traditional Owners.
- 31 Install electric barbecue on existing concrete slab and create an adjacent community gathering place with picnic tables, park benches and shade trees. Install interpretive signage for indigenous history and reserve biodiversity information. Partner with Djandak where possible to incorporate indigenous perspectives and knowledge into the area.
- 32 Carve existing large log from site into centrepiece of nature play area. Consider additional climbing structure for older children also. Install a gate on the northern side of existing playspace fence.
- 33 Demolish existing water tank to make way for new community pavilion.
- 34 Install DDA compliant pathway that links pavilion area to new accessible equestrian mounting ramp, and on to Mineral Spring. Additional native tree planting to shade path.
- 35 Develop a new community pavilion to contain public accessible toilets, shower, meeting room and kitchen. Existing toilet block to be demolished for new pavilion development.
- 36 Option for informal parking near woodchop area for pavilion.
- 37 Refresh picnic tables and park benches.
- 38 Replace woodchop area fencing at end of lifespan with similar.
- 39 Expand playspace area to encourage intergenerational use, in line with Council's Playspace Strategy. Consider adding flying fox/cableway in playspace.
- 40 Additional tree planting for natural shade in playspace.
- 41 Install reserve wayfinding signage.
- 42 Remove existing woodfired brick barbecues and replace with electric units as noted elsewhere in park.
- 43 Replace all post and rail fencing with environmentally friendly materials.
- 44 Consider some natural dumping of indigenous trees along drainage line to assist with holding of banks against erosion, provision of shade within camping area, and removal of suckering species.
- 45 In accordance with future Reserve Management Plan, strengthen native vegetation around creek - ongoing sensitive weed removal and infill planting of native indigenous species, including new habitat trees.
- 46 Appoint hydrologist to undertake drainage and flood mitigation planning works to inform delivery of future works.

LEGEND

- Existing tree (at time of survey)
- Proposed tree
- Public buildings (existing and proposed)
- Unit paving (eg. recycled brick)
- Club or storage building
- Gravel roadway or path
- Accessway (informal)
- Parking area
- Playground mulch
- Mown sports area
- Shared Use Areas for recreation and conservation
- Conservation Area
- Proposed indigenous planting
- Existing contours
- Picnic table and seat
- Proposed barbecue
- Existing fencing
- Proposed horse yard fencing
- Dog on-lead walking area
- Existing powerline

FINAL MASTERPLAN

Glenlyon Recreation Reserve

Central Section

Drawn: GD
Date: April 2024

Scale @ A1
1:400

0 10 15 20 25 M

Page 2 of 2

Notes:

1) This drawing is conceptual only. It should not be used as a Construction Drawing.

2) This plan is based on a feature survey supplied by Hepburn Shire Council on 1/4/2019 - Glenlyon Recreation Reserve - Survey Autocad Drawing

3) Services are not shown, nor features which were not captured in the survey, except where they are shown and noted indicatively for clarity. The location of all services should be verified prior to any works being undertaken on site.

4) This Masterplan sets the long-term vision for the Glenlyon Recreation Reserve and has been produced to allow for flexibility over time.



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 www.facebook.com/hepburncouncil

DAYLESFORD

Cnr. Duke & Albert Streets,
Daylesford
8:30am – 5pm

CRESWICK

Creswick Hub
68 Albert Street
Mon to Sat 8:30am – 5pm

TRENTHAM

13 Albert Street, Trentham
Mon, Wed, Fri 10am – 5pm
Sat 10am – 1pm

CLUNES

The Warehouse – Clunes
36 Fraser Street, Clunes
Mon & Thurs 10am – 6pm
Wed & Fri 10am – 4pm



Glenlyon Recreation Reserve Masterplan Public Exhibition Engagement Report (Summary)

April 2024

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Executive Summary

Across June and July 2023, the draft Glenlyon Recreation Reserve Masterplan was open for public exhibition to gather further stakeholder and community feedback. Community engagement took diverse forms, including stakeholder meetings, a community drop-in session, surveys and workshops.

Engagement was captured across three broad categories including draft Masterplan strengths, areas for improvement and priorities for implementation.

Key engagement insights identified community support for the draft Masterplan's balance between retaining natural assets and providing recreational facilities. Flood mitigation planning emerged as a critical requirement due to frequent flooding incidents. The proposal for pavilion redevelopment had significant support, despite divisions regarding whether to retain the existing structure or construct a new facility. Positivity also surrounded the proposed playspace upgrades, BBQ and picnic area developments, investment into equestrian infrastructure and addressing access and safety through roadways, paths, signage and fencing.

Concerns surfaced relating to the proposed pavilion location, overall language clarity, equestrian infrastructure placement and perceived lack of facilities for youth. The lack of off-lead dog walking provision and the future of the Daylesford Field and Game Association were points of contention.

The priorities for implementation that emerged from the engagement process include redevelopment of the pavilion, flood mitigation planning, formulation of a reserve management plan, enhancements to access and safety elements, development of equestrian infrastructure and upgrades to the playspace and picnic areas.

Introduction

Council is developing a long-term Masterplan for the Glenlyon Recreation Reserve to inform the future planning, provision and enhancement of the reserve.

The Glenlyon Recreation Reserve includes the Glenlyon Racecourse and Glenlyon Mineral Spring and covers an area of approximately 50 acres. The Reserve has a Heritage Overlay of Local Significance. The Glenlyon Recreation Reserve includes a pavilion, sports oval with synthetic cricket wicket, cricket training net, playground, barbeque and picnic facilities, public toilet amenities, walking and riding tracks and trails, equestrian cross-country course, equestrian arena, wood chopping area, camping grounds and shooting range with supporting infrastructure. The Victorian Government *Victorian Mineral Springs Strategic Masterplan* provides the direction on the ongoing management, sustainability, opportunities and priorities for the Glenlyon Mineral Spring.

In 2019 Council engaged a consultant to develop the Glenlyon Recreation Reserve Masterplan and a working draft Masterplan was developed after undertaking the initial community engagement phase of the project. In early 2020 the Masterplan project was paused to undertake an investigation of land contamination at the reserve. The matter was resolved in mid-2022 enabling the Masterplan development to recommence.

Across October to December 2022 community engagement was undertaken to gather insights and feedback on the themes of the working draft Masterplan to determine if community or stakeholder priorities had changed since 2019. Feedback informed the development of the draft Glenlyon Recreation Reserve Masterplan.

Across June and July 2023, the draft Glenlyon Recreation Reserve Masterplan was open for public exhibition to gather further stakeholder and community feedback.

Engagement activities undertaken in this phase of consultation included:

- Face-to-face, phone and Microsoft Teams meetings with key stakeholders
- Email correspondence with key stakeholders
- Community drop-in session
- Community survey
- Council staff workshop
- Posters
- Media release
- Facebook posts.

In addition to engagement with the broader community, the following organisations were engaged during this phase of engagement:

- Glenlyon Recreation Reserve Community Asset Committee
- Glenlyon Sports Club
- Glenlyon and District Pony Club
- Glenlyon and District Riding Club
- Daylesford Riding for the Disabled
- Daylesford Field and Game Association
- Glenlyon Upper Loddon Landcare Group
- Glenlyon Country Fire Authority
- Glenlyon Progress Association

- Friends of Glenlyon Dam
- Hepburn Shire Gender Equity Committee
- Hepburn Shire Disability Advisory Committee
- Dja Dja Wurrung (Djandak)
- Department of Environment, Energy and Climate Action
- North Central Catchment Management Authority.

Engagement Methodology

Engagement activities in this phase of community engagement included:

- 10** **Key stakeholder meetings with 23 participants**
- 10** **Participants attended the Community Drop-in Session**
- 7** **Written submissions**
- 16** **Community survey respondents**
- 17** **Council staff at one workshop**

Engagement Findings

Engagement was captured across three broad categories including draft Masterplan strengths, areas for improvement and priorities for implementation.

Strengths of the draft Masterplan:

- Modest approach – It was well received that there are no intentions to over develop the reserve. There was an appreciation for the balance between investment in infrastructure and retention of natural elements.
- Flood mitigation planning – Drainage is considered to be one of the most important issues at the reserve. Flood mitigation planning was well received, however there are two schools of thought – some who believe that the reserve is built on a flood plain and that the natural flow of the water should not be altered as it will then impact other areas, and others who believe that it is imperative, in order to prevent damage to infrastructure, to undertake significant flood mitigation works. Community agreed that addressing this issue through flood mitigation planning is essential.
- Pavilion redevelopment – There is very strong support to redevelop the pavilion however there was a divide regarding whether to retain the existing or build new. The proposed location of a new pavilion divided opinions. Some survey respondents deemed it unnecessary to invest in an expensive community pavilion that will only be used by certain user groups. They deem this having little impact on the broader community. Others thought a new pavilion was critical to support and grow community participation at the Reserve.

- Reserve management plan – There was general support for the development of the reserve management plan. People value the biodiversity of the reserve and want to ensure this is protected. But equally want to ensure that the reserve is maintained in a fashion that enables sport and recreation participation. There were no concerns raised about the identification of Shared Use Areas.
- Playspace upgrades – People spoke favourably about the proposed playspace and social gathering area. People wanted to ensure the upgrades included more nature-based play elements and items that cater for slightly older children. It is important to ensure that playground upgrades have accessible and inclusive elements, accommodating individuals of all abilities.
- Access and safety – The community supported the need to address these elements and generally supported the proposed works regarding roadways, paths, signage and fencing.

Weaknesses of the draft Masterplan:

- Pavilion location – The pavilion location caused significant divide. There was strong support to retain the existing due to its location and history, while others support a new purpose-built facility. Those in support of a new pavilion had differing opinions on its location. There is a challenge to identify a location that is out of flood prone areas, doesn't impact existing infrastructure and reserve usage, and still services the entire reserve but particularly the playspace.
- Equestrian infrastructure – People supported the investment into equestrian infrastructure but identified the need to configure these elements in areas differing to those outlined on the Masterplan. There was a desire to see the Masterplan include additional aspirational equestrian infrastructure such as an all-weather equestrian arena and a fenced show jumping area.
- Field and Game Association – Some people did not appreciate the Masterplan not commenting on removal of the Field and Game Association from the reserve after the ending of their current lease.
- Dog walking – Numerous people outlined concern that off-lead dog walking is not addressed on the Masterplan when this is a strong desire for the community. There was a recommendation for this to be explored at the reserve.
- Wetlands – Some people did not agree that the wetlands should be referenced on the Masterplan as these are not naturally occurring and shouldn't be retained.
- Infrastructure for young people – It was identified that there is limited infrastructure proposed that will appeal to teens and young people. There were suggestions from few respondents to install additional recreational facilities such as basketball half court, tennis court, netball ring and bike/skate facilities.
- Access pathways – The draft Masterplan proposed use of granitic sand for pathways across the reserve. It was recommended to consider the use of compacted crushed gravel paths instead of granitic sand to ensure better accessibility, functionality and maintenance.
- Masterplan format – Some community members strongly opposed the approach undertaken by Council to deliver the draft Masterplan. They outlined the draft lacked vision, direction and consultation. There was concern that the draft Masterplan only included a schematic plan with no rationale behind how it had been developed.
- Simplified language and clarity – Feedback included that the language used in the draft Masterplan was challenging to understand and should be simplified making it more accessible to all stakeholders.

Priorities for implementation:

The following areas were consistently identified as priorities for Masterplan implementation:

- Pavilion redevelopment inclusive of public toilet upgrade
- Flood mitigation planning
- Reserve management plan development
- Access and safety items such as roads, pathways, signage and fencing
- Equestrian infrastructure developments
- Playspace and picnic area upgrades.

Key Issues Identified

Several key issues were raised during the public exhibition period. These have been categorised under infrastructure, recreation, vegetation, access and other.

| INFRASTRUCTURE | | | |
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| KEY ISSUE | SUBMITTER | OFFICER RESPONSE | DRAFT MASTERPLAN IMPLICATIONS |
| <p>Pavilion location: There was strong support to retain the existing pavilion due to its location and history, while others support a new purpose-built facility in an alternative location. Those in support of a new pavilion had differing opinions on its location.</p> | Various | <p>Need identified to undertake further detailed site investigations to determine pavilion location.</p> <p>A flood impact assessment to assist in recommending a single location for the future development of the reserve pavilion was undertaken.</p> <p>The site of existing public toilets has been recommended as this location has the least design and building related constraints. The existing public toilets are no longer fit for purpose and would be replaced regardless of the proposed pavilion location. This location is serviced by existing water and power and is adjacent to the existing roadway into the reserve. In raising the floor level of the pavilion, DDA compliant ramping and circulation space at the raised floor level is required, and this adds to the overall footprint of the building. This location offers flexibility to provide these elements, whilst ensuring the optimal building orientation to key aspects of the reserve – including the racetrack, playground, equestrian and woodchop areas.</p> | No modification made to the Masterplan. |

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| Pavilion development: Establishing a new pavilion facility should be strongly opposed, as Council should not be wasting money on a new pavilion for the use of a very small number of people. | Survey responder | There is an identified need to upgrade the existing or build a new pavilion at the Reserve as the existing pavilion is reaching the end of its useful life and is no longer fit for purpose. | No modification made to the Masterplan. |
| Equestrian infrastructure: The accessible equestrian mounting ramp is not in the most practical location and should be located approximately 10m south of proposed location. | Daylesford Riding for the Disabled, Glenlyon and District Pony Club, Glenlyon and District Riding Club | Agree. | The Masterplan was modified to reflect this change |
| Equestrian infrastructure: The round horse yard is not in the most practical location and should be located north of the dressage arena. | Daylesford Riding for the Disabled, Glenlyon and District Pony Club, Glenlyon and District Riding Club | Agree. | The Masterplan was modified to reflect this change. |
| Equestrian infrastructure: The equestrian wash bay is not in the most practical location and should be located abutting the horse yards. | Daylesford Riding for the Disabled, Glenlyon and District Pony Club, Glenlyon and District Riding Club | Agree. | The Masterplan was modified. to reflect this change |
| Equestrian infrastructure: The masterplan should include the provision of an all-weather equestrian facility. | Daylesford Riding for the Disabled, Glenlyon and District Pony Club, Glenlyon and District Riding Club | This has been considered, noting further investigation would be required and funding would need to be actively sourced from other funding partners / opportunities. | The Masterplan was updated to include the following: <i>“Explore options for improvement to equestrian facilities. Possibly to include regrading showjumping and horse float areas, fencing showjumping area, installing lights and power supply at dressage arena and building all weather capacity for dressage arena.”</i> |

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| Equestrian infrastructure: The masterplan should include the provision of a fence around the show-jumping area. | Daylesford Riding for the Disabled, Glenlyon and District Pony Club, Glenlyon and District Riding Club | This has been considered, noting further investigation would be required and funding would need to be actively sourced from other funding partners / opportunities. | The Masterplan was updated to include the following: <i>“Explore options for improvement to equestrian facilities. Possibly to include regrading showjumping and horse float areas, fencing showjumping area, installing lights and power supply at dressage arena and building all weather capacity for dressage arena.”</i> |
| Equestrian infrastructure: The Masterplan should include regrading the showjumping and horse float areas. | Daylesford Riding for the Disabled, Glenlyon and District Pony Club, Glenlyon and District Riding Club | This has been considered noting further investigation would be required. | The Masterplan was updated to include the following: <i>“Explore options for improvement to equestrian facilities. Possibly to include regrading showjumping and horse float areas, fencing showjumping area, installing lights and power supply at dressage arena and building all weather capacity for dressage arena.”</i> |
| Equestrian infrastructure: The Masterplan should include provision of lights and power source at the dressage arena. | Glenlyon and District Pony Club, Glenlyon and District Riding Club | This has been considered noting further investigation would be required and funding would need to be actively sourced from other funding partners / opportunities. | The Masterplan was updated to include the following: <i>“Explore options for improvement to equestrian facilities. Possibly to include regrading showjumping and horse float areas, fencing showjumping area, installing lights and power supply at dressage arena and building all weather capacity for dressage arena.”</i> |
| Pump shed: The pump shed located behind the dressage arena is unused and should be demolished. | Glenlyon and District Pony Club, Glenlyon and District Riding Club | This has been considered noting further investigation would be required. | The Masterplan was modified to include <i>“Investigate removal of pump shed.”</i> |
| Public showers: Opposition to the installation of showers, as the Reserve may become a magnet for homeless people and will present a | Written submission provider | Through consultation, Officers identified a need to include shower facilities in the pavilion to service user group needs. It is yet to be determined if these showers will be publicly available. | No modification made to the Masterplan. |

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| vandalism risk. The current users do not need shower facilities. | | | |
| Youth infrastructure: There is limited infrastructure proposed that will appeal to teens and young people. There should be consideration to install additional recreational facilities such as basketball half court, tennis court, netball ring and/or bike/skate facilities. | Glenlyon Upper Loddon Landcare Group, survey responders and written submission provider | The Masterplan addresses the needs of children and young people through an upgrade to the playspace, establishment of social gathering area and redeveloped cricket nets, along with significant broader investment into the Reserve infrastructure. | No modification made to the Masterplan. |
| Tennis court: The Masterplan should include provision of a tennis court. | Glenlyon Upper Loddon Landcare Group, survey responders and written submission provider | The Masterplan provides for recreational opportunities such as walking trails, playspace, redeveloped cricket nets, circuit track and open spaces. Overall there was not a strong community desire for tennis courts and given the costs associated with establishment and maintenance of tennis courts, provision of tennis courts has not been included in the Masterplan. | No modification made to the Masterplan. |
| RECREATION | | | |
| KEY ISSUE | SUBMITTER | OFFICER RESPONSE | DRAFT MASTERPLAN IMPLICATIONS |
| Shooting activity: The Masterplan should comment on removal of the Field and Game Association from the reserve after the ending of their current lease. Shooting activity should not be permitted at the reserve. | Survey responder and written submission provider | The purpose of the Masterplan is to inform the future planning, provision and enhancement of the Reserve. It does not include operational matters such as use agreements. | No modification made to the Masterplan. |
| Dog walking: The Masterplan should address off-lead dog walking | Glenlyon Recreation Reserve Community Asset | Potential off lead dog walking provision at Glenlyon Recreation Reserve is to be determined by the Hepburn Shire Dog Off | No modification made to the Masterplan. |

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| provision as this is a strong desire for the community. | Committee, Glenlyon Progress Association, survey responders, written submission providers and drop-in session attendee | Lead Plan, which is currently under development. | |
| Camping: Camping should not be permitted at the Reserve. At a minimum unsupervised camping should not be allowed. | Survey responders and written submission provider | The purpose of the Masterplan is to inform the future planning, provision and enhancement of the Reserve. It does not include operational matters such as use arrangements. The masterplan does recommend upgrading signage which outlines camping rules and regulations. | No modification made to the Masterplan. |
| Camping regulations: The Masterplan doesn't reference the challenges presented by unsupervised camping at the reserve, including camp fire management, illegal fire wood collection, camping surveillance and illegal waste dumping. | Written submission provider | The purpose of the Masterplan is to inform the future planning, provision and enhancement of the Reserve. It does not include operational matters such as use arrangements. The Masterplan does recommend upgrading signage which outlines camping rules and regulations. | No modification made to the Masterplan. |
| VEGETATION | | | |
| KEY ISSUE | SUBMITTER | OFFICER RESPONSE | DRAFT MASTERPLAN IMPLICATIONS |
| Wetlands: The wetlands should not be referenced on the Masterplan as these are not naturally occurring and shouldn't be retained. | Glenlyon Upper Loddon Landcare Group | Agree. | The reference to wetlands was deleted from the Masterplan. |
| Conservation: To further protect the conservation values across the Reserve and considering there is no recreational activity in the southern | Council Officers | Consultation identified a need to further protect conservation values in the southern section of Shared Use Area 2. | Shared Use Area 2 was modified to 'Conservation Area' on the Masterplan |

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| section of Shared Use Area 2, this should be designated a Conservation Area. | | | |
| Tree planting: The proposed tree planting near the dressage arena will negatively impact the dressage arena. This planting should be relocated to the fence line on Suttons Lane. | Glenlyon Recreation Reserve Community Asset Committee, Daylesford Riding for the Disabled, Glenlyon and District Pony Club, Glenlyon and District Riding Club | Agree. | The Masterplan was modified by deleting reference to plantings on the south side of the dressage arena and including reference to plantings on the east side of the dressage arena. |
| ACCESS | | | |
| KEY ISSUE | SUBMITTER | OFFICER RESPONSE | DRAFT MASTERPLAN IMPLICATIONS |
| Path surfaces: It was recommended to consider the use of compacted crushed gravel paths instead of granitic sand to ensure better accessibility, functionality and maintenance. | Drop-in session attendee | Agree. | A pathway from pavilion to racetrack was included on the Masterplan. The reference of use of granitic sand for pathways was amended to 'DDA complaint pathways'. |
| Drainage: There is a need for the Masterplan to address the drainage issues at the reserve. | Survey responders and written submission providers | Appointing a hydrologist (Item 45) addresses this issue, however for clarity the description has been updated to reference drainage to remove misunderstanding. | The Masterplan was modified to include <i>"Appoint hydrologist to undertake drainage and flood mitigation planning works to inform delivery of future works."</i> |
| Access roadway: The Masterplan should include provision of a vehicle access road from the racetrack to the Field and Game Buildings. | Daylesford Field and Game Association | Agree. | The Masterplan was modified to include a vehicle access road from the racetrack to the Field and Game Buildings. |

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| Entrance widening: The Dysart Street entrance should be widened for increased vehicle access. | Glenlyon Upper Loddon Landcare Group | A site assessment determined an inability to widen roadway entrance due to rock bed. | No modification made to the Masterplan. |
| OTHER | | | |
| KEY ISSUE | SUBMITTER | OFFICER RESPONSE | DRAFT MASTERPLAN IMPLICATIONS |
| Masterplan format: The Masterplan lacks vision, direction and consultation and has no rationale behind how it had been developed. | Written submission providers | The Masterplan has been developed through extensive community engagement and in alignment with other Council Masterplans. | No modification made to the Masterplan. |
| Traditional owners' acknowledgment: Further options to incorporate Djaara perspectives into the Masterplan could include: <ul style="list-style-type: none"> - Develop planting schedule of indigenous plants with traditional uses and of importance. Develop planting schedule for creek improvement. Create indigenous interpretive garden components. - Interpretive signage. - Incorporate visual storytelling into the built environment. - Build a <i>Djandak</i> shelter. - Create an informal meeting/yarning circle. | Djandak (Djaara) | Agree to to incorporate various Djaara perspectives into the Masterplan through the social gathering area, installation of interpretive signage across the reserve and further engagement with Djandak during implementation. | The Masterplan was modified to include <i>"Install electric barbecue on existing concrete slab and create an adjacent community gathering place with picnic tables, park benches and shade trees. Install interpretive signage for indigenous history and reserve biodiversity information. Partner with Djandak where possible to incorporate indigenous perspectives and knowledge into the area."</i> |
| Simplified language: The language used in the Masterplan is challenging to understand and should be simplified making it more accessible to all stakeholders. | Glenlyon Progress Association and survey responder | Agree to simplify language where possible. | The Masterplan language and text were modified where applicable. |

Next Steps

The information collected from the various engagement activities undertaken during the public exhibition period have been used to inform the final draft Glenlyon Recreation Reserve Masterplan.

The final recommendations regarding what ultimately occurs in relation to issues such as those described above, has been informed by, including but not limited to:

- demonstrated need (strong community need is evidenced through engagement and previous strategic planning);
- alignment with Council and Department of Energy, Environment and Climate Action strategies and policies;
- legislation (e.g. the Reserve Heritage Overlay);
- risk assessments (e.g. potential for flooding and subsequent damage to investments);
- existing Council resolutions (e.g. Council has passed a resolution which commits to transition Daylesford Field and Game Association off the Reserve within the Club's 3 year Licence to an alternative site); and
- resource availability (ability for community groups and Hepburn Shire to fund the initiative and the project's alignment with various grant programs).

The final draft Glenlyon Recreation Reserve Masterplan is to be presented at a Council Meeting for adoption. Should the draft Masterplan be endorsed by Council, further scoping work would need to be undertaken as part of the Masterplan implementation. This work would identify the associated detailed design and capital costs which would need to be further considered by Council at the appropriate time. As part of this process Council would actively seek funding opportunities from external partners and stakeholders.

Summary of Flood Impact Assessment

Background

Through the development of the Glenlyon Recreation Reserve Masterplan, the community and stakeholder feedback on a preferred location of a new pavilion at the Glenlyon Reserve has been divided between a new pavilion being developed on the existing pavilion site and relocating the pavilion to another location within the reserve.

Consequently, three locations within the reserve have been considered by officers:

Location 1 - the existing pavilion - the existing pavilion would be required to be demolished.

Location 2 - the woodchop enclosure - the woodchop enclosure would be required to be relocated elsewhere within the reserve.

Location 3 - the existing public toilets - the existing public toilets would be demolished*

*Location three was proposed as the preferred site on the Draft Glenlyon Recreation Reserve Masterplan released for the public exhibition community and stakeholder engagement.

Due to the flooding that has occurred within the reserve in recent years, a flood impact assessment of the three proposed pavilion locations was undertaken to further inform the most suitable location of a new pavilion within the reserve. All locations were considered acceptable from the perspective of flood impact.

Given all three locations were viable when considering flood impact, other constraints and factors were taken into consideration to assess the overall potential of each location. In doing so, site 3 was identified as the preferred location for the future pavilion.

Flood Impact Assessment

With the proximity to the Loddon River and recent and historical flood events at the Reserve, a flood impact assessment of proposed locations for the future pavilion was undertaken by an external consultant. Three locations were assessed:

1. the existing pavilion
2. the woodchop enclosure
3. the existing public toilets

A flood impact assessment considers the following outcomes from introducing a new building into a flood zone:

- Will the building be inundated
- Flood impact on adjacent properties because of the presence of the new building
- Human safety to egress from the building during a flood (eg depth of water around the building, velocity of flow)
- Impact on roads and paths used for egress
- Impact on adjacent/nearby waterways

Subject to being constructed with a floor level approximately 0.6m above ground level, all three proposed pavilion locations were acceptable from a flood impact perspective.

Other Factors and Constraints

In conjunction with the flood impact assessment, other factors and constraints were considered to evaluate the potential of each location and these are summarised in the following matrix.

| Factor/Constraint | Location One | Location Two | Location Three |
|---------------------|--|--|---|
| Floor level | Yes – raised approx. 600 above ground level | Yes – raised approx. 600 above ground level | Yes – raised approx. 600 above ground level |
| Significant trees | Yes – consider impact of foundations on trees and building and public safety due to falling limbs. Construction would be occurring within tree protection zones (TPZ) and possibly structural root zones (SRZ). Construction within TPZs requires particular (usually more costly) construction techniques. Construction within SRZs should be avoided. | Yes – less of an issue than Location One, however dependent on building position within this parcel of land, consider impact of foundations on trees and building and public safety due to falling limbs. Construction with TPZs likely. | No constraints due to trees |
| Spatial constraints | Yes – limited clearance between racecourse, significant trees and access road through to other buildings. Limited flexibility to optimise building shape and orientation. The requirement to raise the building 600 above ground requires ramping, steps and circulation space that increases the building footprint. | Yes – limited clearance to existing internal roadways. Roadways could be modified as part of the scope. Limited flexibility to optimise building shape and orientation. As for Location, the 600 floor height requirement increases the building footprint | No spatial constraints |

| | | | |
|-----------------------|--|-------------------------|-------------------------|
| Proximity to waterway | Yes – likely to be within metres of the 30m restricted zone (from the waterway) as dictated by North Central Catchment Management Authority. With an expansion of the building footprint due to accessibility requirements the site would move within the 30m restricted zone. | No waterway constraints | No waterway constraints |
| Heritage | Yes – heritage and planning officer advice is the existing pavilion could be demolished with due process. Likely to be lengthy and involved | No heritage constraints | No heritage constraints |

Officer Recommendation

While all three locations (the existing pavilion location, woodchop area and existing public toilets area) were identified to be viable by the Flood Impact Assessment, other factors including design and building constraints such as proximity to significant trees and waterways, adequate floor area to achieve all required design elements and heritage overlay implications were also important considerations in the assessment of the locations.

Officers have recommended location three as the best option for the new community pavilion. The site will provide the community with the best outcome due to minimal design and building related constraints while being in an area which can service all formal and casual reserve and pavilion users. The existing public toilets are aged and do not meet gender equity or disability access compliance and would be replaced regardless of the proposed pavilion location. The new reserve public toilets will be integrated into the pavilion design.

This location is serviced by existing water and power and is adjacent to the existing roadway into the reserve. In raising the floor level of the pavilion, DDA compliant ramping and circulation space at the raised floor level is required, and this adds to the overall footprint of the building. Location Three offers flexibility to provide these elements, whilst ensuring the optimal building orientation to key aspects of the reserve – including the racetrack, playground, equestrian and woodchop areas.

13 EMBRACING OUR PAST AND PLANNING FOR OUR FUTURE

13.1 AWARD OF CONTRACT FOR HEPBU.RFT2024.22 PANEL OF SUPPLIERS – BUILDING SERVICES

Go to 02:01:50 in the meeting recording to view this item.

DIRECTOR INFRASTRUCTURE AND DELIVERY

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

ATTACHMENTS

1. CONFIDENTIAL - HEPBU RFT2024 22 Evaluation Report Panel of Suppliers Building Services [13.1.1 - 6 pages]

OFFICER'S RECOMMENDATION

That Council:

1. *Awards Contract Number HEPBU.RFT2024.22 for a schedule of rates to the following tenderers:*
 - a. *The Trustee for J&T Laidlaw Family Trust t/as Next Level Contracting.*
 - b. *4Front Construction Pty Ltd.*
 - c. *Projects and Maintenance Squared Pty Ltd.*
2. *Authorises the Chief Executive Officer be delegated to sign the contract documents on behalf of Council;*
3. *Authorises the Director Infrastructure and Delivery to exercise the contract extension option, pending internal contract performance reviews, and;*
4. *Resolves that the attached Tender Evaluation Report remains confidential.*

MOTION

That Council:

1. *Awards Contract Number HEPBU.RFT2024.22 for a schedule of rates to the following tenderers:*
 - a. *The Trustee for J&T Laidlaw Family Trust t/as Next Level Contracting.*
 - b. *4Front Construction Pty Ltd.*
 - c. *Projects and Maintenance Squared Pty Ltd.*

2. *Authorises the Chief Executive Officer be delegated to sign the contract documents on behalf of Council;*
3. *Authorises the Director Infrastructure and Delivery to exercise the contract extension option, pending internal contract performance reviews, and;*
4. *Resolves that the attached Tender Evaluation Report remains confidential.*

Moved: Cr Don Henderson

Seconded: Cr Juliet Simpson

Carried

Voted for: Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Nil

Abstained: Nil

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider awarding contract HEPBU.RFT2024.22 to a panel of suppliers for a period of three years plus an optional two-year extension period with an annual pricing review.

Following a formal tender process and detailed evaluation of the four tenders received, it is recommended that council appoints three tenderers to the panel. An unsuccessful letter will be sent to the unsuccessful tenderer.

BACKGROUND

Council seeks to establish this Building Services panel to deliver a variety of smaller-scale projects and works over the next three to five years. Traditionally these types of projects are below price thresholds for public tender procurement, and through the establishment of a supplier panel, Council's value in the works is improved, as well as an increase in Council's proficiency when procuring these trades.

The supplier panel is non-exclusive, Council reserves the right to procure outside of the panel at its sole discretion; however, it will form a first reference point for multiple departments in seeking relevant works.

The Term of the Agreement is three years plus an optional two-year extension period with an annual pricing review.

KEY ISSUES

Tenders for the HEPBU.RFT2024.22 Panel of Suppliers – Building Services were invited via public advertisement on Council's website and tenders.net from 13 February 2024 to 7 March 2024.

Submissions were received from four tenderers.

The tender submissions were evaluated by an evaluation panel consisting of:

- Tom McCarthy, Project Officer
- Ben Grounds, Manager Projects
- Victoria O'Halloran, Coordinator Facilities
- Sam Hattam, Project Manager
- Gary Learmonth, Sport and Recreation Projects Officer

The Evaluation Panel evaluated the tenders received against the following criteria:

- Price
- Capability
- Capacity
- Occupational Health and Safety
- Local Content
- Demonstration of Sustainable Procurement

The outcome of the tender evaluation is detailed in the attached Confidential Tender Evaluation Report.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Council Plan 2021-2025

Embracing our past and planning for the future

3.3 Build and maintain quality infrastructure that supports and promotes liveability and active living in the community.

A dynamic and responsive Council

5.5 Strong asset management and renewal.

FINANCIAL IMPLICATIONS

Based on past expenditure data, the estimated total expenditure on this contract over the five years should be approximately \$660,000. However, all expenses will be in line with approved budgets and incorporated into approved Council programs throughout the contract's duration.

Utilising this approved panel of suppliers will ensure the best value for money for Council. However, the use of the panel of suppliers does not preclude the possibility of sourcing services from other providers through a separate procurement process, which will be assessed on a project-specific basis.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

There are no community or stakeholder engagement implications associated with awarding this contract.

RISK AND GOVERNANCE IMPLICATIONS

There are no risk and governance implications associated with awarding this contract.

ENVIRONMENTAL SUSTAINABILITY

Any environmental implications associated with this contract will arise from the execution of the services/works procured through the supplier panel. It is considered that these are the responsibility of the Contractor and will be managed through the contract documentation.

GENDER IMPACT ASSESSMENT

A Gender Impact Assessment has been conducted for the establishment of the supplier panel. However, it's important to note that while the panel itself does not directly promote gender equality, efforts have been made to ensure inclusivity and remove barriers to gender equality in the procurement process.

Efforts to promote gender equality include:

- Appointment of a gender diverse Tender Evaluation Panel:
 - Efforts have been made to ensure diversity in panel composition, promoting gender inclusivity.
- Creation of an accessible Tender Response Form:
 - A user-friendly tender response form was prepared, making it easy for all individuals to understand and respond to the tender requirements.
 - The form was designed to remove any potential barriers that may hinder participation based on gender.
- Incorporation of gender diversity in tender promotions:
 - The use of gender-diverse individuals in promotional images associated with the tender aimed to reflect the diverse community and encourage inclusivity in participation.
- Mitigation of gender bias in tender evaluation:
 - To minimise the risk of gender bias, all tender submissions were assessed exclusively against the pre-defined criteria.
 - Evaluation was conducted impartially, ensuring that gender did not influence the assessment process.

While the establishment of the supplier panel may not directly promote gender equality, the abovementioned proactive measures were taken to mitigate gender-related barriers in the procurement process.

13.2 AWARD OF TENDER HEPBU.RFT2023.49 DRY HIRE OF PLANT, EQUIPMENT AND VEHICLES

Go to 02:04:55 in the meeting recording to view this item.

DIRECTOR INFRASTRUCTURE AND DELIVERY

In providing this advice to Council as the Project Engineer – Infrastructure, I Paul O'Leary have no interests to disclose in this report.

ATTACHMENTS

1. CONFIDENTIAL - HEPBU RFT2023.49 Tenders Evaluation - Dry Hire of Plant, Equipment and Vehicles [13.2.1 - 7 pages]

OFFICER'S RECOMMENDATION

That Council:

1. *Awards Contract Number HEPBU.RFT2023.49 for dry hire of plant, equipment, and vehicles to the top eight conforming tenderers.*
2. *Delegates authority for the Chief Executive Officer to sign the contract documents on behalf of Council; and,*
3. *Resolves that the attached Tender Evaluation Report remains confidential.*

MOTION

That Council:

1. *Awards Contract Number HEPBU.RFT2023.49 for dry hire of plant, equipment, and vehicles to the top eight conforming tenderers.*
2. *Delegates authority for the Chief Executive Officer to sign the contract documents on behalf of Council; and,*
3. *Resolves that the attached Tender Evaluation Report remains confidential.*

Moved: Cr Tessa Halliday

Seconded: Cr Don Henderson

Carried

Voted for: Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Nil

Abstained: Nil

EXECUTIVE SUMMARY

Council utilises a panel of approved suppliers for the dry hire of plant, equipment and vehicles in both the capital and operational programs.

The dry hire of equipment, plant or vehicles is defined as the hire of the equipment only without the provision of an operator i.e. Council officers would operate.

It is proposed that while the primary user of the panel will be the infrastructure and delivery department, the panel will be available for use to all departments of Council.

This Tender is to meet the requirements of the procurement policy in relation to the procurement of these services and will supersede the previous dry hire panel HEPBU.RFT2020.115.

BACKGROUND

Council uses panel suppliers for the dry hire of plant, machinery, and vehicles for a wide range of scenarios. These scenarios can include specialist machinery such as skid steers with attachments for bituminous reseal preparation works, compaction rollers for capital programs such as gravel resheet and road reconstruction works, tractors and slashers for the annual slashing program and even ute and passenger fleet hire to maintain the organisation's fleet capacity when resourcing up for specific peak demands.

KEY ISSUES

Council utilises a panel of suppliers for the dry hire of equipment, plant and vehicles when requiring additional resources to deliver maintenance and capital projects.

A total of 11 submissions were received and all 11 submissions were deemed conforming and fully reviewed.

There was a "natural break" in the scoring with the panel recommended putting eight of the eleven tenderers on the panel.

This will give Council a sufficiently large panel to cover all dry hire needs of the organisation.

COUNCIL POLICY AND LEGISLATIVE IMPLICATIONS

Council Plan 2021-2025

Embracing our past and planning for the future

3.3 Build and maintain quality infrastructure that supports and promotes liveability and active living in the community.

Diverse economy and opportunities

4.3 Support and facilitate a diverse and innovative local economy that encourages an increase of local businesses with diverse offerings to achieve positive social, economic, and environmental impacts.

FINANCIAL IMPLICATIONS

Establishment of a panel drives economies of scale for suppliers. The competitive nature of the panel has ensured the suppliers have tendered with competitive commercial rates.

Funding will be drawn from various approved maintenance and project budget allocations during the life of the contract.

Risk is mitigated by using a schedule of rates contract for an initial period of two years plus two optional extensions of one year each by mutual agreement.

Appointment to the panel is no guarantee of utilisation of the suppliers' services and does not constitute a financial commitment by Council.

COMMUNITY AND STAKEHOLDER ENGAGEMENT

There are no negative community or stakeholder engagement implications associated with this report.

All relevant community and stakeholder engagement will take place as part of the scoping and award of packages of work under this contract.

RISK AND GOVERNANCE IMPLICATIONS

There are no governance risk implications associated with this report.

ENVIRONMENTAL SUSTAINABILITY

There are no negative environmental sustainability implications associated with this report.

All relevant environmental impact assessment take place as part of the scoping and commencements of packages of work.

GENDER IMPACT ASSESSMENT

A Gender Impact Assessment was assessed as not required for this Contract. Gender Impact Assessments will be undertaken as required when awarding packages of work under this panel contract.

14 **CONFIDENTIAL ITEMS**

14.1 CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

Go to 02:07:00 in the meeting recording to view this item.

Pursuant to section 66(1) of the *Local Government Act 2020* (the Act) Council or delegated committee must keep a meeting open to the public unless the Council or delegated committee considers it necessary to close the meeting to the public because a circumstance specified in subsection (2) applies.

The circumstances detailed in section 66(2) of the Act are:

- a) the meeting is to consider confidential information; or
- b) security reasons; or
- c) it is necessary to do so to enable the meeting to proceed in an orderly manner.

RECOMMENDATION

That in accordance with sections 66(1) and 66(2)(a) of the Local Government Act 2020, the meeting to be closed to members of the public for the consideration of the following confidential items:

1.1 APPOINTMENT - INDEPENDENT MEMBER TO THE CEO EMPLOYMENT AND REMUNERATION COMMITTEE

- *Because it is personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.*
- *This ground applies because the report for the Independent Member of the CEO Employment and Remuneration details the applicants' information, and if released would unfairly expose the candidates.*

MOTION

That in accordance with sections 66(1) and 66(2)(a) of the Local Government Act 2020, the meeting to be closed to members of the public for the consideration of the following confidential items:

1.1 APPOINTMENT - INDEPENDENT MEMBER TO THE CEO EMPLOYMENT AND REMUNERATION COMMITTEE

- *Because it is personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.*

- *This ground applies because the report for the Independent Member of the CEO Employment and Remuneration details the applicants' information, and if released would unfairly expose the candidates.*

Moved: Cr Jen Bray

Seconded: Cr Juliet Simpson

Carried

Voted for: Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Nil

Abstained: Nil

The meeting closed to the public at 7:41pm for the hearing of confidential items and did not reopen to the public.

The Confidential Meeting opened at 7:41pm.

The Council determined to release the following information to the public on the item as detailed below.

1.1 APPOINTMENT - INDEPENDENT MEMBER TO THE CEO EMPLOYMENT AND REMUNERATION COMMITTEE

MOTION

That Council:

1. *Endorses the Panel's recommendation to appoint Ms Teresa Grove for a term of three years, with the option to extend for a further three years;*
2. *Notes that the appointment of an Independent Member to the CEO Employment and Remuneration Committee fulfils the requirements pursuant to section 45(1) of the Local Government Act 2020; and*
3. *Resolves that, pursuant to Section 125(2) of the Local Government Act 2020, the resolution will be made available in the Public Minutes for the limited purpose of communicating the effect of the resolution to the extent necessary to give effect to it.*

Moved: Cr Don Henderson

Seconded: Cr Juliet Simpson

Carried

Voted for: Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday and Cr Tim Drylie

Voted against: Nil

Abstained: Nil

15 CLOSE OF MEETING

The Meeting closed at 7:43pm.